

SENATE JOINT RESOLUTION NO. 401

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - FOURTH SPECIAL SESSION

BY SENATOR MYERS

Introduced: 10/19/21

Referred:

A RESOLUTION

1 **Proposing amendments to the Constitution of the State of Alaska relating to an**
2 **appropriation 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 amended to read:

5 **Section 16. Appropriation Limit.** Except for appropriations for Alaska
6 permanent fund dividends, **appropriations to the Alaska permanent fund,**
7 appropriations of revenue **bond and general obligation** bond proceeds,
8 appropriations required to pay the principal and interest on **revenue bonds and**
9 **general obligation bonds, appropriations to a State account or fund that requires a**
10 **subsequent appropriation from that account or fund as prescribed by law,**
11 **appropriations to meet a state of disaster declared by the governor as prescribed**
12 **by law,** and appropriations of money received from a non-State source in trust for a
13 specific purpose, including **corporate receipts** [REVENUES] of a public enterprise or
14 public corporation of the state that issues revenue bonds, appropriations from the
15 treasury made for a fiscal year shall not exceed **an amount equal to a percentage of**
16 **the average of the value of the personal income of the residents of the State as**

1 estimated by the federal bureau responsible for economic analysis according to
2 federal law for the five fiscal years immediately preceding the prior fiscal year.
3 The percentage shall be established by law that is not a law enacted as an
4 appropriation bill or fourteen percent, whichever is less. Upon an affirmative
5 vote of two-thirds of the membership of each house, the legislature may
6 appropriate an additional amount for capital improvements in excess of the limit
7 under this section, except that the total amount appropriated shall not exceed an
8 amount equal to fourteen percent of the average calculated under this section.
9 The value of the personal income of the residents in this section shall not include
10 compensation for state and local government employees and shall not include
11 distributions of the permanent fund dividend [\$2,500,000,000 BY MORE THAN
12 THE CUMULATIVE CHANGE, DERIVED FROM FEDERAL INDICES AS
13 PRESCRIBED BY LAW, IN POPULATION AND INFLATION SINCE JULY 1,
14 1981. WITHIN THIS LIMIT, AT LEAST ONE-THIRD SHALL BE RESERVED
15 FOR CAPITAL PROJECTS AND LOAN APPROPRIATIONS. THE
16 LEGISLATURE MAY EXCEED THIS LIMIT IN BILLS FOR APPROPRIATIONS
17 TO THE ALASKA PERMANENT FUND AND IN BILLS FOR
18 APPROPRIATIONS FOR CAPITAL PROJECTS, WHETHER OF BOND
19 PROCEEDS OR OTHERWISE, IF EACH BILL IS APPROVED BY THE
20 GOVERNOR, OR PASSED BY AFFIRMATIVE VOTE OF THREE-FOURTHS OF
21 THE MEMBERSHIP OF THE LEGISLATURE OVER A VETO OR ITEM VETO,
22 OR BECOMES LAW WITHOUT SIGNATURE, AND IS ALSO APPROVED BY
23 THE VOTERS AS PRESCRIBED BY LAW. EACH BILL FOR APPROPRIATIONS
24 FOR CAPITAL PROJECTS IN EXCESS OF THE LIMIT SHALL BE CONFINED
25 TO CAPITAL PROJECTS OF THE SAME TYPE, AND THE VOTERS SHALL, AS
26 PROVIDED BY LAW, BE INFORMED OF THE COST OF OPERATIONS AND
27 MAINTENANCE OF THE CAPITAL PROJECTS. NO OTHER APPROPRIATION
28 IN EXCESS OF THIS LIMIT MAY BE MADE EXCEPT TO MEET A STATE OF
29 DISASTER DECLARED BY THE GOVERNOR AS PRESCRIBED BY LAW. THE
30 GOVERNOR SHALL CAUSE ANY UNEXPENDED AND UNAPPROPRIATED
31 BALANCE TO BE INVESTED SO AS TO YIELD COMPETITIVE MARKET

1 RATES TO THE TREASURY].

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

4 **Section 30. Application of Appropriation Limit.** The 2022 amendment
5 limiting appropriation increases applies to appropriations made for the fiscal year
6 ending June 30, 2024, and thereafter.

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