

STATE CAPITOL
P.O. Box 110001
Juneau, AK 99811-0001
907-465-3500



550 West Seventh Avenue, Suite 1700
Anchorage, AK 99501
907-269-7450

Governor Michael J. Dunleavy
STATE OF ALASKA

January 29, 2019

The Honorable Cathy Giessel
Senate President
Alaska State Legislature
State Capitol, Room 111
Juneau, AK 99801

Dear President Giessel:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a resolution to amend the Constitution of the State of Alaska, Article IX, Section 1. The proposed amendment would provide that any law to establish or increase a State tax – any tax – will not take effect without an affirmative vote of the people. Additionally, the proposed amendment would require any initiative passed by the voters that would establish or increase a state tax would not take effect unless approved by the legislature.

I propose this measure as the most effective means to require State government to involve all Alaskans in the decision to levy or increase taxes to pay for State services. My proposal retains taxing power with the legislature but ensures that the legislature must listen to the voice of the people, which is exercised through the ballot box. This amendment would be placed before the voters during the next state general election.

Our State cannot achieve a permanent fiscal plan if Alaskans are not directly involved in the decisions about the types and levels of State services they desire and are willing to support. With this resolution, we can establish an effective way to implement the will of the people and move the State forward in a transparent and positive manner. All government officials work for the people of the State of Alaska.

I urge your prompt and favorable action on this measure.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael J. Dunleavy".

Michael J. Dunleavy
Governor

Enclosure

SENATE JOINT RESOLUTION NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - FIRST SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced:

Referred:

A RESOLUTION

1 **Proposing amendments to the Constitution of the State of Alaska prohibiting the**
2 **establishment of, or increase to, a state tax without the approval of the voters of the**
3 **state; and relating to the initiative process.**

4 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** Article IX, sec. 1, Constitution of the State of Alaska, is amended by adding
6 new subsections to read:

7 (b) Any law enacted under Sections 14 - 18 of Article II establishing a state tax
8 or increasing the rate of an existing state tax shall not take effect unless approved by
9 the voters of the State in the next statewide election held more than one hundred
10 twenty days from enactment of the proposed law. The lieutenant governor shall
11 prepare a ballot title and proposition summarizing the proposed law, and shall place it
12 on the ballot. If a majority of the votes cast on the proposition favor its adoption, it
13 becomes effective ninety days after the certification of the election returns by the
14 lieutenant governor. If a majority of votes cast on the proposition favor its rejection,
15 the proposed law is rejected and does not take effect.

1 (c) Any law enacted by the voters through the initiative process under Article
2 XI establishing a state tax or increasing the rate of an existing state tax shall not take
3 effect unless the legislature, by resolution, approves the initiated law by a majority
4 vote in joint session by adjournment of the next regular session occurring after the
5 lieutenant governor certifies the election returns. If approved by the legislature, the
6 initiated law becomes effective ninety days after approval. If the legislature fails to
7 approve the initiated law by adjournment of the regular session, the initiated law is
8 rejected and does not take effect.

9 * **Sec. 2.** Article XI, sec. 6, Constitution of the State of Alaska, is amended to read:

10 **Section 6. Enactment.** If a majority of the votes cast on the proposition favor
11 its adoption, the initiated measure is enacted. If a majority of the votes cast on the
12 proposition favor the rejection of an act referred, it is rejected. The lieutenant
13 governor shall certify the election returns. **Except as provided in Section 1 of Article**
14 **IX, an** [AN] initiated law becomes effective ninety days after certification, is not
15 subject to veto, and may not be repealed by the legislature within two years of its
16 effective date. It may be amended at any time. An act rejected by referendum is void
17 thirty days after certification. Additional procedures for the initiative and referendum
18 may be prescribed by law.

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