

CS FOR HOUSE BILL NO. 58(FIN) am(efd fld)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Amended: 2/16/94
Offered: 2/11/94

Sponsor(s): HOUSE FINANCE COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the budget reserve fund established under art. IX, sec. 17,
2 Constitution of the State of Alaska."

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

4 * Section 1. AS 37.10 is amended by adding a new section to read:

5 **ARTICLE 6. BUDGET RESERVE FUND.**

6 **Sec. 37.10.420. MONEY AVAILABLE FOR APPROPRIATION. (a) For**
7 **purposes of applying art. IX, sec. 17(b), Constitution of the State of Alaska,**

8 (1) "the amount available for appropriation" or "funds available for
9 appropriation" means

10 (A) the unrestricted revenue accruing to the general fund during
11 the fiscal year;

12 (B) general fund program receipts as defined in AS 37.05.146;

13 and

14 (C) the unreserved, undesignated general fund balance carried

1 forward from the preceding fiscal year that is not subject to the repayment
2 obligation imposed by art. IX, sec. 17(d), Constitution of the State of Alaska;

3 (2) "the amount appropriated for the previous fiscal year" means the
4 amount appropriated from the same revenue sources used to calculate the money
5 available for appropriation for the current fiscal year; and

6 (3) "the amount of appropriations made in the previous calendar year
7 for the previous fiscal year" means appropriations made for a fiscal year that were
8 enacted during the calendar year that ends on December 31 of that same fiscal year.

9 (b) If the amount appropriated from the budget reserve fund has not been
10 repaid under art. IX, sec. 17(d), Constitution of the State of Alaska, the Department
11 of Administration shall transfer to the budget reserve fund the amount of money
12 comprising the unreserved, undesignated general fund balance to be carried forward
13 as of June 30 of the fiscal year, or as much of it as is necessary to complete the
14 repayment. The transfer shall be made on or before December 16 of the following
15 fiscal year.

16 (c) In this section, "unrestricted revenue accruing to the general fund" or
17 "unreserved, undesignated general fund balance carried forward" is money not
18 restricted by law to a specific use that accrues to the general fund according to
19 accepted principles of governmental or fund accounting adopted for the state
20 accounting system established under AS 37.05.150 in effect on July 1, 1990.

21 (d) An appropriation under art. IX, sec. 17(b), Constitution of the State of
22 Alaska, requires an affirmative vote of the majority of the members of each house of
23 the legislature. An appropriation under art. IX, sec. 17(c) requires an affirmative vote
24 of three-fourths of the members of each house of the legislature.

25 * Sec. 2. The provisions of sec. 1 of this Act are declaratory of existing law and represent
26 the intent of the legislature when the Sixteenth Alaska State Legislature passed Senate
27 Joint Resolution No. 5 (HCS CSSSSJR 5(FIN) am H), proposing an amendment to art.
28 IX, Constitution of the State of Alaska, creating the budget reserve fund in 1990.