

ALASKA STATE LEGISLATURE
HOUSE STATE AFFAIRS STANDING COMMITTEE

March 23, 2017

3:07 p.m.

MEMBERS PRESENT

Representative Jonathan Kreiss-Tomkins, Chair
Representative Gabrielle LeDoux, Vice Chair
Representative Chris Tuck
Representative Adam Wool
Representative Chris Birch
Representative DeLena Johnson
Representative Gary Knopp

MEMBERS ABSENT

Representative Andy Josephson (alternate)
Representative Chuck Kopp (alternate)

COMMITTEE CALENDAR

CONFIRMATION HEARING(S)

Alaska Department of Public Safety, Commissioner

Walt Monegan - Anchorage

- CONFIRMATION(S) ADVANCED

Alaska Public Offices Commission

Robert Cliff - Anchorage
Adam Schwemley - Anchorage

- CONFIRMATION(S) ADVANCED

HOUSE BILL NO. 175

"An Act ratifying an interstate compact to elect the President and Vice-President of the United States by national popular vote; and making related changes to statutes applicable to the selection by voters of electors for candidates for President and Vice-President of the United States and to the duties of those electors."

- HEARD & HELD

HOUSE BILL NO. 143

"An Act naming the Daniel R. Fauske Building."

- MOVED HB 143 OUT OF COMMITTEE

HOUSE BILL NO. 13

"An Act prohibiting the expenditure of state or municipal assets to create a registry based on race or religion."

- SCHEDULED BUT NOT HEARD

PREVIOUS COMMITTEE ACTION

BILL: HB 175

SHORT TITLE: US PRESIDENT ELECT. COMPACT: POPULAR VOTE

SPONSOR(S): REPRESENTATIVE(S) FANSLER

03/13/17	(H)	READ THE FIRST TIME - REFERRALS
03/13/17	(H)	STA, JUD
03/16/17	(H)	STA AT 3:00 PM GRUENBERG 120
03/16/17	(H)	Heard & Held
03/16/17	(H)	MINUTE(STA)
03/23/17	(H)	STA AT 3:00 PM GRUENBERG 120

BILL: HB 143

SHORT TITLE: NAMING THE DANIEL R. FAUSKE BUILDING

SPONSOR(S): REPRESENTATIVE(S) CHENAULT

02/24/17	(H)	READ THE FIRST TIME - REFERRALS
02/24/17	(H)	STA
03/23/17	(H)	STA AT 3:00 PM GRUENBERG 120

WITNESS REGISTER

WALT MONEGAN, Commissioner Designee
Department of Public Safety (DPS)
Anchorage, Alaska

POSITION STATEMENT: Testified as appointed commissioner of the Department of Public Safety.

ROBERT CLIFF, Governor's Appointee for Alaska Public Offices Commission (APOC)
Anchorage, Alaska

POSITION STATEMENT: Testified as an appointee to the Alaska Public Offices Commission (APOC).

ADAM SCHWEMLEY, Governor's Appointee for Alaska Public Offices Commission (APOC)
Anchorage, Alaska
POSITION STATEMENT: Testified as an appointee to the Alaska Public Offices Commission (APOC).

REPRESENTATIVE ZACH FANSLER
Alaska State Legislature
Juneau, Alaska
POSITION STATEMENT: Testified on HB 175, as prime sponsor.

JOHN KOZA, Chair
National Popular Vote
Los Altos, California
POSITION STATEMENT: Answered questions during the hearing on HB 175.

BARRY DONNELLAN
Fairbanks, Alaska
POSITION STATEMENT: Testified in opposition to HB 175.

ROBIN SMITH
Anchorage, Alaska
POSITION STATEMENT: Testified in support of HB 175.

RICHARD EMANUEL
Anchorage, Alaska
POSITION STATEMENT: Testified in support of HB 175.

PAM TESCHE
Anchorage, Alaska
POSITION STATEMENT: Testified in support of HB 175.

CARLA STACY
Kenai, Alaska
POSITION STATEMENT: Testified in support of HB 175.

BETH FREAD
Palmer, Alaska
POSITION STATEMENT: Testified in opposition to HB 175.

MIKE COONS
Palmer, Alaska
POSITION STATEMENT: Testified in opposition to HB 175.

PAUL KENDALL
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 175.

ALEX KOPLIN, Kenai Peninsula Votes
Homer, Alaska

POSITION STATEMENT: Testified in support of HB 175.

EILEEN BECKER
Homer, Alaska

POSITION STATEMENT: Testified in opposition to HB 175.

JANET GOHRINGER
Homer, Alaska

POSITION STATEMENT: Testified in opposition to HB 175.

KESHA ETZWILER
Homer, Alaska

POSITION STATEMENT: Testified in opposition to HB 175.

BRANDY SUPER
Homer, Alaska

POSITION STATEMENT: Testified in opposition to HB 175.

MARIANNE SCHLEGELMILCH
Homer, Alaska

POSITION STATEMENT: Testified in opposition to HB 175.

AMY BOLLENBACH
Homer, Alaska

POSITION STATEMENT: Testified in support of HB 175.

PAMELA HALL
Homer, Alaska

POSITION STATEMENT: Testified in opposition to HB 175.

SARAH VANCE
Homer, Alaska

POSITION STATEMENT: Testified in opposition to HB 175.

IAN SMITH
Young Democrats House District 30
Kenai, Alaska

POSITION STATEMENT: Testified in support of HB 175.

MALENA MARVIN
Petersburg, Alaska

POSITION STATEMENT: Testified in support of HB 175.

PATRICK RACE
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 175.

MARGO WARING
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 175.

JUDY ANDREE, League of Women Voters (LWV) of Alaska
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 175.

BEN MUSE
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 175.

ALAN DAVIS
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 175.

KARLA HART
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 175.

WILLIAM DEATON
Juneau, Alaska

POSITION STATEMENT: Testified in opposition to HB 175.

REPRESENTATIVE MIKE CHENAULT
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented HB 143, as prime sponsor.

JERRY LAVINE
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 143.

JOHN BITTNEY
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 143.

ACTION NARRATIVE

[3:07:59 PM](#)

CHAIR JONATHAN KREISS-TOMKINS called the House State Affairs Standing Committee meeting to order at 3:07 p.m.

Representatives LeDoux, Tuck, Wool, Birch, Knopp, and Kreiss-Tomkins were present at the call to order. Representative Johnson arrived as the meeting was in progress.

CONFIRMATION HEARING(S)

[3:09:18 PM](#)

CHAIR KREISS-TOMKINS announced that the first order of business would be confirmation hearings.

Commissioner, Department of Public Safety

[3:09:53 PM](#)

WALT MONEGAN, Commissioner Designee, Department of Public Safety (DPS), stated that he was not born in Alaska, but his mother's side of the family was. He relayed that he is part Tlingit, part Yupik, and part Irish. He said that he spent a good deal of his youth near Bethel in a place called Nyac, which is the place he calls "home." He related that after he left military service in 1971, he moved back to Bethel and served as a medic and fire fighter for the Bethel Volunteer Fire Department (BVFD). He mentioned that two acquaintances, who were troopers under the Division of Alaska State Troopers (AST), asked him to consider joining AST, since he had recently served in the U.S. Marine Corp. He said that at the time, he disregarded the suggestion. He stated that these troopers had "planted the seed," and several years later after he had married, and a baby was on the way, he responded to a City of Anchorage patrolman opening.

COMMISSIONER MONEGAN said that he joined the Anchorage Police Department (APD) in January of 1974. He remained with APD for close to 34 years before retiring; the last five and a half years he served as chief of police. He said that he was commissioner of DPS under [former] Governor Sarah Palin, and since then, he has worked at the school district, at the non-profit Alaska Native Justice Center (ANJC), and as acting commissioner of the Department of Corrections (DOC) for Governor Bill Walker. He stated that he was invited to apply for the position of commissioner of DPS. He mentioned that he enjoys the work, loves the state and the people, and loves the people with whom he works.

[3:12:54 PM](#)

REPRESENTATIVE BIRCH asked Commissioner Monegan to name the top three challenges for DPS.

COMMISSIONER MONEGAN replied that the biggest challenge for DPS is the same as for many law enforcement agencies across the country: finding good qualified individuals to be police officers and state troopers and retaining them. He maintained there is competition for police and troopers; many troopers depart AST to join other agencies, such as APD or the King County Sheriff's Office (KCSO), with defined benefit packages. He maintained that DPS needs to demonstrate to the current and new troopers that they are appreciated and valued.

COMMISSIONER MONEGAN stated that Alaska currently has an opioid epidemic and constituents are tired of being victimized. He maintained that staff is trying to address that problem with the help of partners - local police and federal agencies.

[3:15:07 PM](#)

REPRESENTATIVE WOOL asked if the causation for the retention problem in Alaska is the same as the causation nationally.

COMMISSIONER MONEGAN answered that retention is a national issue and finding individuals who are worthy of the public trust is a tough job. He maintained that there are several factors contributing to the retention problem. He said that one factor is economic, and another is what he refers to as the "Ferguson" factor [the events surrounding and resulting from the fatal police shooting of a black teenager in Ferguson, Missouri], which has reflected poorly on some officers. He asserted that officers must demonstrate that they are trustworthy and will defend the public. He stated his belief that "as time goes by ... we're going to get that pendulum to swing our way again," and until that time, officers must prepare for it and do their jobs as professionally as they can.

REPRESENTATIVE WOOL referred to previous legislative committee discussions about Village Public Safety Officers (VPSOs) and asked Commissioner Monegan for his assessment of and possible solution for recruiting and retaining VPSOs.

COMMISSIONER MONEGAN said that DPS will be working with the contractors, which are the nine non-profits and Northwest Arctic Borough, who employ the VPSOs. He stated that the VPSO program has been in existence for 40 years and has gone through many changes. He maintained that DPS is moving VPSOs closer and

closer to the role of troopers. Since VPSOs are called upon to intervene in threatening situations, DPS has taken steps to better prepare them, such as having them attend the trooper academy with troopers to afford them the best training DPS can give them. He maintained that DPS needs to work with contractors to come up with a better idea, and he has proposed to the governor that in lieu of a better idea, VPSOs should be made state employees. He said that he hopes that will address the turnover problem, enhance camaraderie, and foster the respect that they deserve.

[3:19:41 PM](#)

REPRESENTATIVE KNOPP, citing Commissioner Monegan's experience as commissioner designee since June [2016], asked if there is opportunity to use the troopers under the Division of Alaska Wildlife Troopers (AWT) in other positions during their "downtime."

COMMISSIONER MONEGAN responded that the troopers under AWT attend the same academy as those under AST, because they are also state troopers. Their primary duties are wildlife and resource protection. However, if they are the only available trooper to respond to a domestic violence situation, a drunk driving situation, or an accident, they will respond. He said that their duties include the duties of state troopers, and some have been in both positions in their careers. He added that there is mutual respect between the two groups of troopers; they partner with each other as needed; and they perform the duties that they are called upon to perform as needed.

REPRESENTATIVE KNOPP asked if there is downtime for the troopers under AWT making them available as a resource for rural duty.

COMMISSIONER MONEGAN replied that DPS does send wildlife troopers out to posts, and if there is a call for service regarding criminal activity not related to wildlife and the wildlife trooper is the only trooper, he/she will respond. He maintained that wildlife troopers are "dual-purposed" and there is no downtime. He stated that because AWT owns all the aircraft and most of DPS's major vessels, it facilitates many of the search and rescues across the state.

[The confirmation of Commissioner Monegan as Commissioner of the Department of Public Safety was advanced to the joint session of the House and Senate for consideration.]

Alaska Public Offices Commission

[3:24:09 PM](#)

ROBERT CLIFF, Governor's Appointee for Alaska Public Offices Commission (APOC), relayed that he was an administrator for the Kuspuk School District (KSD) in Aniak for his entire career and moved to Anchorage when he retired. He mentioned that his experience living in Aniak was very rewarding, and he wishes to "pay back" to the state for what he has benefitted. He said he has run for office three times, and his experiences with APOC have always been positive. He mentioned that APOC was very helpful to him as a candidate. He stated that he wishes to serve on APOC because of his good opinion of the commission and because he believes in their mission of fostering transparency and fairness in relation to candidates and lobbyists. He expressed his belief that he would be impartial and do a good job on the commission.

[3:27:23 PM](#)

REPRESENTATIVE JOHNSON asked Mr. Cliff if his wife ran for office.

MR. CLIFF responded that his wife ran for governor.

REPRESENTATIVE JOHNSON noted that Mr. Cliff was seeking the Libertarian seat of APOC, and she asked what is meant by "the Libertarian seat."

MR. CLIFF expressed his belief that Libertarians are needed on APOC, since they do not always agree with Democrats or Republicans. He opined that Libertarians would bring "balance" to the commission. He stated that his only agenda in seeking a seat on APOC is to prove that Libertarians are reasonable, capable, and can work with both Democrats and Republicans.

[3:28:56 PM](#)

REPRESENTATIVE LEDOUX asked if he, as a Libertarian, would view limits on campaign money as being contrary to the Libertarian philosophy. She asked how he would reconcile the Libertarian philosophy with his APOC mission.

MR. CLIFF responded that he believes that the public has the right to know how much [candidates] are spending and the source of that money. He said at that point, it is up to the voters to

decide if they want to support that candidate. He stated that the real issue is that transparency increases voter confidence that "the game's not rigged." He asserted that he believes people should be able to spend their money as they wish; however, he does not want to see a corporation, union, or similar entity "buying an election." He asserted that libertarianism is all about the individual and his/her rights.

[The confirmation of Mr. Cliff as appointee for Alaska Public Offices Commission was advanced to the joint session of the House and Senate for consideration.]

[3:31:40 PM](#)

ADAM SCHWEMLEY, Governor's Appointee for Alaska Public Offices Commission (APOC), relayed that he is a lifelong Alaskan and has a background in public service through his work with fire departments, EMS services, and clinics. He said he has started a family and currently works in an orthopedic clinic in Anchorage. He maintained that he is seeking the position on APOC to continue to serve the community.

[3:32:47 PM](#)

REPRESENTATIVE WOOL asked Mr. Schwemley what his experience was with APOC and why he is interested in the position.

MR. SCHWEMLEY stated that he was not familiar with APOC prior to the chair of the Alaska Libertarian Party (ALP) looking for interested candidates. He said that although he does not have political experience, he has been interested in politics since middle school. He asserted that APOC offers an invaluable service to the community by promoting financial transparency and informing the public.

[The confirmation of Mr. Schwemley as appointee for Alaska Public Offices Commission was advanced to the joint session of the House and Senate for consideration.]

HB 175-US PRESIDENT ELECT. COMPACT: POPULAR VOTE

[3:34:57 PM](#)

CHAIR KREISS-TOMKINS announced that the next order of business would be HOUSE BILL NO. 175, "An Act ratifying an interstate compact to elect the President and Vice-President of the United

States by national popular vote; and making related changes to statutes applicable to the selection by voters of electors for candidates for President and Vice-President of the United States and to the duties of those electors."

[3:35:25 PM](#)

REPRESENTATIVE ZACH FANSLER, Alaska State Legislature, as prime sponsor of HB 175, expressed his belief that HB 175, the National Popular Vote bill, offers an opportunity for discussion on the meaning of a vote and on having one's vote count. He stated that HB 175 would give Alaska more attention on the national level, not just regarding media coverage [in a political campaign] but on a campaign's organization and focus on issues relevant to Alaska. He maintained that National Popular Vote would increase the attention paid to all 50 states rather than just the "swing" states. He explained that HB 175 would preserve Alaska's right to determine how its electoral votes are allocated, and Alaska could withdraw from the [U.S. Presidential Election Compact] at any time. He asserted that [National Popular Vote] would be a good way to increase investment in the state and to have Alaska's issues be heard. He asserted that it is important for a "sitting" President to continue to be engaged with Alaska, and National Popular Vote would encourage that.

[3:40:02 PM](#)

REPRESENTATIVE WOOL asked if the United States was the only country with a democracy using the Electoral College.

REPRESENTATIVE FANSLER replied that he is not aware of another country that does so but would provide that information.

[3:40:30 PM](#)

REPRESENTATIVE KNOPP opined that National Popular Vote would do exactly the opposite of "making our voices heard." He expressed his belief that Alaska's delegates should vote according to the vote of the majority of the state and not according to the National Popular Vote Interstate Compact ("the compact"). He asserted that he has issues with the concept of National Popular Vote and asked how Alaska's voices would be heard [under National Popular Vote].

REPRESENTATIVE FANSLER expressed his belief that winning the presidential election by popular vote introduces a 50-state

campaign as opposed to a 12-state, 8-state, or 4-state campaign as currently occurs. He maintained that under this system, a presidential candidate would talk to small states about issues important to them, because he/she would need to "cobble together" the small states to achieve the popular vote majority. He added that this system would also increase voter turnout, which is typically very low. He stated that a voter who is not aligned politically with the majority of his/her state may feel as if his/her vote does not count. He asserted that with National Popular Vote, all voters are "on a level playing field," and each vote would matter a great deal.

[3:44:52 PM](#)

REPRESENTATIVE KNOPP asked for an explanation of the compact and the threshold needed to make it "functional."

REPRESENTATIVE FANSLER responded that states have already joined the pact, and if HB 175 were passed, Alaska would join the pact. He said that the pact takes effect when there are 270 electoral votes represented by the states in the pact. He conjectured that once enough states have signed on to the pact to break the 270-electoral vote threshold, there will be momentum for the other states to join. He conceded that some states may wish to preserve the system as is. He maintained that in either case, it is an important discussion.

[3:46:54 PM](#)

REPRESENTATIVE BIRCH stated that his constituents have indicated to him that National Popular Vote is bad for Alaska. He opined that it is bad for Alaska because under National Popular Vote the current President would not have been elected, which would have been bad for Alaska. He emphasized the importance of states' rights and every state having the same number of U.S. Senators irrespective of population. He suggested that Alaska would be "lost in the noise" when included with large states such as California, New York, Florida, and Texas. He asserted that Alaska has three electoral votes under a "winner-take-all" system, which makes Alaska a part of the election process under an established constitutional process.

REPRESENTATIVE FANSLER responded that National Popular Vote in no way affects representation in Congress or allocation of U.S. Senators. He relayed that he was hesitant to introduce HB 175, because he did not want it to be viewed as a partisan bill. He asserted that HB 175 was not intended to be a response to the

recent presidential election. He said that HB 175 has been introduced and heard multiple times; there is no intent to add to the current "charged" political climate through the proposed legislation. He asserted that the positive aspect of the compact is that it does allow Alaska to retain its rights as a state; Alaska may determine whether to join the compact and may withdraw from the compact later upon deciding that it is not best for Alaska.

[3:51:10 PM](#)

REPRESENTATIVE LEDOUX asked why states would join a compact to change the electoral process rather than changing the process through an amendment to the U.S. Constitution.

REPRESENTATIVE FANSLER agreed that there could be a constitutional amendment to change the electoral process; however, it would be difficult and may turn out to be undesirable. He maintained that the proposed legislation provides Alaska the flexibility to revert to the Electoral College system if it wishes, without going through the lengthy repeal process.

REPRESENTATIVE LEDOUX asked if there have been any compacts that effectively repealed a provision of the U.S. Constitution and if there are any legal opinions to support repealing a provision of the U.S. Constitution in this way.

[3:54:41 PM](#)

JOHN KOZA, Chair, National Popular Vote, stated that the U.S. Constitution does not contain the winner-take-all rule, but in Article II, gives the state the exclusive power to decide how to award its electoral votes. He relayed that the Constitutional Convention never debated the winner-take-all rule that exists in Alaska and 47 other states. He said only three states used the rule in the first presidential election in 1789, and all three repealed it by 1800. He mentioned that the rule became prominent by 1880 - long after the U.S. Constitution was written, and the Founding Fathers had died. He stated that the method by which a state awards its electoral votes can be changed without a constitutional amendment for the simple reason that all the states that currently have the winner-take-all rule adopted it without a federal constitutional amendment.

[3:56:16 PM](#)

REPRESENTATIVE JOHNSON expressed her belief that the Founding Fathers considered this same issue when they stated that a pure democracy is dangerous, and the United States was to be a representational republic. She asked Representative Fansler, "How do you think it's different now than what our Founding Fathers envisioned?"

REPRESENTATIVE FANSLER stated his belief that the representational form of government cited by the Founding Fathers refers to the way the U.S. Congress is configured. He offered that when the Founding Fathers spoke in opposition to a pure democracy, they were referring to their opposition to a vote taken on every issue and not to the Electoral College. He maintained that the most dramatic changes since the time of the Founding Fathers have been the ease of travel and communication. He opined that recognition of the limitations of the times was part of the reason for the Electoral College. He relayed that the electoral system has changed over time; it is an evolving system; and National Popular Vote represents another step in that evolution. He asserted that there are many ways the electoral system could evolve; currently not all states follow the winner-take-all rule; and the beauty of the system is that it allows the wide latitude for state power.

REPRESENTATIVE JOHNSON expressed her belief that the statement of the Founding Fathers, which she cited, speaks to the Electoral College as a way of equalizing the vote between a sparsely populated state and a heavily populated state. She opined that National Popular Vote would be terrible for Alaska and goes against the idea of equal representation.

[4:00:32 PM](#)

CHAIR KREISS-TOMKINS opened public testimony on HB 175.

[4:01:00 PM](#)

BARRY DONNELLAN testified that he supports the Electoral College, and he believes the Electoral College was originally conceived to give states of small population a say in the election of the President. He mentioned that the four most populous states - New York, California, Texas, and Florida - could control the outcome of the election, and Alaska would have no "practical say in the matter." He offered that the Electoral College provides a "safety valve" against people of the United States "doing something really stupid," such as electing a charismatic candidate promising a million dollars to everyone.

He maintained that in that case, the Electoral College could overrule the vote. He opined that the proposed legislation would emasculate this safety valve. He stated his belief that HB 175 is a bad idea, and if it passes, Alaska should save money and opt out of federal elections.

4:03:19 PM

ROBIN SMITH testified that James Madison acknowledged that although the election of the President and Vice President by popular vote would be ideal, it would be difficult to get a consensus on the proposal given the prevalence of slavery in the South. She relayed that the Electoral College was created partly to resolve the problem of counting slaves in the population of a state. She opined that the Electoral College is an archaic system; when the U.S. educates and encourages democracy in other countries, it never recommends the creation of an electoral college. She asserted that just as the United States has "grown" to embrace the logic that all races and women have a right to vote, it is time to end the Electoral College process.

MS. SMITH mentioned that a 2007 poll found that 72 percent of Americans support replacing the Electoral College with a "direct election": 78 percent of Democrats; 60 percent of Republicans; and 73 percent of independent voters. She said that Gallop polls dating back to 1944 have shown that a consistent majority of the public supports a direct vote; however, support decreased significantly in the poll conducted a few weeks after the 2016 election. She attested that these results should be ignored because it had become a partisan issue. She said that history tells us that Americans want [a direct vote].

MS. SMITH stated that [a popular vote] equalizes voting power. She maintained that she resents that the votes of some people count more than her vote. She said that currently only two states have their Electoral College cast votes proportionally, and Alaska is not one of them. She attested that her vote is not important, because she is in the minority; because the Republican presidential candidate will get Alaska's vote, she has no reason to vote. She maintained that [a popular vote] would increase voter participation. She encouraged the committee to support HB 175.

4:06:03 PM

REPRESENTATIVE KNOPP mentioned that Ms. Smith spoke to her support of the popular vote but not to joining the compact as prescribed in HB 175. He suggested that in the event of Alaska joining the compact, Ms. Smith's voice still would not be heard, and Alaska would be giving up its rights. He maintained that the proposed legislation would not attain the popular vote that she supports.

MS. SMITH said that she disagrees. She offered that since she is a Democrat in a Republican state, her vote currently does not count. She suggested that the concept behind the proposed legislation is not just for Alaska to join the compact but to get all the states to join the compact, which would be easier than amending the U.S. Constitution.

[4:08:10 PM](#)

REPRESENTATIVE LEDOUX gave the following scenario: Alaska joined the compact; the popular vote went for the Republican [presidential] candidate; that candidate got at least 270 electoral votes; and Ms. Smith voted for the Democratic candidate. She said, "I don't understand why you would feel like your vote would count then."

MS. SMITH stated that the goal is for all states to join the compact, and as a result, whomever got the popular vote would be elected President. She said that her vote would be counted in as far as the Electoral College vote would reflect the popular vote.

[4:09:53 PM](#)

REPRESENTATIVE WOOL expressed his belief that when HB 175 was presented, it was not explained thoroughly enough for the public to understand what the compact does and how it, in effect, becomes a de facto popular vote. He suggested that some people feel that their votes do not count because currently the popular vote is irrelevant and does not determine who becomes President. The President is determined by who get the most electoral votes. He said that if enough states join the compact so that the combined electoral votes equal 270 or more, then all the states in the compact would cast their electoral votes for the candidate winning the popular vote. The candidate would be elected by electoral votes, but those votes would be "triggered" by the popular vote. He asserted that for Ms. Smith, the compact would allow her vote to be counted through the results of the popular vote. He mentioned that until the 270-electoral

vote threshold is reached through states joining the compact, the compact is meaningless.

4:12:16 PM

REPRESENTATIVE BIRCH commented that under the Electoral College, all votes are counted, and they do count.

4:12:57 PM

RICHARD EMANUEL testified that he understands that the Electoral College gives the small states a marginal advantage over representation strictly by population. He said that the role of the Electoral College is to vote for "wise electors" to provide a "safety valve" against an unwise choice by the voters. He asserted that the Electoral College does not function this way. He stated that currently 24 states place limits on the ability of electors to vote their consciences; they are threatened with fines or criminal penalties if they vote against the party that put them on the ballot. He expressed his belief that the "safety valve" function does not work anymore.

MR. EMANUEL said that it is undeniable that presidential elections currently focus on swing states at the expense of most Americans. He mentioned that he has never seen a presidential candidate campaign in Alaska except for a stop in Anchorage or Juneau to claim that he/she campaigned in all 50 states. He attested that even the larger states tend to be ignored if they are solidly "red" or solidly "blue." He stated that under the proposed legislation, every vote will be equal no matter where a person lives. He asserted that his vote, cast in Alaska, would count the same as a vote cast in Florida, Ohio, Iowa, or California.

MR. EMANUEL attested that every other election in America is determined by popular vote; mayors, assembly members, the governor, and legislators are all elected by popular vote. He asked, "Why should our President be elected by any other means? What's wrong with democracy? Why shouldn't our President be elected by a purely democratic system that counts every person's vote as equal to every other person's, regardless of where they live?"

MR. EMANUEL asserted that the proposed legislation does not represent a red or blue issue. He said if some individual lives in a solidly red state, such as Alaska, or in a solidly blue state, such as California, that individual will be given short

shrift by presidential campaigns. He mentioned that the attention given to California - a blue state - was overwhelmingly for fundraising. He maintained that the vote of a "red" voter in California did not count. All [California's] electors cast their votes for a candidate other than the one those red voters supported. He asserted that an Alaskan who supports a Republican [presidential] candidate may feel that the Electoral College functions in his/her favor, but he attested that politics runs in cycles and past performance is not a guarantee for future results. He claimed that one should not oppose HB 175 based on the politics of today.

[4:16:35 PM](#)

PAM TESCHE testified that HB 175 is good for Alaskans and joining a compact with other states would be good for the country. She stated that the Electoral College was introduced because of equity issues. She added that she now believes that with better transportation and communication of ideas, the equity is now skewed, and the country should move to a "higher level of experiencing our elections." She asserted that she would like to see Alaska compete for votes on an honest level.

[4:19:26 PM](#)

CARLA STACY testified that she supports Alaska joining the National Popular Vote compact. She said that there are ten other states that have joined the compact for a combined total of 165 electoral votes. She expressed her belief that the intent of the compact is geared toward one person, one vote. She stated that James Madison, a Founding Father of the U.S. Constitution, said that the people at large were the fittest to choose an executive and that he was never in favor of the Electoral College. She attested that the Electoral College system was a compromise to give the slave-owning states more influence by counting a slave as three-fifths of a person in the population count. She said, "The Electoral College really did work for them, but it doesn't work for us anymore." She maintained that the 200,000 registered voters of that day were very different from the 200 million voters of today.

MS. STACY stated that Alexander Hamilton wrote in The Federalist Papers that the U.S. Constitution is designed to ensure the office of President never falls to the lot of any man who is not eminently endowed with the requisite qualifications. She opined that the Electoral College failed the country in [the election of] 2016 and four previous times. She maintained that the

popular vote should dictate who will be President with one person, one vote.

[4:21:56 PM](#)

BETH FREAD testified that she believes that the Electoral College was formed so that the votes of small states will be counted. She stated that she does not support Alaska joining the compact or eliminating the Electoral College. She maintained that the present system gives Alaska power and a real voice. She added that she does not believe that her vote would count more in a popular vote system. She urged the committee not to support HB 175.

[4:25:08 PM](#)

MIKE COONS testified that the "interstate compact" that would be ratified by HB 175 is in violation of Article I, Section 10, Clause 3 of the U.S. Constitution. He relayed that this clause states in part, "No state shall, without the consent of Congress, enter into any agreement or compact with any other state." He stated that he knows the Democratic Party is not above disregarding the law and believes that the (indisc.) in the living, breathing [U.S.] Constitution. He added that even if this terrible piece of legislation was to pass, the U.S. Congress would not allow the result [of the proposed legislation] because of Article I, Section 10, Clause 3. He asserted that the Electoral College is in the Twelfth Amendment of the U.S. Constitution, and although the Democrats like to violate the U.S. Constitution as it suits them, to change the Twelfth Amendment does still require the use of Article V of the U.S. Constitution, which the proposed legislation clearly does not. He said [changing the U.S. Constitution] would require the Democratic members who supported the change to persuade the U.S. Congress to pass an amendment and to persuade 38 individual states to ratify it. He opined that the Democratic Party does not believe it must follow the U.S. Constitution or the law, (indisc.) by the many violations of law (indisc.) the Democratic Party and its anarchist supporters have performed since President Donald Trump was lawfully elected, within the confines of the U.S. Constitution. He urged committee members to uphold their oaths of office and vote "no" on HB 175.

[4:28:42 PM](#)

PAUL KENDALL testified that due to the potential for fraud [in the presidential election], [a state] must be vigilant. He

suggested that Alaska have "credit card-like" voting, which would be as simple as buying something in a store. He maintained that because the voter fraud potential for the 2018 election is huge, each voter will need to be validated. He expressed his belief that all political candidates should sign affidavits of "promise and performances." He suggested that each candidate answer 100 questions from the community so that the public can discern who is lying. He maintained that Governor Bill Walker betrayed Alaskans after his election. Mr. Kendall shared concerns related to various other issues.

[4:31:53 PM](#)

ALEX KOPLIN, Kenai Peninsula Votes, testified that he represents Kenai Peninsula Votes, a non-partisan organization that strives to increase voter participation. He maintained that HB 175 would support the idea that Alaskans' votes do count in national elections and would encourage more people to vote. He asserted that the proposed legislation would allow candidates to be more transparent and to become more familiar with all 50 states and their issues. He opined that the National Popular Vote movement in Alaska is a "positive direction" for the state.

[4:32:49 PM](#)

REPRESENTATIVE BIRCH asked Mr. Koplin if he was aware that the objective of HB 175 is for Alaska to cast its electoral votes according to the [national] popular vote.

MR. KOPLIN answered that he is aware of that but believes that Alaska has many disenfranchised voters, who are not energized to vote. He mentioned that Alaska has good voter turnout - about 60 percent voted in the last election. He maintained that more voters are needed to make the election process effective.

REPRESENTATIVE BIRCH asked Mr. Koplin if he read HB 175.

MR. KOPLIN responded yes. He said he has looked at the proposed legislation, the sectional analysis, and the legal opinion. He asserted that there would be no extra cost to the state. He opined that there is validity in the arguments presented regarding Article I of the U.S. Constitution, but he maintained that the electoral system is antiquated, and more people need to be involved in the election process. He said that regardless of partisan politics, he supports legislation that encourages more voter participation.

REPRESENTATIVE BIRCH stated that he is troubled by a compact in which all the state's electoral votes are awarded to the presidential candidate who wins the popular vote nationally. He asserted that the popular vote in Alaska could be overwhelmingly for another candidate. He asked if that scenario concerned Mr. Koplín.

MR. KOPLIN asserted that he is more in favor of a constitutional amendment. He offered that using the popular vote to determine the President and the Vice President would be a significant stride forward. He added that he didn't know if the compact would accomplish that but believes that it is "leaning toward that direction."

[4:36:38 PM](#)

EILEEN BECKER testified that she believes enacting HB 175 for a trial period would create a mess. She expressed her belief that under the proposed legislation, Alaska would give up all its sovereign rights. She maintained that the election process is a "very involved statewide activity." She stated that [ten states and the District of Columbia] have joined the compact, representing a total of 165 electoral votes. She asserted that as more people learn about this compact, they will realize the mess that it will create nationwide. She offered that several populous states would control the election and Alaska would be "nothing." She stated that Alaska needs to "keep" its three [electoral] votes in tact; the National Popular Vote is unneeded; and it is a nationwide effort supported by Democratic legislatures. She said that the Electoral College has worked for over two [centuries] and will continue to do so. She opined that this effort is motivated by Democrats' hatred for President Donald Trump.

[4:39:09 PM](#)

JANET GOEHRINGER testified that the Founding Fathers established the U.S. Constitution and set the guidelines for the governance of the country for the benefit of all Americans. She stated that the guidelines of the Electoral College ensure fair elections. She relayed that she is against the National Popular Vote. She maintained that it is an effort by Democrats to win the election through the popular vote, since large areas of the country are liberal. She said that she is a conservative; she does not want what liberals want; and through the Electoral College, the country got what it needed, which was President Donald Trump. She urged the committee not to pass HB 175.

[4:40:35 PM](#)

KESHA ETZWILER testified that she vehemently opposes HB 175. She stated, "The Electoral College has been woven into the fabric of this country for a reason, and our votes do count." She maintained that the country's forefathers designed the election process to ensure that certain states, populations, and policies don't dictate to the rest of the country. She asserted that HB 175 is a "knee jerk" reaction to an outcome of an election that dissatisfied some people. She maintained that initially electors were harassed to cast their votes for the popular vote, and now compacts are being made instead of "doing the work" it takes to amend the U.S. Constitution.

CHAIR KREISS-TOMKINS mentioned that he introduced legislation identical to HB 175 last year, which was before the 2016 election. He suggested that there may be some motivation for the proposed legislation independent of the outcome of the recent election.

[4:42:08 PM](#)

BRANDY SUPER testified that she is opposed to HB 175. She maintained that the idea that Alaskan voices would be heard by changing the election process is a fallacy. She asserted that under National Popular Vote, the small, rural states such as Pennsylvania and Alaska would "lose their voices" and the larger states such as Hawaii, California, and New York would have "bigger" voices. She stated that she is disappointed that HB 175 was introduced.

[4:43:31 PM](#)

MARIANNE SCHLEGELMILCH expressed her belief that the proposed legislation represents a partisan issue being spearheaded by the losing party in the last presidential election. She stated that she opposes all attempts to alter or bypass the U.S. Constitution, including the attempt to "work around the Electoral College," which has served the country well for 200 years. She opined that the popular vote is subject to manipulation and corrupt intervention. She expressed her belief that HB 175 is intended to bypass "our wisely written" U.S. Constitution and should not be considered. She concluded that Alaska should not join the compact.

[4:44:31 PM](#)

AMY BOLLENBACH testified that the first election in which she voted was the [1960] election between Richard Nixon and John F. Kennedy. She stated that there was electoral fraud in Chicago in that election. She mentioned that she had voted for Nixon, and she was bothered by the disagreement between the popular vote and the Electoral College vote. She stated that in every civil government election besides the federal election, the majority wins. She said that when she taught parliamentary procedure to seventh graders, her students would not have accepted it if she had told them that only two or three of the best students would be allowed to vote. She relayed that she supports HB 175, and the purpose of the proposed legislation is to allow the popular vote of the nation to decide who will be President.

[4:47:13 PM](#)

PAMELA HALL testified that she is opposed to HB 175. She stated that without the Electoral College, Alaskan voters would not be counted. She asserted that the big population states should not elect the President, and Alaska would lose its "voice." She maintained that currently there is a great deal of voter fraud, and Alaska has nothing in common with the states that have joined the compact. She stated that she has no idea "why we would give up our vote and let them be deciding these things for us." She opined that the Alaska politicians need to "get back to doing the business of this state and quit worrying about what is happening in California, New York, et cetera."

[4:48:25 PM](#)

SARAH VANCE testified that she is opposed to HB 175 because it is unconstitutional and because it is "mired in confusion." She maintained that it is not "good government" to pass a bill that is unclear on how it would be executed. She expressed her belief that Alaska needs to stand on its own, it does have a voice, and its voice counts. She said she supports a more accountable media - one that announces the winner of the presidential election after Alaska voters cast their votes. She maintained that investors in Alaska are looking for stability, and although it was said that HB 175 proposes flexibility, she maintained it would create instability. She said that the ability of Alaska to withdraw from the compact at any time would create confusion with the voters and would demonstrate that Alaska is "double-minded" in government and state operations. She asserted that would be a bad message for investors who are

looking to do business in Alaska. She opined that the compact would not give Alaska more attention during the presidential campaign; Alaska would be grouped with other states and lose its voice. She asserted that Alaska currently is "noticed" and has a voice.

[4:50:28 PM](#)

IAN SMITH, Young Democrats House District 30, testified that many people conclude that the current electoral system is good because it benefits them now. He expressed his belief that "all men are created equal," and an Alaskan should not have three times as much voting power as a Californian.

[4:51:53 PM](#)

MALENA MARVIN testified that the National Popular Vote movement is a bipartisan movement. She mentioned that Newt Gingrich was one of the original supporters of the concept, and he said, "America would be better served with a presidential election process that treated all citizens across the country equally. The National Popular Vote bill accomplishes this in a manner consistent with the [U.S.] Constitution and with our fundamental democratic principles." She stated that she agrees with his statement; she is a patriot who loves and believes in America; and she believes in a one-person, one-vote democracy. She maintained that the public needs to separate the process from their party affiliation. She relayed that President Donald Trump is on record as supporting National Popular Vote, and in 2012, he said that the Electoral College is a disaster for democracy. She related that when asked about this after the election, he said, "I'm not going to change my mind just because I won," and he added that he thinks that the current system gives the American voters the impression that the system is rigged, which is not good for anyone.

MS. MARVIN relayed that spending time [in the lower 48] for medical reasons this winter caused her to think about her vote being worth less if she moved from Alaska for any reason. She maintained it would not be right. She noted that the National Popular Vote movement was not started in response to any presidential election but was started quite some time ago. She added that [ten states and the District of Columbia] have passed National Popular Vote legislation, including four small states, representing 165 electoral votes or 61 percent of the number required for winning the election. She expressed her belief that this total will be achieved, and Alaska could choose to be

a part of the movement or "left out in the cold." She stated that she supports HB 175, and she supports candidates campaigning in all 50 states.

[4:55:19 PM](#)

PATRICK RACE reiterated that President Trump has opposed the Electoral College. Mr. Race encouraged the enthusiastic supporters of the President to follow the lead of the President on this issue. Mr. Race explained that the electoral vote of a state reflects the popular vote; however, an Electoral College member can "follow his conscience" and vote differently than the popular vote. He relayed an incident regarding an Electoral College member in Colorado named Michael Baca: Mr. Baca organized a group of "Hamilton electors" to find a "compromise candidate." He was obligated to vote for presidential candidate Hillary Clinton because she won the popular vote in Colorado, but he cast his electoral vote for presidential candidate John Kasich. Mr. Baca consequently was removed from the Colorado Electoral College; his vote was rescinded; and he was replaced by someone who would vote for Hillary Clinton. Mr. Race opined that the system is broken and needs to be addressed. He stated his belief that the Electoral College has many problems, some of which have been cited in the hearing.

MR. RACE maintained that the Electoral College was not created to overcome the rural urban divide, as has been stated, because at that time in history, "rural" and "urban" were not clear concepts; New York City had 25,000 people. He declared that the proposed legislation does not represent a new, partisan effort, since National Popular Vote was introduced by Senate Bill 39 in the Twenty-Seventh Alaska State Legislature, 2011-2012 - well before the 2016 election. He stated that a 1968 Gallup Poll revealed that 80 percent of the nation supported abolishing the Electoral College. He urged the committee not to consider the proposed legislation a partisan effort but to assess whether the Electoral College is functioning as it was intended.

REPRESENTATIVE WOOL referred to the incident regarding Mr. Baca. He asked if an Electoral College member could still vote his/her conscience if in a state that joined the compact. He suggested that maybe the Electoral College member should be obligated to vote as the popular vote dictated.

MR. RACE stated that the proposed legislation uses the concept of "bound" Electoral College members to carry out its goal of

enforcing National Popular Vote. He asserted that through the proposed legislation, the idea of bound Electoral College members would be tested. He stated that if committee members believe that Electoral College members should not be bound, they should support HB 175, because it would test this practice. He mentioned that Electoral College members are given the name of only one candidate; a member could cross that name out and vote his/her conscience as Mr. Baca did. Mr. Race said that Mr. Baca may be fined or imprisoned because there are laws in place that obligate Electoral College members to follow the will of the voters in a state. He stated that through National Popular Vote, the Electoral College member would be obligated to vote for the winner of the popular vote. He stated that the question is whether a state can "bind" an elector. He opined that if a state cannot bind an elector, that is a win; if it can bind an elector, then it can bind that elector to vote for the popular vote.

REPRESENTATIVE WOOL stated that if you cannot bind an elector, then the compact is worthless. He said that the compact is based on the electors being obliged to vote for the winner of the popular vote.

MR. RACE responded that currently a state can bind its electors. He suggested that someone opposing the National Popular Vote movement would most likely contest it based on the idea that electors cannot be obligated to vote a certain way. If that attack were successful, it would "blow up" the idea of binding Electoral College members. Mr. Race opined that binding Electoral College members is a travesty. He cited the writings of Alexander Hamilton in The Federalist Papers, which states that the Electoral College was created to protect the country from electing a populist who is skilled in the low arts of popular intrigue. He relayed that the Founding Fathers were terrified when embarking on the experiment [of democracy]; it gave much power to the people. He said the Founding Fathers wanted a layer of protection. He attested that the Electoral College members were to consider the vote of the people, ensure the selection was acceptable, and cast their votes accordingly. The electors acted as a failsafe in case a really "bad" candidate won the popular vote.

[5:03:29 PM](#)

REPRESENTATIVE KNOPP agreed that currently the electors are bound, but they are bound to vote according to the results of the popular vote in a state. He asked if Mr. Race felt it was

appropriate that electors be bound according to the results of the popular vote nationally, regardless of how the people of the state vote.

MR. RACE responded that Representative Knopp is asking a fundamental question: Do you want to have every citizen vote for the President, or do you want a small collection of state representatives to vote for the President?

REPRESENTATIVE KNOPP suggested that Alaskans would not be represented if the electors voted for a different candidate than chosen by the majority of Alaskan voters. He stated that he does not disagree with the statement made about the popular vote, but he believes that the National Popular Vote compact would not support representation.

REPRESENTATIVE BIRCH cited Article 1, Section 10, of the U.S. Constitution, which read as follows [original punctuation provided]: "No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay." He stated that he did not believe that casting Alaska's Electoral College votes for the candidate who won the national popular vote, regardless of who won Alaska's popular vote, was an improvement.

MR. RACE responded that the fundamental question is: Do you want every vote to count in the election for President, or do you want this "funky" Electoral College system to be the vote that is used to determine the President? He added that most Alaskan voters are independent, non-partisan voters. He asked, "Who votes for the Electoral College, if an independent or non-partisan is ... elected president in Alaska? How does that work under your system?"

REPRESENTATIVE BIRCH responded that the number of electoral votes is prescribed by the U.S. Constitution as are the number of elected representatives a state has in Congress. He conceded that representation is disproportionate; Alaska gets way more votes [per population] than other states. He offered that this system is in the State of Alaska's collective interest, and votes are cast as winner-takes-all.

MR. RACE offered that if a non-partisan candidate won Alaska's votes, he does not know who would cast the Electoral College

votes on behalf of the non-partisan candidate. He asked, "How does the Electoral College serve the majority of Alaska voters?"

[5:07:59 PM](#)

MARGO WARING testified that she believes in democracy and that the country has been moving toward increased democracy. She cited passage of the 19th Amendment to the Constitution on women's suffrage as an example. She mentioned that in 1963, Senators were elected by legislatures. In 1964, the U.S. Supreme Court ruled in Reynolds v. Sims to have one person, one vote. She opined that is what is needed to elect a President - one person, one vote. She maintained that the only way to achieve that is to count every vote and to have every vote count equally.

MS. WARING stated that great discrepancies between the popular vote and the Electoral College vote - as has been experienced by the country in five elections - only engenders questions about "the legitimacy of our President and the legitimacy of our democracy, and distrust for government.

CHAIR KREISS-TOMKINS expressed his belief that the direct election of U.S. Senators came about through the 17th Amendment to the U.S. Constitution in the early 1700s.

MS. WARING stated her understanding that in the Reynolds v. Sims ruling of 1964, the U.S. Supreme Court made the statement that the election of U.S. Senators had to be by direct popular vote.

[5:10:57 PM](#)

JUDY ANDREE, League of Women Voters (LWV) of Alaska, testified that the League of Women Voters of the United States, under which state leagues preside, supports the use of the popular vote in the election of the President and the Vice-President. She maintained that the league made the decision to support it in 1970 after two years of studying the pros and the cons of the issue. She stated that two of the "misaligned" elections mentioned by Ms. Waring occurred in the last eight elections. She added that there is a trend toward "non-landslide" election results and suggested that there will be more elections in the future in which the popular vote does not match the Electoral College vote. She reiterated that such results bring to question the legitimacy of the person elected. She mentioned that in the last election, 48.8 percent of the votes in Alaska stopped at the state line and "no longer existed for any

meaningful purpose." She concluded that all the [state] LWVs encourage passage of HB 175.

5:14:14 PM

BEN MUSE testified that he supports a system in which all votes count equally. He maintained that American democracy has been changing over the years; the Electoral College is not what it was in 1790 and doesn't function the way it was anticipated by Mr. Hamilton. He mentioned that there have been many other changes in the direction of more democracy: there are no property qualifications for being eligible to vote; women can vote; and there are more elaborate primary systems with more individual input for selection of candidates. He reiterated that earlier in the country's history, U.S. Senators were elected by state legislators and not by popular vote. He asserted that he does not see a strong benefit for Alaska, as a small state, under the existing Electoral College. Alaska has three out of a total of 535 electoral votes, or one-half of one percent. He suggested that the small states together constitute about eight percent of the Electoral College votes, and those small states differ from each other greatly in interests, industry, and politics.

5:17:06 PM

ALAN DAVIS testified that currently his vote does not count because when two-thirds of the population vote Republican, his vote as a Democrat is disregarded by the Electoral College. He maintained that the Electoral College disenfranchises him, and it disenfranchised the majority of the voters in the country in the last election. He expressed his belief that it is wrong. He asserted that a constitutional amendment to the U.S. Constitution will not occur because the two major political parties have a vested interest in keeping the current system; they only must concentrate on a small number of states rather than conducting a true nationwide campaign. He stated that Alaska has the indignity of the election being called before its election polls are closed. He maintained that National Popular Vote would allow his vote to be tallied and to influence the election, which currently does not occur.

5:19:19 PM

REPRESENTATIVE JOHNSON stated that the United States has the steadiest, longest standing political system in the world. She asked why Mr. Davis would want to destabilize that system.

MR. DAVIS responded that it is already destabilized; the Electoral College overrode the popular vote in the last election. He maintained that "fixing" that problem is not destabilizing the country. He asserted that the current system is destabilizing the country, encouraging people not to vote because they know their vote does not count.

[5:20:03 PM](#)

REPRESENTATIVE KNOPP asked how the proposed legislation fixes the problem. He said that under National Popular Vote, Mr. Davis's vote would count if he votes in the majority. He asked, "If you do not vote in the majority, how does your vote count?"

MR. DAVIS responded that his vote would be part of the tally of votes. He stated that currently it is not.

REPRESENTATIVE KNOPP suggested that Mr. Davis's vote is counted in the state vote.

MR. DAVIS answered, "I don't care about the state election. We're talking about a national election. My vote goes into a particular category in the national vote."

[5:21:02 PM](#)

KARLA HART testified that Alaska has only three electoral votes regardless of the voter participation. She suggested that under National Popular Vote, Alaska's vote would be more significant in a close election and Alaskans would feel that their votes meant more; therefore, there would be a positive effect on a "get out the vote" campaign.

[5:22:57 PM](#)

WILLIAM DEATON testified that he opposes HB 175 because he believes the Electoral College works and people who testified that their votes don't count are misinformed about how it works. He stated that the popular vote in Alaska determines the electors. He added that people who testify that their votes do not count are doing so because they are Democrats. He stated that those people could move to a Democratic state if they want their votes to go to a Democrat but that their votes still go to a Democrat even in Alaska. He maintained that under National Popular Vote, Alaska's electors may have to vote differently from Alaska's popular vote. He opined that this is wrong. He

asserted that HB 175 is a very bad bill, and he urged the committee not to vote it out of committee.

[5:25:14 PM](#)

CHAIR KREISS-TOMKINS, after ascertaining that there was no one else who wished to testify, closed public testimony on HB 175.

CHAIR KREISS-TOMKINS announced that HB 175 would be held over.

HB 143-NAMING THE DANIEL R. FAUSKE BUILDING

[5:25:26 PM](#)

CHAIR KREISS-TOMKINS announced that the final order of business would be HOUSE BILL NO. 143, "An Act naming the Daniel R. Fauske Building."

[5:25:48 PM](#)

REPRESENTATIVE MIKE CHENAULT, Alaska State Legislature, presented HB 143, as prime sponsor. He paraphrased from the sponsor statement, which read as follows [original punctuation provided]:

I am pleased to offer House Bill 143 in honoring Dan Fauske by naming the AHFC Building at 4300 Boniface Parkway, the Daniel R. Fauske Building.

Dan Fauske served as the head of the Alaska Housing Finance Corporation (AHFC) for 18 years, managing assets of \$4.8 billion. During his tenure, AHFC started its Weatherization and Home Energy Rebate Program, which had provided weatherization upgrades for renters and homeowners and rebates for energy improvements to homeowners for nearly 16,000 homes by the end of 2010. AHFC also played key roles in providing affordable housing statewide, making it possible for Alaskans to pursue the dream of home ownership. Under his leadership, AHFC continued its series of annual contributions to the State of Alaska, which totaled \$1.9 billion by the end of 2010.

In May 2010, while serving as CEO and Executive Director of the Alaska Housing Finance Corporation (AHFC), Fauske was selected by the Alaska Legislature to lead a joint development team charged with studying

the feasibility of designing, financing and constructing an in-state natural gas pipeline capable of delivering North Slope gas to communities within Alaska. Initially, the Alaska Gasline Development Corporation (AGDC) was created as a wholly-owned subsidiary of AHFC to manage the development of the Alaska Stand Alone Pipeline (ASAP) plan. In 2013, the Legislature re-established AGDC as an independent corporation of the State and appropriated \$355 million towards the project. Fauske continued in a dual capacity, leading both Corporations, until August 2013 when he resigned from AHFC to focus exclusively on AGDC and gasline work.

REPRESENTATIVE CHENAULT commented that Mr. Fauske had a long history with the state, both at the state level and the local level; he served as chief financial officer (CFO) for the North Slope Borough (NSB) and in many other roles. He maintained that Mr. Fauske was a gentleman; he accomplished all with which he was tasked by the state and the legislature; and he was a great statesman and a friend.

[5:29:33 PM](#)

CHAIR KREISS-TOMKINS opened public testimony on HB 143.

[5:29:47 PM](#)

JERRY LAVINE testified that he opposes HB 143. He expressed his gratitude for Mr. Fauske's service to the State of Alaska while working for AHFC. He mentioned Mr. Fauske's contributions to AHFC in helping to "grow" AHFC's bottom line and paying dividends back to the State of Alaska. He stated that he did not know Mr. Fauske nor has he used any AHFC services. He said he opposes HB 143 because he believes that under the current fiscal situation, the Thirtieth Alaska State Legislature should be spending its limited time working on fiscal issues, not renaming public buildings.

MR. LAVINE asked, "What does it cost to change the name of a public building?" He mentioned that the fiscal note from the Department of Administration (DOA) indicates a zero-fiscal note, but he suggested there is a cost for the change: new signs; new name plates; changes to online directories; changes to printed directories, and public records changes. He maintained that HB 143 is not in the best interest of Alaska citizens.

MR. LAVINE stated, "With all due respect to Mr. Fauske, most people don't know who Daniel is." He suggested that Mr. Fauske is known by people in the financial markets and the executive and legislative branches of government, but the general public would not recognize his name. He asserted that the name change may create confusion for the public trying to locate the AHFC building in Anchorage.

MR. LAVINE opined that with 34 bills and 12 resolutions in the House State Affairs Standing Committee as of today, HB 143 is a waste of legislative time, and he encouraged the committee members to table the proposed legislation or vote against it. He conceded that evidence suggests that Mr. Fauske did excellent work at AHFC, but he offered that the committee consider a legislative citation to honor Mr. Fauske's work.

[5:32:30 PM](#)

JOHN BITTNEY testified that he supports HB 143. He stated that he represented AHFC in the capitol for seven years of his 31 years [as a lobbyist]. He mentioned that the proposed legislation is important because AHFC is considered one of the premier housing authorities in the nation - the most sophisticated, the most financially strong, and the best operated. He maintained that a large part of that success is due to the action of the Seventeenth Alaska State Legislature in combining many of the housing functions of the state under one organization and the hire of Mr. Fauske in the late '90s. He relayed that Mr. Fauske was able to overcome political barriers to put all the housing functions under AHFC; it was no small feat; and the practice has continued to this day. He maintained that AHFC is an organization for which the state can be proud.

[5:34:26 PM](#)

CHAIR KREISS-TOMKINS, after ascertaining that there was no one else who wished to testify, closed public testimony on HB 143.

[5:34:36 PM](#)

REPRESENTATIVE BIRCH stated that he is a co-sponsor of HB 143. He asserted that the proposed legislation would appropriately recognize Mr. Fauske's distinguished service to the people of the State of Alaska.

[5:35:00 PM](#)

REPRESENTATIVE Birch moved to report HB 143 out of committee with individual recommendations and the accompanying fiscal notes.

CHAIR KREISS-TOMKINS objected for purpose of discussion.

REPRESENTATIVE JOHNSON said that she supports HB 143. She opined that the proposed legislation is appropriate and takes advantage of a good opportunity.

REPRESENTATIVE KNOPP complemented the committee packet provided by the sponsor of HB 143 and stated that he supports moving HB 143 out of committee.

CHAIR KREISS-TOMKINS noted that AHFC is a model for statewide housing authorities, and he said naming the building is appropriate and consistent with what the legislature has done in the past.

CHAIR KREISS-TOMKINS removed his objection. There being no further objection, HB 143 was reported from the House State Affairs Standing Committee.

[5:37:41 PM](#)

The committee took an at-ease from 5:37 p.m. to 5:39 p.m.

[5:39:10 PM](#)

CHAIR KREISS-TOMKINS reiterated that there being no objection, HB 143 was reported from the House State Affairs Standing Committee.

[5:39:48 PM](#)

The committee took an at-ease from 5:39 p.m. to 5:42 p.m.

[5:42:11 PM](#)

CHAIR KREISS-TOMKINS noted that the committee would be bringing HB 1 back to correct an oversight.

[5:43:39 PM](#)

ADJOURNMENT

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at 5:44 p.m.