

LEGAL SERVICES

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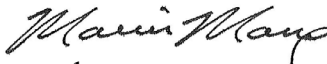
State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

September 8, 2021

SUBJECT: Appropriation limit in SJR 301 (Work Order No. 32-LS1161\A.8)

TO: Senator Roger Holland
Chair of the Senate Judiciary Committee
Attn: Ed King

FROM: Marie Marx 
Legislative Counsel

The amendment you requested, relating to SJR 301, is attached. SJR 301, version A, currently provides that "The percentage that applies to the calculation in this section shall be *established by law* except that the percentage shall be not more than fourteen percent."¹ As we discussed, an appropriation bill is also "law" for purposes of the phrase "shall be provided by law." Under the current language in SJR 301, version A, the legislature would be free to appropriate an amount based on a higher percentage than that established in statutory law, as long as it was not more than the constitutional limit of fourteen percent.

The attached draft amendment clarifies that the percentage that applies to the calculation in the proposed resolution is either the amount established by law, or fourteen percent, whichever is less. The amendment also provides that the law may not be an appropriation law.

Please let me know if I may be of further assistance.

MYM:lme
21-378.lme

Attachment

¹ Emphasis added.