

1 IN THE HOUSE

BY RIEGER

2

HOUSE JOINT RESOLUTION NO. 52

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - FIRST SESSION

5

Proposing amendments to the Constitution

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of the State of Alaska relating to the

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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 amended to read:

20 SECTION 16. APPROPRIATION LIMIT. Except for appropriations to
21 the permanent fund or for Alaska permanent fund dividends, appropria-
22 tions to the budget reserve fund, appropriations of revenue bond
23 proceeds, appropriations required to pay the principal and interest on
24 general obligation bonds, and appropriations of money received from a
25 non-State source in trust for a specific purpose, including revenues
26 of a public enterprise or public corporation of the state that issues
27 revenue bonds, appropriations from the treasury made for a fiscal year
28 shall not exceed appropriations made for the preceding fiscal year
29 [\$2,500,000,000] by more than ten percent plus the [CUMULATIVE]

1 change, derived from federal indices as prescribed by law, in [POPU-
2 LATION AND] inflation since the beginning of the preceding fiscal year
3 [JULY 1, 1981. WITHIN THIS LIMIT, AT LEAST ONE-THIRD SHALL BE RE-
4 SERVED FOR CAPITAL PROJECTS AND LOAN APPROPRIATIONS. THE LEGISLATURE
5 MAY EXCEED THIS LIMIT IN BILLS FOR APPROPRIATIONS TO THE ALASKA PERMA-
6 NENT FUND AND IN BILLS FOR APPROPRIATIONS FOR CAPITAL PROJECTS, WHETH-
7 ER OF BOND PROCEEDS OR OTHERWISE, IF EACH BILL IS APPROVED BY THE
8 GOVERNOR, OR PASSED BY AFFIRMATIVE VOTE OF THREE-FOURTHS OF THE MEM-
9 BERSHIP OF THE LEGISLATURE OVER A VETO OR ITEM VETO, OR BECOMES LAW
10 WITHOUT SIGNATURE, AND IS ALSO APPROVED BY THE VOTERS AS PRESCRIBED BY
11 LAW. EACH BILL FOR APPROPRIATIONS FOR CAPITAL PROJECTS IN EXCESS OF
12 THE LIMIT SHALL BE CONFINED TO CAPITAL PROJECTS OF THE SAME TYPE, AND
13 THE VOTERS SHALL, AS PROVIDED BY LAW, BE INFORMED OF THE COST OF
14 OPERATIONS AND MAINTENANCE OF THE CAPITAL PROJECTS. NO OTHER APPRO-
15 PRIATION IN EXCESS OF THIS LIMIT MAY BE MADE EXCEPT TO MEET A STATE OF
16 DISASTER DECLARED BY THE GOVERNOR AS PRESCRIBED BY LAW. THE GOVERNOR
17 SHALL CAUSE ANY UNEXPENDED AND UNAPPROPRIATED BALANCE TO BE INVESTED
18 SO AS TO YIELD COMPETITIVE MARKET RATES TO THE TREASURY].

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

21 SECTION 17. BUDGET RESERVE FUND. (a) Money received by the
22 State that is subject to the appropriation limit under Section 16 of
23 this article and that exceeds that appropriation limit, shall be
24 deposited in the budget reserve fund. Additional appropriations may
25 be made to the budget reserve fund.

26 (b) Money in the budget reserve fund shall be invested so as to
27 yield competitive market rates to the fund. Income from investment of
28 the fund shall be retained in the fund.

29 (c) If the legislature determines that the money subject to the

1 appropriation limit received by the State in a fiscal year is less
2 than ninety-two percent of the amount that was appropriated under
3 Section 16 of this article in the previous fiscal year, up to two-
4 thirds of the budget reserve fund balance may be appropriated to the
5 general fund. However, the amount appropriated from the budget re-
6 serve fund when added to the money subject to the appropriation limit
7 during the current fiscal year may not exceed ninety-two percent of
8 the amount that was appropriated under Section 16 of this article in
9 the previous fiscal year.

10 (d) Notwithstanding the appropriation limit in this section and
11 in Section 16 of this article, additional amounts may be appropriated
12 from the budget reserve fund by affirmative vote of three-fourths of
13 the membership of each house of the legislature to meet a state disas-
14 ter declared by the governor as prescribed by law.

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

17 SECTION 29. APPLICATION. The 1990 amendments relating to dedi-
18 cated funds (art. IX, sec. 7), the appropriation limit (art. IX,
19 sec. 16), and the budget reserve fund (art. IX, sec. 17) apply to
20 fiscal year 1992 and thereafter.

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