

CS FOR SENATE JOINT RESOLUTION NO. 4(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - FIRST SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 3/29/19

Referred: Judiciary, Finance

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A RESOLUTION

1 **Proposing amendments to the Constitution of the State of Alaska prohibiting the**
2 **establishment of, or increase to, a state tax without the approval of the voters of the**
3 **state; and relating to the initiative process.**

4 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** Article IX, sec. 1, Constitution of the State of Alaska, is amended to read:

6 **Section 1. Taxing Power. (a)** The power of taxation shall never be
7 surrendered. This power shall not be suspended or contracted away, except as
8 provided in this article.

9 * **Sec. 2.** Article IX, sec. 1, Constitution of the State of Alaska, is amended by adding new
10 subsections to read:

11 (b) Notwithstanding Section 18 of Article II, a law enacted under Sections 14 -
12 17 of Article II that establishes a state tax or increases the rate of an existing state tax
13 shall not take effect unless it is approved by the voters of the State in the first
14 statewide election held more than one hundred twenty days after the enactment of the
15 law. The lieutenant governor shall prepare a ballot title and proposition summarizing

1 the law, and shall place them on the ballot. If a majority of the votes cast on the
2 proposition favor its adoption, the law becomes effective on the later of ninety days
3 after the lieutenant governor certifies the election returns or an effective date provided
4 for by concurrence of two-thirds of the membership of each house. If a majority of the
5 votes cast on the proposition favor its rejection, the law is rejected and does not take
6 effect.

7 (c) A law enacted by the voters through the initiative process under Article XI
8 that establishes a state tax or increases the rate of an existing state tax shall not take
9 effect unless the legislature, by resolution, approves the initiated law by a majority
10 vote in joint session before the adjournment of the next regular session occurring after
11 the lieutenant governor certifies the election returns. If approved by the legislature, the
12 initiated law becomes effective ninety days after approval. If the legislature fails to
13 approve the initiated law before the adjournment of the regular session, the initiated
14 law is rejected and does not take effect.

15 * **Sec. 3.** Article XI, sec. 6, Constitution of the State of Alaska, is amended to read:

16 **Section 6. Enactment.** If a majority of the votes cast on the proposition favor
17 its adoption, the initiated measure is enacted. If a majority of the votes cast on the
18 proposition favor the rejection of an act referred, it is rejected. The lieutenant governor
19 shall certify the election returns. **Except as provided in Section 1 of Article IX, an**
20 **[AN]** initiated law becomes effective ninety days after certification, is not subject to
21 veto, and may not be repealed by the legislature within two years of its effective date.
22 It may be amended at any time. An act rejected by referendum is void thirty days after
23 certification. Additional procedures for the initiative and referendum may be
24 prescribed by law.

25 * **Sec. 4.** The amendments proposed by this resolution shall be placed before the voters of
26 the state at the next general election in conformity with art. XIII, sec. 1, Constitution of the
27 State of Alaska, and the election laws of the state.