

HOUSE CS FOR CS FOR SENATE JOINT RESOLUTION NO. 23(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 2/8/02

Referred: Finance

Sponsor(s): SENATORS DONLEY, Halford, Ward, Taylor, Cowdery, Phillips, Austerman, Leman, Kelly

REPRESENTATIVES Kohring, Rokeberg

A RESOLUTION

1 **Proposing amendments to the Constitution of the State of Alaska relating to an**
2 **appropriation limit and a spending limit.**

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

4 * **Section 1.** Article IX, sec. 16, Constitution of the State of Alaska, is repealed and
5 readopted to read:

6 **Section 16. Appropriation and Spending Limit.** (a) Appropriations made
7 for a fiscal year shall not exceed by more than four percent the amount appropriated
8 for the fiscal year two years preceding the fiscal year for which the appropriations are
9 made. This subsection does not apply to

- 10 (1) an appropriation to the Alaska permanent fund;
- 11 (2) an appropriation of Alaska permanent fund income for payments of
12 permanent fund dividends to State residents;
- 13 (3) an appropriation to meet a state of disaster declared by the
14 governor as prescribed by law;
- 15 (4) an appropriation for the Alaska Railroad;
- 16 (5) an appropriation of State general obligation and revenue bond

1 proceeds;

2 (6) an appropriation required to pay obligations under general
3 obligation bonds, revenue bonds, and certificates of participation issued by the State;

4 (7) an appropriation of money received from the federal government;

5 (8) a reappropriation of money already appropriated under an
6 unobligated appropriation that is not void under Section 13 of this article;

7 (9) an appropriation of money for expenditure by a State agency to
8 provide services to another State agency that has also received an appropriation of the
9 same money; and

10 (10) an appropriation made under (b) or (c) of this section.

11 (b) An appropriation that exceeds the limit under (a) of this section may be
12 made for any public purpose upon affirmative vote of at least two-thirds of the
13 members of each house of the legislature. The total amount of appropriations under
14 this subsection made for a fiscal year may not exceed two percent of the amount
15 appropriated for the fiscal year two years preceding the fiscal year for which the
16 appropriations are made.

17 (c) An appropriation that exceeds the limit under (a) and (b) of this section
18 may be made for any public purpose upon affirmative vote of at least three-fourths of
19 the members of each house of the legislature. The total amount of appropriations
20 under this subsection made for a fiscal year may not exceed two percent of the amount
21 appropriated for the fiscal year two years preceding the fiscal year for which the
22 appropriations are made.

23 (d) If appropriations for a fiscal year exceed the amount that may be
24 appropriated under (a) - (c) of this section, the governor shall reduce expenditures by
25 the executive branch for its operation and administration to the extent necessary to
26 avoid spending more than the amount that may be appropriated under (a) - (c) of this
27 section.

28 * **Sec. 2.** Article XV, Constitution of the State of Alaska, is amended by adding a new
29 section to read:

30 **Section 30. Transition; Reconsideration of Appropriation and Spending**

31 **Limit.** (a) Notwithstanding the provision in Section 16(a) of the Article IX that

1 appropriations for a fiscal year shall not exceed by more than four percent the amount
2 appropriated for the fiscal year two years preceding the fiscal year for which
3 appropriations are made, appropriations made for

4 (1) fiscal year 2004 under Section 16(a) of Article IX shall not exceed
5 \$3,328,000,000 excluding appropriations under Section 16(a)(1) - (10) of Article IX;
6 and

7 (2) fiscal year 2005 under Section 16(a) of Article IX shall not exceed
8 \$3,394,000,000 excluding appropriations under Section 16(a)(1) - (10) of Article IX.

9 (b) If the 2002 amendment relating to an appropriation and spending limit (art.
10 IX, sec. 16) is adopted, the lieutenant governor shall place the ballot title and
11 proposition for the amendment on the ballot again at the general election in 2006 and
12 every six years thereafter unless it is rejected. If the majority of those voting on the
13 proposition rejects the proposition, Section 16 of Article IX is repealed on the date the
14 election is certified.

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