

# LEGAL SERVICES

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

(907) 465-2450  
LAA.Legal@akleg.gov  
120 4th Street, Room 3

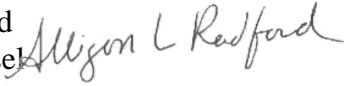
State Capitol  
Juneau, Alaska 99801-1182  
Deliveries to: 129 6th St., Rm. 329

## MEMORANDUM

May 7, 2024

**SUBJECT:** Single Subject (SB 189; Work Order No. 33-LS1179\B)

**TO:** Representative Craig Johnson  
Attn: Tom Wright

**FROM:** Allison L. Radford  
Legislative Counsel 

Attached is bill you requested, which combines several separate bills into a committee substitute for SB 189. If adopted, this bill may violate the constitutional provision that limits bills to one subject.<sup>1</sup> Article II, sec. 13, of the Alaska Constitution requires that all matters in an act must "fall under some one general idea, be so connected with or related to each other, either logically or in popular understanding, as to be parts of, or germane to, one general subject."<sup>2</sup> Historically, the Alaska Supreme Court has interpreted Alaska's single subject rule to permit very broad subject matter in one bill without violating the single subject requirement. For example, the court has held that bills relating to such broad themes as "development of water resources,"<sup>3</sup> "taxation,"<sup>4</sup> "land,"<sup>5</sup> "intoxicating liquor,"<sup>6</sup> and "criminal law"<sup>7</sup> are acceptable.<sup>8</sup>

The bill includes provisions to extend the termination date for the Big Game Commercial Services Board, the Board of Massage Therapists, the Marijuana Control Board, and the

---

<sup>1</sup> Art. II, sec. 13, Constitution of the State of Alaska provides, in relevant part, "Every bill shall be confined to one subject unless it is an appropriation bill or one codifying, revising, or rearranging existing laws."

<sup>2</sup> *Gellert v. State*, 522 P.2d 1120, 1123 (Alaska 1974) (internal citations omitted).

<sup>3</sup> *Id.*

<sup>4</sup> *North Slope Borough v. Sohio Petroleum Corp.*, 585 P.2d 534, 545 (Alaska 1978).

<sup>5</sup> *State v. First Nat'l Bank of Anchorage*, 660 P.2d 406 (Alaska 1982).

<sup>6</sup> *Van Brunt v. State*, 646 P.2d 872 (Alaska App. 1982).

<sup>7</sup> *Galbraith v. State*, 693 P.2d 880 (Alaska App. 1985).

<sup>8</sup> *Evans v. State*, 56 P.3d 1046, 1070 (Alaska 2002).

Representative Craig Johnson

May 7, 2024

Page 2

Alaska Commission on Aging, and repeals the "sunset" provision of the Alaska senior benefits payment program and repeals Alaska longevity bonus payments.

I cannot identify a single subject that would unite all these subjects in a way that would likely withstand a challenge. For example, the provisions of the bill do not all relate to the single subjects of "extension of the termination date of boards and commissions," or "senior benefits programs." As you may be aware, failure to comply with the single subject requirement could jeopardize the entire underlying bill, if the bill is challenged.

Additionally, would you like to make the bill retroactive to June 30, 2024, in the event that the effective date clause vote fails?

Please reach out with any questions you may have, or if you would like the bill draft revised.

ALR:boo

24-254.boo

Attachment