

**SJR**

**9**

**SFIN**

**FILE**

SJR 9

was referred to the  
Senate Finance  
Committee

Hearing(s) were held

The bill did not move  
from Committee



**SENATOR DAVE DONLEY**  
**ALASKA STATE LEGISLATURE**

**MEMORANDUM**

To: Members of the Senate Finance Committee  
Fr: Senator Dave Donley *TD*  
Dt: April 6, 1999  
Re: SJR 9 – "Proposing amendments to the Constitution of the State of Alaska relating to ways and means bills"

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I have prepared a draft CS for SJR 9. Please review the draft and the attached memorandum from Tamara Cook of Legal Services and contact me with any comments or suggestions.

The draft CSSJR 9 ( ) allows the governor to veto "parts" of the ways and means bill while allowing other parts to take effect.

DD\hn

Vice-Chair, Senate Finance Committee • Chair, Capital Budget Subcommittee • Co-Chair, Anchorage Caucus  
MEMBER: Senate Judiciary Committee • Senate Labor & Commerce Committee • Legislative Council

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January-May: STATI: CAPITOL • JUNEAU, AK • 99801-1182 • (907) 465-3892 • FAX: (907) 465-6595  
June-December: 716 W. 4TH AVE., STE. 430 • ANCHORAGE, AK • 99501 • (907) 269-0234 • FAX: (907) 269-0238

1-LS0022AK  
Cook✓  
4/9/99

**CS FOR SENATE JOINT RESOLUTION NO. 9( )**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-FIRST LEGISLATURE - FIRST SESSION**

**BY**

**Offered:**  
**Referred:**

**Sponsor(s): SENATE FINANCE COMMITTEE**

**A RESOLUTION**

1 **Proposing amendments to the Constitution of the State of Alaska relating to ways**  
2 **and means bills.**

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

4 **\* Section 1.** Article II, sec. 9, Constitution of the State of Alaska, is amended to read:

5 **Section 9. Special Sessions.** Special sessions may be called by the governor  
6 or by vote of two-thirds of the legislators. The vote may be conducted by the  
7 legislative council or as prescribed by law. At special sessions called by the governor,  
8 legislation shall be limited to subjects designated in his proclamation calling the  
9 session, to subjects presented by him, to [AND] the reconsideration of bills vetoed by  
10 him after adjournment of the last regular session, and to ways and means bills.

11 Special sessions are limited to thirty days.

12 **\* Sec. 2.** Article II, sec. 13, Constitution of the State of Alaska, is amended to read:

13 **Section 13. Form of Bills.** Every bill shall be confined to one subject unless  
14 it is an appropriation bill, a bill [OR ONE] codifying, revising, or rearranging existing  
15 laws, or a ways and means bill. Bills for appropriations shall be confined to  
16 appropriations. Ways and means bills shall be confined to changes in law

1 determined by the legislature to be necessary to implement appropriations. The  
2 legislature may organize a ways and means bill into distinct parts. The subject of  
3 each bill shall be expressed in the title. The enacting clause shall be: "Be it enacted  
4 by the Legislature of the State of Alaska."

5 \* Sec. 3. Article II, sec. 15, Constitution of the State of Alaska, is amended to read:

6 Section 15. Veto. The governor may veto bills passed by the legislature. The  
7 governor [HE] may, by veto, strike or reduce items in appropriation bills. If a ways  
8 and means bill is organized into parts under Section 13 of this article, the  
9 governor may, by veto, strike one or more parts of the bill. The governor [HE]  
10 shall return any vetoed bill, with a statement of [HIS] objections, to the house of  
11 origin.

12 \* Sec. 4. Article II, sec. 16, Constitution of the State of Alaska, is amended to read:

13 Section 16. Action upon Veto. Upon receipt of a veto message during a  
14 regular session of the legislature, the legislature shall meet immediately in joint session  
15 and reconsider passage of the vetoed bill, part of the ways and means bill, or item  
16 in the appropriation bill. Bills to raise revenue and appropriation bills or items,  
17 although vetoed, become law by affirmative vote of three-fourths of the membership  
18 of the legislature. Other vetoed bills or parts of ways and means bills become law  
19 by affirmative vote of two-thirds of the membership of the legislature. Bills vetoed  
20 after adjournment of the first regular session of the legislature shall be reconsidered  
21 by the legislature sitting as one body no later than the fifth day of the next regular or  
22 special session of that legislature. Bills vetoed after adjournment of the second regular  
23 session shall be reconsidered by the legislature sitting as one body no later than the  
24 fifth day of a special session of that legislature, if one is called. The vote on  
25 reconsideration of a vetoed bill shall be entered on the journals of both houses.

26 \* Sec. 5. The amendments proposed by this resolution shall be placed before the voters of  
27 the state at the next general election in conformity with art. XIII, sec. 1, Constitution of the  
28 State of Alaska, and the election laws of the state.

SENATE FINANCE COMMITTEE

SIGN-IN

SJR 9-CONST. AM: WAYS AND MEANS BILLS

NAME: JACK KREINHEDER Subject/Bill No: \_\_\_\_\_  
Co./Dept./Title: OMB Phone: 4676  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_  
Do you wish to testify?  Yes  No  Respond To Questions

NAME: \_\_\_\_\_ Subject/Bill No: \_\_\_\_\_  
Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_  
Do you wish to testify?  Yes  No  Respond To Questions

NAME: \_\_\_\_\_ Subject/Bill No: \_\_\_\_\_  
Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_  
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Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_  
Do you wish to testify?  Yes  No  Respond To Questions

1-LS0022N  
Cook  
4/1/99

*June 1/99*  
*4/1/99*

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**TWENTY-FIRST LEGISLATURE - FIRST SESSION**

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Offered:  
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21 of the next regular or special session of that legislature. Bills vetoed after adjournment  
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# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

(907) 465-3867 or 465-2450  
FAX (907) 465-2029  
Mail Stop 3101

130 Seward Street, Suite 409  
Juneau, Alaska 99801-2105

## MEMORANDUM

April 7, 1999

**SUBJECT:** Ways and means bills (CSSJR 9( )); (Work Order No. 21-LS0022\1)

**TO:** Senator Dave Donley

**FROM:** Tamara Brandt Cook  
Director

The draft CSSJR 9( ) adds the concept of permitting the governor to veto parts of the ways and means bill while leaving other parts to take effect. You have asked for an explanation of how this will work. The change made in resolution sec. 2 permits, but does not obligate, the legislature to organize a ways and means bill into distinct parts. Under resolution sec. 3 the governor has been given the power to strike one or more parts of the ways and means bill, but only if it has, indeed, been organized into parts.

Note that the legislature would have to decide whether to pass a ways and means bill in a form that will lend itself to partial veto. Otherwise, the only remedy the governor will have is to entirely veto the bill. If the legislature decides to permit the possibility of partial vetoes it will then decide which provisions must stand or fail as a unit. For example, the legislature might include a rewrite of a particular program, say the longevity bonus program, and decide that all provisions related to that program lend themselves to veto as a unit separately from the rest of the bill, but that no single change to the program should be vetoed while still leaving the other changes, because this might substantially alter the legislative policy with respect to the program as a whole. The legislature could, then, place all provisions dealing with the longevity bonus program under one part in the ways and means bill, perhaps under a heading such as: "PART I. LONGEVITY BONUS PROGRAM." Other subjects dealt with in the ways and means bill would be placed under other part headings.

TBC:pl:jr  
99-049.plm