

Offered: 3/3/86
Referred: Finance

Original sponsor: Rules/governor

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE
2 CS FOR HOUSE JOINT RESOLUTION NO. 62 (Judiciary)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 Proposing an amendment to the Constitu-
6 tion of the State of Alaska relating to
7 the use and expenditure of state money.

8 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. Article IX, sec. 7, Constitution of the State of Alaska,
10 is amended to read:

11 SECTION 7. DEDICATED FUNDS. The proceeds of any state tax or
12 license shall not be dedicated to any special purpose, except as
13 provided in sections [SECTION] 15 and 17 of this article or when
14 required by the federal government for state participation in federal
15 programs. This provision shall not prohibit the continuance of any
16 dedication for special purposes existing upon the date of ratification
17 of this section by the people of Alaska.

18 * Sec. 2. Article IX, sec. 16, Constitution of the State of Alaska, is
19 repealed and readopted to read:

20 SECTION 16. APPROPRIATION LIMIT. Appropriations of money from
21 state sources for a fiscal year, excluding appropriations to the
22 permanent fund, may not increase by more than fifteen percent of the
23 amount appropriated from state sources during the preceding calendar
24 year, except as authorized by section 17 of this article.

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

27 SECTION 17. BUDGET RESERVE FUND. (a) Money received by the
28 State from state sources, that is not dedicated or appropriated to the
29 permanent fund and that exceeds the appropriation limit imposed by

1 section 16 of this article, shall be deposited in the budget reserve
2 fund until the balance of the reserve fund equals the amount appropri-
3 ated from state sources during the preceding calendar year.

4 (b) At least fifty percent of the money received by the State,
5 described in (a) of this section, that exceeds the maximum balance of
6 the budget reserve fund shall be deposited in the permanent fund, as
7 provided by law. The remainder of any excess money shall be deposited
8 in the general fund. Notwithstanding the appropriation limit imposed
9 by section 16 of this article, the excess money deposited in the
10 general fund under this subsection may be appropriated.

11 (c) Money in the budget reserve fund shall be invested so as to
12 yield competitive market rates to the fund. Income from investment of
13 the fund shall be retained in the fund.

14 (d) If the money received by the State from state sources in a
15 fiscal year is less than the amount appropriated from state sources
16 during the preceding calendar year, money may be appropriated from the
17 budget reserve fund. Except as otherwise provided in this section,
18 not more than twenty-five percent of the budget reserve fund balance
19 may be appropriated for any fiscal year.

20 (e) Notwithstanding the spending limitations in this section or
21 in section 16 of this article, additional amounts may be appropriated
22 from the budget reserve fund to meet a state emergency declared by the
23 governor as prescribed by law.

24 * Sec. 4. Article XV, Constitution of the State of Alaska, is amended
25 by adding a new section to read:

26 SECTION 29. EFFECTIVE DATE. If a majority of those voting in
27 1986 on the reconsideration of the 1982 amendment limiting appropria-
28 tion increases approves the 1982 amendment, the 1986 amendment repeal-
29 ing and readopting section 16 of article IX takes effect forty days

1 after the certification of the 1986 general election returns by the
2 lieutenant governor. If a majority rejects the 1982 amendment, the
3 1986 amendment repealing and readopting section 16 of article IX takes
4 effect thirty days after certification of the 1986 general election
5 returns.

6 * Sec. 5. The amendments proposed by this resolution shall be placed
7 before the voters of the state at the next general election in conformity
8 with art. XIII, sec. 1, Constitution of the State of Alaska, and the elec-
9 tion laws of the state.