

**ALASKA STATE LEGISLATURE
SENATE STATE AFFAIRS STANDING COMMITTEE**

February 29, 2024

3:32 p.m.

MEMBERS PRESENT

Senator Scott Kawasaki, Chair
Senator Matt Claman, Vice Chair
Senator Bill Wielechowski
Senator Kelly Merrick

MEMBERS ABSENT

Senator Jesse Bjorkman

COMMITTEE CALENDAR

SENATE JOINT RESOLUTION NO. 15

Proposing an amendment to the Constitution of the State of Alaska relating to actions upon veto.

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: SJR 15

SHORT TITLE: CONST. AM: VOTES NEEDED FOR VETO OVERRIDE

SPONSOR(S): SENATOR(S) CLAMAN

02/19/24	(S)	READ THE FIRST TIME - REFERRALS
02/19/24	(S)	STA
02/29/24	(S)	STA AT 3:30 PM BELTZ 105 (TSBldg)

WITNESS REGISTER

SENATOR CLAMAN, District 21
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Sponsor of SJR 15.

BREANNA KAKARUK, Staff
Senator Matt Claman
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented the sectional analysis for SJR 15.

ANN RAPPOPORT, representing self
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SJR 15.

KALEB CALLAHAN, representing self
Juneau, Alaska

POSITION STATEMENT: Testified in support of SJR 15.

ACTION NARRATIVE

[3:32:11 PM](#)

CHAIR SCOTT KAWASAKI called the Senate State Affairs Standing Committee meeting to order at 3:32 p.m. Present at the call to order were Senators Claman, Merrick, and Chair Kawasaki. Senator Wielechowski arrived thereafter.

SJR 15-CONST. AM: VOTES NEEDED FOR VETO OVERRIDE

[3:32:53 PM](#)

CHAIR KAWASAKI announced the consideration of SENATE JOINT RESOLUTION NO. 15 Proposing an amendment to the Constitution of the State of Alaska relating to actions upon veto.

[3:33:21 PM](#)

SENATOR CLAMAN, District 21, Alaska State Legislature, Juneau, Alaska, presented SJR 15:

[Original punctuation provided.]

Senate Joint Resolution 15

Sponsor Statement – Version A

"Proposing an amendment to the Constitution of the State of Alaska relating to actions upon veto."

Senate Joint Resolution 15 Sectional Analysis – Version A Section 1 The Constitution of the State of Alaska. Article II, Section 16. Deletes the three-fourth vote requirement for the legislature to override vetoes for revenue and appropriation bills or items. Changes the vote requirement for the legislature to override vetoes for revenue and appropriation bills or items to a two-third vote. Section 2 The Constitution of the State of Alaska. Conforms with Article XIII, Section 1 of the Alaska

Constitution and the state election laws to put the amendment proposed by this resolution before registered voters in the State of Alaska at the next general election.

Senate Joint Resolution 15 amends the Constitution of the State of Alaska by changing the requirement to override a veto on revenue and appropriation bills or items from three-fourths of the legislature to two-thirds of the legislature in joint session. If Senate Joint Resolution 15 passes the legislature, it will put the resolution on the ballot for registered Alaskan voters to consider in the next general election.

According to Alaska's Constitution: A Citizen's Guide published by the Legislative Affairs Agency, "[f]ew other states make the distinction between a bill dealing with substantive law and an appropriation bill." Alaska may be the only state that has a three-fourths requirement to override the governor's veto on revenue and appropriation matters.

Amending this provision in our constitution will strengthen the legislature and improve the public's ability to influence executive and legislative decisions on revenue matters.

[3:35:36 PM](#)

BREANNA KAKARUK, Staff, Senator Claman, Alaska State Legislature, Juneau, Alaska, presented the sectional analysis for SJR 15:

[Original punctuation provided.]

**Senate Joint Resolution 15
Sectional Analysis – Version A**

Section 1

The Constitution of the State of Alaska. Article II, Section 16.

Deletes the three-fourth vote requirement for the legislature to override vetoes for revenue and appropriation bills or items. Changes the vote requirement for the legislature to override vetoes for

revenue and appropriation bills or items to a two-third vote.

Section 2

The Constitution of the State of Alaska.

Conforms with Article XIII, Section 1 of the Alaska Constitution and the state election laws to put the amendment proposed by this resolution before registered voters in the State of Alaska at the next general election.

[3:36:07 PM](#)

CHAIR KAWASAKI inquired about the number of votes needed in both legislative chambers for the passage of SJR 15 during this legislative session.

[3:36:30 PM](#)

SENATOR CLAMAN responded that the Senate would require 14 votes or two-thirds, while the House would require 27 votes or two-thirds. If both bodies vote to approve SJR 15, the governor would not have any say in the matter. The legislation would then proceed to the ballot. If a majority of Alaskans vote in favor of SJR 15, the Constitution would be amended.

[3:37:01 PM](#)

SENATOR MERRICK said there is a two-thirds threshold for legislation. The governor could veto the legislation and the legislature could override the veto. She wondered if the governor could still veto the appropriation effectively vetoing SJR 15.

[3:37:30 PM](#)

SENATOR CLAMAN replied that if there were a fiscal note attached to the legislation, it would not be considered part of the legislation itself. Overriding a veto on the budget bill would necessitate a three-quarter vote.

[3:37:50 PM](#)

SENATOR MERRICK clarified that since SB 140 was passed by both bodies, the governor can now sign, veto, or let it go into law without his signature. However, when the appropriations bill is submitted, the governor could line-item veto the Base Student Allocation (BSA) money, etcetera. She inquired about the implementation of the law under SB 140 in the absence of any funding.

[3:38:27 PM](#)

SENATOR CLAMAN responded that it is his understanding that fiscal notes on SB 140 would be attached to the budget when it passes. Therefore, the budget would be subject to line-item vetoes and a potential veto by the governor.

[3:39:07 PM](#)

CHAIR KAWASAKI asked for confirmation of his understanding that the governor could veto the legislative intent behind SB 140 by choosing not to allocate funding for the bill.

[3:39:21 PM](#)

SENATOR CLAMAN clarified that several years ago, legislation had established a specific amount for the Permanent Fund Dividend (PFD), and the legislature consistently appropriated funds in accordance with that formula. He recounted an incident when Governor Walker initially exercised a line-item veto to decrease that amount. Overriding that veto would have necessitated a three-quarter vote.

[3:40:02 PM](#)

SENATOR CLAMAN stated that Senator Merrick's question underscores the value of having the same override threshold for both financial and legislative matters, as it would eliminate confusion.

[3:40:21 PM](#)

SENATOR KAWASAKI opened public testimony SJR 15.

[3:41:27 PM](#)

SENATOR WIELECHOWSKI joined the meeting.

[3:40:42 PM](#)

ANN RAPPOPORT, representing self, Anchorage, Alaska, testified in support of SJR 15. She said with swift approval from the legislature, SJR 15 could be presented to voters in the upcoming general election later this year. Alaska stands alone among states in having a high bar to overturn a governor's veto, which is never met in highly divided times. When there is majority support for a revenue item, it demonstrates strong bipartisan support, which is ample to override a governor's veto. The high threshold grants the governor excessive authority. A previous Alaskan governor acted vindictively and failed to consider broader interests. She referenced the education bill that had over 90 percent support from legislators in the State House and Senate, but was compromised due to the governor's line-item veto power. Some of that support might have fizzled as legislators

rallied around the governor, contrary to the hours of testimony and thousands of letters from people in favor of increased education funding. She stressed the importance of achieving a two-thirds majority, indicating either strong support or a fair compromise. She said the state cannot let a governor veto something because it does not align with all of their interests. Senator Claman and his staff provided a thoughtful analysis of why this resolution is needed and the history that led to the uniquely high requirement for a three-fourths vote to override revenue measures, which is out of sync with the requirement for a two-thirds vote to override non-revenue measures. SJR 15 emphasizes an important issue for all Alaskans and with your approval will come before voters for approval.

[3:43:33 PM](#)

KALEB CALLAHAN, representing self, Juneau, Alaska, testified in support of SJR 15. He stated he is an intern for the Alaska State Legislature. He expressed concern over the considerable power held by the governor in Alaska, surpassing that of governors in other states. The legislative body is a better representation of the people and the democratic values as opposed to a single executive. While acknowledging that the governor is elected by the people, he said the governor's election is based on the values presented during campaigns, potentially allowing them to exploit their centralized power. He warned of the potential damage a corrupt governor could inflict by vetoing the democratic process within the legislature. He expressed his belief that power should be distributed among many. The adjusted veto override proposed by SJR 15 is an appropriate check on legislative power. He thanked the legislators for their support of education but questioned the hesitation in adjusting the Base Student Allocation (BSA) to account for inflation. Investing in education is investing in the future, as today's students will eventually lead the nation.

[3:45:18 PM](#)

CHAIR KAWASAKI asked what school he is attending and where he is from.

[3:45:30 PM](#)

MR. CALAHAN replied that he is a lifelong resident of Kodiak. He said he is currently taking classes at University of Alaska Fairbanks and will soon graduate.

[3:45:51 PM](#)

CHAIR KAWASAKI inquired about his experience as a legislative intern and whether he enjoys working with his boss.

[3:46:07 PM](#)

MR. CALAHAN replied that the internship has been a fantastic opportunity for young students like himself who are eager to engage in the political process within the legislative body. It has been an excellent opportunity to engage in the small locality of Alaskan politics. He expressed gratitude for the opportunity to work closely with Senator Wielechowski and described him as a fantastic boss who allocates time for one-on-one conversations.

[3:47:02 PM](#)

CHAIR KAWASAKI closed public testimony SJR 15.

[3:47:15 PM](#)

SENATOR MERRICK inquired about the marketing strategy for SJR 15 to ensure the public understands the distinction between a two-thirds and a three-quarter vote, recognizing that some individuals may not readily understand or relate to this nuance.

[3:47:48 PM](#)

SENATOR CLAMAN replied that it is an important question as SJR 15 would significantly change the structure of government. He outlined a two-step process that involves reaching out to individuals supportive of SJR 15, recognizing that some may be in favor while others may oppose it. Therefore, community outreach is important to inform people about the proposed changes.

[3:48:40 PM](#)

CHAIR KAWASAKI held SJR 15 in committee.

[3:49:39 PM](#)

There being no further business to come before the committee, Chair Kawasaki adjourned the Senate State Affairs Standing Committee meeting at 3:49 p.m.