

**HOUSE JOINT RESOLUTION NO. 5**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVE AUSTERMAN**

**Introduced: 1/19/99**

**Referred: Transportation, Judiciary, Finance**

**A RESOLUTION**

**1 Proposing amendments to the Constitution of the State of Alaska creating a  
2 highway fund and a harbor fund.**

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

**4 \* Section 1.** Article IX, sec. 7, Constitution of the State of Alaska, is repealed and  
**5 readopted to read:**

**6 Section 7. Dedicated Funds.** The proceeds of any State tax or license shall not  
**7 be dedicated to any special purpose. This provision shall not prohibit the continuance  
8 of any dedication for special purposes existing on April 24, 1956, and shall not prohibit  
9 the dedication of revenue under Sections 15, 18, or 19 of this article, or when required  
10 by the federal government for State participation in federal programs.**

**11 \* Sec. 2.** Article IX, Constitution of the State of Alaska, is amended by adding new sections  
**12 to read:**

**13 Section 18. Highway Fund.** (a) The revenue received after June 30, 2001,  
**14 from State taxes on fuel used for the propulsion of motor vehicles designed for and  
15 ordinarily used on highways or roads, less refunds, credits, and the costs of collection  
16 of those taxes as provided by law, shall be placed in a highway fund. Except as**

1 provided in (d) of this section, the legislature may appropriate money from the highway  
2 fund only for the maintenance costs of roads and highways that are maintained by the  
3 State or a local government.

4 (b) This section does not apply to revenue received from taxes that the State  
5 collects on behalf of a local government.

6 (c) The legislature shall provide by law for the management and investment of  
7 the highway fund balance. The income earned from the management and investment of  
8 the highway fund shall be deposited into the fund.

9 (d) An appropriation from the highway fund for a public purpose other than one  
10 described in (a) of this section may be made upon an affirmative vote of three-fifths of  
11 the members of each house of the legislature.

12 **Section 19. Harbor Fund.** (a) The revenue received after June 30, 2001,  
13 from State taxes on fuel used in and on watercraft, less refunds, credits, and the costs  
14 of collection of those taxes as provided by law, shall be placed in a harbor fund.  
15 Except as provided in (d) of this section, the legislature may appropriate money from  
16 the harbor fund only for the construction and improvement of harbor facilities that are  
17 maintained by the State or a local government.

18 (b) This section does not apply to revenue received from taxes that the State  
19 collects on behalf of a local government.

20 (c) The legislature shall provide by law for the management and investment of  
21 the harbor fund balance. The income earned from the management and investment of  
22 the harbor fund shall be deposited into the fund.

23 (d) An appropriation from the harbor fund for a public purpose other than one  
24 described in (a) of this section may be made upon an affirmative vote of three-fifths of  
25 the members of each house of the legislature.

26 \* **Sec. 3.** The amendments proposed by this resolution shall be placed before the voters of  
27 the state at the next general election in conformity with art. XIII, sec. 1, Constitution of the State  
28 of Alaska, and the election laws of the state.