

ALASKA STATE LEGISLATURE
SENATE JUDICIARY STANDING COMMITTEE

February 19, 2024

2:34 p.m.

MEMBERS PRESENT

Senator Matt Claman, Chair
Senator James Kaufman
Senator Cathy Giessel
Senator Löki Tobin

MEMBERS ABSENT

Senator Jesse Kiehl, Vice Chair

COMMITTEE CALENDAR

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 20

"An Act relating to an appropriation limit; relating to the budget responsibilities of the governor; and providing for an effective date."

- HEARD & HELD

SPONSOR SUBSTITUTE FOR SENATE JOINT RESOLUTION NO. 4

Proposing amendments to the Constitution of the State of Alaska relating to an appropriation limit.

- HEARD & HELD

SENATE BILL NO. 28

"An Act relating to workplace violence protective orders; relating to the crime of violating a protective order; relating to the powers of district judges and magistrates; amending Rules 4 and 65, Alaska Rules of Civil Procedure, and Rule 9, Alaska Rules of Administration; and providing for an effective date."

- MOVED CSSB 28(JUD) OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: SB 20

SHORT TITLE: APPROPRIATION LIMIT; GOV BUDGET

SPONSOR(S): SENATOR(S) KAUFMAN

01/18/23 (S) PREFILE RELEASED 1/9/23
01/18/23 (S) READ THE FIRST TIME - REFERRALS
01/18/23 (S) JUD, FIN
03/10/23 (S) SPONSOR SUBSTITUTE INTRODUCED-REFERRALS
03/10/23 (S) JUD, FIN
04/05/23 (S) JUD AT 1:30 PM BUTROVICH 205
04/05/23 (S) Heard & Held
04/05/23 (S) MINUTE(JUD)
02/19/24 (S) JUD AT 1:30 PM BUTROVICH 205

BILL: SJR 4

SHORT TITLE: CONST. AM: APPROP LIMIT
SPONSOR (s): SENATOR(s) KAUFMAN

01/18/23 (S) PREFILE RELEASED 1/9/23
01/18/23 (S) READ THE FIRST TIME - REFERRALS
01/18/23 (S) JUD, FIN
03/10/23 (S) SPONSOR SUBSTITUTE INTRODUCED-REFERRALS
03/10/23 (S) JUD, FIN
04/05/23 (S) JUD AT 1:30 PM BUTROVICH 205
04/05/23 (S) Heard & Held
04/05/23 (S) MINUTE(JUD)
02/19/24 (S) JUD AT 1:30 PM BUTROVICH 205

BILL: SB 28

SHORT TITLE: WORKPLACE VIOLENCE PROTECTIVE ORDERS
SPONSOR (s): SENATOR(s) CLAMAN

01/18/23 (S) PREFILE RELEASED 1/9/23
01/18/23 (S) READ THE FIRST TIME - REFERRALS
01/18/23 (S) STA, JUD
02/23/23 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)
02/23/23 (S) Heard & Held
02/23/23 (S) MINUTE(STA)
03/23/23 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)
03/23/23 (S) Moved SB 28 Out of Committee
03/23/23 (S) MINUTE(STA)
03/24/23 (S) STA RPT 1DP 3NR 1AM
03/24/23 (S) NR: KAWASAKI, MERRICK, BJORKMAN
03/24/23 (S) DP: WIELECHOWSKI
03/24/23 (S) AM: CLAMAN
04/12/23 (S) JUD AT 1:30 PM BUTROVICH 205
04/12/23 (S) Heard & Held
04/12/23 (S) MINUTE(JUD)
01/17/24 (S) JUD AT 1:30 PM BUTROVICH 205
01/17/24 (S) Heard & Held
01/17/24 (S) MINUTE(JUD)

02/19/24

(S)

JUD AT 1:30 PM BUTROVICH 205

WITNESS REGISTER

KATI CAPOZZI, President
Alaska Chamber of Commerce
Anchorage, Alaska

POSITION STATEMENT: Gave public testimony on SB 20 and SJR 4.

CATHERINE CHAMBERS, Representing Self
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 20 and SJR 4.

REBECCA LOGAN, Chief Executive Officer
Alaska Support Industry Alliance
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 20 and SJR 4.

CLAIRE LUBKE, Staff
Senator Matt Claman
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Paraphrased the summary of changes from version U to R of SB 28 on behalf of the sponsor.

ACTION NARRATIVE

[2:34:26 PM](#)

CHAIR MATT CLAMAN called the Senate Judiciary Standing Committee meeting to order at 2:34 p.m. Present at the call to order were Senators Kaufman, Tobin, Giessel, and Chair Claman.

SB 20-APPROPRIATION LIMIT; GOV BUDGET

SJR 4-CONST. AM: APPROP LIMIT

[2:34:59 PM](#)

CHAIR CLAMAN announced the consideration of:

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 20 "An Act relating to an appropriation limit; relating to the budget responsibilities of the governor; and providing for an effective date."

and

SPONSOR SUBSTITUTE FOR SENATE JOINT RESOLUTION NO. 4 Proposing amendments to the Constitution of the State of Alaska relating to an appropriation limit.

He said that the Senate Judiciary Committee heard these pieces of legislation during the 2023 legislative session. This is the first hearing of SB 20 and SJR 4 this session. The intention is to open up public testimony for SB 20 and SJR 4. This will be a joint public hearing, so those who testify may talk about both pieces of legislation. He invited the bill sponsor to make an opening statement.

[2:35:49 PM](#)

SENATOR KAUFMAN, speaking as sponsor, summarized SB 20 and SJR 4, stating one proposes a constitutional amendment, and the other is a bill. Together, these pieces of legislation create the mechanism for:

- measuring the State's productive economy,
- measuring the State domestic product,
- measuring it based on a 5-year trailing average, then
- setting State spending against a percentage of that amount.

SENATOR KAUFMAN said the purpose of SB 20 and SJR 4 is to:

- tie the State's spending to Alaska's productive economy in a broader sense than it is now, and
- to provide constructive limitations to peak spending during excess periods of revenues.

[2:37:24 PM](#)

CHAIR CLAMAN opened public testimony on SB 20 and SJR 4.

[2:37:55 PM](#)

KATI CAPOZZI, President, Alaska Chamber of Commerce, Anchorage, Alaska, testified on SB 20 and SJR 4, stating the Alaska Chamber of Commerce was founded in 1953 and is Alaska's largest statewide business advocacy organization. The Chamber mission is to promote a healthy business environment in Alaska. It has over 700 members and represents businesses of all sizes and industries statewide. The Chamber has advocated for a meaningful spending cap for over eight years. A spending cap is tied to the

Chamber's number one state priority of "supporting a comprehensive approach to create a sustainable State budget that includes a meaningful State spending cap." She highlighted the word meaningful, stating the State's current spending limits are outdated and do not restrict spending meaningfully. The Chamber supports a spending cap for the following reasons:

- When, and not if, revenues against sales meet budgeted expenses, the business community is targeted first for increased taxes, fines, and fees to fill spending gaps.
- Chamber members have encountered this repeatedly with state revenue booms and busts over several decades.
- Businesses require some sense of stability and predictability to invest in Alaska, hire employees, and grow.
- The constant looming threat of being compelled to "fill the gap" of a State government that periodically overspends is a disincentive to invest in Alaska.
- A meaningful cap on State government spending would go a long way toward showing Alaskans that they can trust the government to spend wisely and that there will be a safety net to provide for core government services when faced with revenue shortfalls.

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MS. CAPOZZI said the concept of spending limits is not new or complicated. She explained that individuals and families typically align their spending with their income, understanding that unchecked budget growth will eventually cause issues. Alaskans want government to acknowledge this basic tenet of budgeting. While spending emergency savings in extraordinary circumstances might be justifiable, years of deficit spending due to past overspending leads to reduced trust in government.

MS. CAPOZZI said that although the Alaska Chamber of Commerce supports the overall concept of a spending cap, it does not necessarily have a position on this legislation. The Chamber expressed appreciation to the bill sponsor for bringing the topic forward and looks forward to further discussion.

[2:40:36 PM](#)

CATHERINE CHAMBERS, representing self, Anchorage, Alaska, testified in support of SB 20 and SJR 4. She shared that she was

born and raised in Alaska and moved out of state for nine years with her family. After graduating from college in 2020, she returned to Alaska to start a professional career, drawn by the historically great opportunities available to working-age adults. She supports SB 20, emphasizing that state stability is key to retaining young professionals like herself. One of the biggest challenges facing Alaska today is the exodus of young people who leave the state and never return.

MS. CHAMBERS said that reasonable spending limit reform, as proposed in this bill, would:

- Foster private sector growth.
- Keep and create good jobs for Alaska's workforce.
- Ensure the cost of living in Alaska doesn't continue to rise by keeping government spending in check.
- Encourage smarter spending decisions.

[2:41:40 PM](#)

REBECCA LOGAN, Chief Executive Officer, Alaska Support Industry Alliance (Alliance), Anchorage, Alaska, testified in support of SB 20 and SJR 4 on behalf of its 500 members who employ 35,000 people in Alaska.

MS. LOGAN said that the Alliance asked its membership last year if they supported limiting the amount State government could spend each year. Unsurprisingly, 100 percent of the respondents said yes. The Alliance also asked if members supported an appropriation limit based on a five-year trailing average of spending, real gross domestic product (GDP) less government spending. Eighty percent of respondents supported this approach, which influenced the Alliance Board's unanimous decision to support SB 20.

[2:42:18 PM](#)

MS. LOGAN noted that, for 45 years, a top priority of the Alliance has been to promote a favorable business climate. A long-range fiscal plan with an appropriation limit has been a legislative priority for at least 20 years. Tying the appropriation limit to the performance of the private sector economy will encourage government to support policies that strengthen the private sector, thereby promoting a favorable business climate.

MS. LOGAN referenced a headline from the Alaska Beacon stating, "Alaska Permanent Fund Corporation Board again warns that the fund is running out of spendable money," and the eye-catching statement in the accompanying article that read "over the past six years, withdrawals have exceeded new deposits." This underscores the importance of changing government spending practices. SB 20 is a big step in the right direction. She expressed appreciation for all the sponsor's work on the legislation and thanked the committee for its consideration.

[2:43:11 PM](#)

CHAIR CLAMAN closed public testimony on SB 20 and SJR 4.

CHAIR CLAMAN held SB 20 and SJR 4 in committee.

SB 28-WORKPLACE VIOLENCE PROTECTIVE ORDERS

[2:43:24 PM](#)

CHAIR CLAMAN announced the consideration of SENATE BILL NO. 28 "An Act relating to workplace violence protective orders; relating to the crime of violating a protective order; relating to the powers of district judges and magistrates; amending Rules 4 and 65, Alaska Rules of Civil Procedure, and Rule 9, Alaska Rules of Administration; and providing for an effective date."

He announced a proposed committee substitute (CS) for SB 28 and invited Ms. Lubke to put herself on record and describe the summary of changes from version U to R.

[2:43:49 PM](#)

CLAIRE LUBKE, Staff, Senator Matt Claman, Alaska State Legislature, Juneau, Alaska, paraphrased the summary of changes from version U to R of SB 28 on behalf of the sponsor.

[Original punctuation provided.]

Summary of Changes

Senate Judiciary Committee: Version U to Version R

The committee substitute adds the entry of workplace violence protective orders into the central registry of protective orders under AS 18.65.540 to the process of issuing workplace violence protective orders and ex parte workplace violence protective orders. This change aligns the process of issuing a workplace

violence protective order with the process of issuing a domestic violence protective order.

Page 4, line 13 "and entry in the central registry of protective orders under AS 18.65.540"

Page 4, line 31 to Page 5, line 1 "and entry in the central registry of protective orders under AS 18.65.540"

[2:44:21 PM](#)

CHAIR CLAMAN asked whether there were any questions. He found none and solicited a motion to adopt the committee substitute as the working document.

[2:44:29 PM](#)

SENATOR GIESSEL moved to adopt the committee substitute (CS) for SB 28, work order 33-LS0242\R, as the working document.

CHAIR CLAMAN found no objection and CSSB 28 was adopted as the working document.

CHAIR CLAMAN asked whether there were questions for the bill sponsor or his staff. Finding none, he solicited the will of the committee.

[2:44:58 PM](#)

SENATOR GIESSEL moved to report CSSB 28, work order 33-LS0242\R, from committee with individual recommendations and forthcoming fiscal note(s).

[2:45:22 PM](#)

CHAIR CLAMAN found no objection and CSSB 28(JUD) was reported from the Senate Judiciary Standing Committee.

[2:45:38 PM](#)

There being no further business to come before the committee, Chair Claman adjourned the Senate Judiciary Standing Committee meeting at 2:45 p.m.