Amended: 5/8/90
Offered: 5/4/90
Referred: Rules

6-0161N

Original sponsor(s): SEN. FAIKS, Jones, Eliason, Fischer, Kelly, Uehling

1 IN THE SENATE BY THE FINANCE COMMITTEE

2 HOUSE CS FOR CS FOR SS FOR SENATE JOINT RESOLUTION NO. 5 (Finance) am H

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 Proposing an amendment to the Constitu-
6 tion of the State of Alaska relating to
7 the budget reserve fund; depositing into
8 the budget reserve fund, except for
9 money deposited into the permanent fund,
10 all money received by the state after
11 July 1, 1990, as a result of the ter-
12 mination, through settlement or other-
13 wise, of an administrative proceeding or
14 of litigation in state or federal court
15 involving mineral lease bonuses, ren-
16 tals, royalties, royalty sale proceeds,
17 federal mineral revenue sharing payments
18 or bonuses, or involving taxes imposed
19 on mineral income, production, or prop-
20 erty; allowing an appropriation from the
21 fund only if the amount available for
22 appropriation for a fiscal year is less
23 than the amount appropriated for the
24 previous fiscal year or upon the affir-
25 mative vote of three-fourths of the
26 members of each house of the legisla-
27 ture.

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

29 * Section 1. Article IX, Constitution of the State of Alaska, is

1 amended by adding a new section to read:

2 SECTION 17. BUDGET RESERVE FUND. (a) There is established as a
3 separate fund in the State treasury the budget reserve fund. Except
4 for money deposited into the permanent fund under Section 15 of this
5 article, all money received by the State after July 1, 1990, as a
6 result of the termination, through settlement or otherwise, of an
7 administrative proceeding or of litigation in a State or federal court
8 involving mineral lease bonuses, rentals, royalties, royalty sale
9 proceeds, federal mineral revenue sharing payments or bonuses, or
10 involving taxes imposed on mineral income, production, or property,
11 shall be deposited in the budget reserve fund. Money in the budget
12 reserve fund shall be invested so as to yield competitive market rates
13 to the fund. Income of the fund shall be retained in the fund. Sec-
14 tion 7 of this article does not apply to deposits made to the fund
15 under this subsection. Money may be appropriated from the fund only
16 as authorized under (b) or (c) of this section.

17 (b) If the amount available for appropriation for a fiscal year
18 is less than the amount appropriated for the previous fiscal year, an
19 appropriation may be made from the budget reserve fund. However, the
20 amount appropriated from the fund under this subsection may not exceed
21 the amount necessary, when added to other funds available for appro-
22 priation, to provide for total appropriations equal to the amount of
23 appropriations made in the previous calendar year for the previous
24 fiscal year.

25 (c) An appropriation from the budget reserve fund may be made
26 for any public purpose upon affirmative vote of three-fourths of the
27 members of each house of the legislature.

28 (d) If an appropriation is made from the budget reserve fund,
29 until the amount appropriated is repaid, the amount of money in the

1 general fund available for appropriation at the end of each succeeding
2 fiscal year shall be deposited in the budget reserve fund. The legis-
3 lature shall implement this subsection by law.
4 * Sec. 2. The amendment proposed by this resolution shall be placed
5 before the voters of the state at the next general election in conformity
6 with art. XIII, sec. 1, Constitution of the State of Alaska, and the elec-
7 tion laws of the state.