

**ALASKA STATE LEGISLATURE
HOUSE STATE AFFAIRS STANDING COMMITTEE**

April 9, 2022

2:05 p.m.

MEMBERS PRESENT

Representative Jonathan Kreiss-Tomkins, Chair
Representative Geran Tarr
Representative Andi Story
Representative Sarah Vance
Representative James Kaufman
Representative David Eastman

MEMBERS ABSENT

Representative Matt Claman, Vice Chair

COMMITTEE CALENDAR

CS FOR SENATE BILL NO. 161(JUD)

"An Act relating to the definition of 'political party'; and providing for an effective date."

- HEARD & HELD

HOUSE BILL NO. 412

"An Act relating to the confirmation of appointees to the Board of Trustees of the Alaska Permanent Fund Corporation; relating to the appointment of public members of the Alaska Industrial Development and Export Authority; and providing for an effective date."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: SB 161

SHORT TITLE: POLITICAL PARTY DEFINITION

SPONSOR(S): SENATOR(S) WIELECHOWSKI

01/18/22	(S)	READ THE FIRST TIME - REFERRALS
01/18/22	(S)	STA, JUD
02/17/22	(S)	STA AT 3:30 PM BUTROVICH 205
02/17/22	(S)	Heard & Held
02/17/22	(S)	MINUTE(STA)
03/01/22	(S)	STA AT 3:30 PM BUTROVICH 205

03/01/22 (S) -- MEETING CANCELED --
03/03/22 (S) STA AT 3:30 PM BUTROVICH 205
03/03/22 (S) Moved SB 161 Out of Committee
03/03/22 (S) MINUTE(STA)
03/04/22 (S) STA RPT 4NR 1DP
03/04/22 (S) NR: SHOWER, COSTELLO, REINBOLD, HOLLAND
03/04/22 (S) DP: KAWASAKI
03/14/22 (S) JUD AT 1:30 PM BUTROVICH 205
03/14/22 (S) Heard & Held
03/14/22 (S) MINUTE(JUD)
03/16/22 (S) JUD AT 1:30 PM BUTROVICH 205
03/16/22 (S) Moved CSSB 161(JUD) Out of Committee
03/16/22 (S) MINUTE(JUD)
03/18/22 (S) JUD RPT CS 1AM 3DP SAME TITLE
03/18/22 (S) AM: HOLLAND
03/18/22 (S) DP: MYERS, HUGHES, KIEHL
03/25/22 (S) TRANSMITTED TO (H)
03/25/22 (S) VERSION: CSSB 161(JUD)
04/04/22 (H) READ THE FIRST TIME - REFERRALS
04/04/22 (H) STA, JUD
04/05/22 (H) STA AT 3:00 PM GRUENBERG 120
04/05/22 (H) -- MEETING CANCELED --
04/09/22 (H) STA AT 10:00 AM GRUENBERG 120

BILL: HB 412

SHORT TITLE: PERM FUND CORP & AIDEA BD CONFIRMATION
SPONSOR(S): STATE AFFAIRS

04/04/22 (H) READ THE FIRST TIME - REFERRALS
04/04/22 (H) STA, FIN
04/09/22 (H) STA AT 10:00 AM GRUENBERG 120

WITNESS REGISTER

SENATOR BILL WIELECHOWSKI
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Introduced CSSB 161(JUD), as the prime sponsor.

DAVID DUNSMORE, Staff
Senator Bill Wielechowski
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on CSSB 161(JUD), on behalf of Senator Wielechowski, prime sponsor.

XANNIE BORSETH, Staff
Representative Jonathan Kreiss-Tomkins
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented the sectional analysis for HB 412, on behalf of Representative Kreiss-Tomkins, prime sponsor.

EMILY NAUMAN, Deputy Director
Legislative Legal Services
Legislative Affairs Agency
Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on HB 412.

ACTION NARRATIVE

[2:05:02 PM](#)

CHAIR JONATHAN KREISS-TOMKINS called the House State Affairs Standing Committee meeting to order at 2:05 p.m. Representatives Tarr, Kaufman, Eastman, Story, and Kreiss-Tomkins were present at the call to order. Representative Vance arrived as the meeting was in progress.

SB 161-POLITICAL PARTY DEFINITION

[2:07:12 PM](#)

CHAIR KREISS-TOMKINS announced that the first order of business would be CS FOR SENATE BILL NO. 161(JUD), "An Act relating to the definition of 'political party'; and providing for an effective date."

[2:07:24 PM](#)

SENATOR BILL WIELECHOWSKI, Alaska State Legislature, prime sponsor, introduced CSSB 161(JUD). He paraphrased the sponsor statement [included in the committee packet], which read in its entirety as follows [original punctuation provided]:

Senate Bill 161 simplifies the process for political parties gaining official recognition by recognizing any party with at least 5,000 registered voters. This bill would replace the current variable threshold with a standard that is simple and consistent. The 5,000 threshold would be adjusted for population changes

after every 10 year census, and rounded to the nearest 500.

Currently political parties gain or maintain official recognition by having registered voters equal to at least 3% of the total votes cast for governor, U.S. Senate, or U.S. House of Representatives in the last election depending on which office was on the ballot that year. This threshold can vary wildly from election to election and after the 2020 election it increased by 27% because of record voter turnout.

With the passage of Ballot Measure 2, official party status will no longer be used to determine ballot access for candidates for governor and lieutenant governor, U.S. Congress, or Alaska State Legislature. The only offices for which officially recognized parties will have automatic ballot access are U.S. president and vice president. Parties with much fewer than 5,000 registered voter routinely secure ballot access by petition and SB 161 will save the Division of Elections the time and expense of reviewing petitions for parties that have already demonstrated a significant amount of support.

Officially recognized parties have the right to purchase two pages in the Official Election Pamphlet, to nominate poll workers and election board members, and to have observers present at polling places and counting centers. In addition, there are different campaign finance limits and reporting requirements for recognized parties and unrecognized parties. SB 161 ensures that this status is determined by a simple, consistent, and easy to understand threshold.

Thank you for your consideration.

[2:09:56 PM](#)

REPRESENTATIVE STORY asked whether the bill sponsor had received any feedback from the Division of Elections (DOE), Office of the Lieutenant Governor.

SENATOR WIELECHOWSKI indicated that the division had not commented on the proposed legislation.

REPRESENTATIVE EASTMAN asked why the legislature wouldn't afford these benefits to groups of any size that wanted to participate as a recognized party. He questioned why the threshold was set at 5,000 registered voters.

SENATOR WIELECHOWSKI said it was a policy call. He explained that 5,000 was requested by a constituent. He addressed the benefits of being a recognized party, including presidential ballot access; the right to purchase two pages in the official election pamphlet; the right to nominate poll workers and election board members; and the right to have observers present at polling places and counting centers. Additionally, campaign finance limits and reporting limits were different for recognized parties. For those reasons, he argued that establishing a threshold was necessary to avoid logistical problems, such as the size of the election pamphlet or a large number of poll workers or election board members.

REPRESENTATIVE EASTMAN asked how many political groups were competing to become an official party.

SENATOR WIELECHOWSKI deferred to Mr. Dunsmore.

[2:13:10 PM](#)

DAVID DUNSMORE, Staff, Senator Bill Wielechowski, Alaska State Legislature, on behalf of Senator Wielechowski, prime sponsor of CSSB 161(JUD), estimated that the number of groups was between 8-12.

[2:13:28 PM](#)

REPRESENTATIVE TARR asked whether a sunset provision was considered to account for population growth.

SENATOR WIELECHOWSKI noted that a change was made in the Senate Judiciary Standing Committee to include an adjustment of the 5,000-voter threshold every 10 years to account for population growth or decline.

[2:14:47 PM](#)

REPRESENTATIVE EASTMAN suggested that registered voters was not an appropriate metric.

SENATOR WIELECHOWSKI pointed out that prior to Ballot Measure 2, political parties could attain status via registered voters or securing a 3 percent threshold in the "top of the ticket" election. After Ballot Measure 2, however, voters elected to make registered voters the only qualification for achieving recognized status.

[2:17:23 PM](#)

CHAIR KREISS-TOMKINS announced that CSSB 226(JUD) was held over.

HB 412-PERM FUND CORP & AIDEA BD CONFIRMATION

[2:17:54 PM](#)

CHAIR KREISS-TOMKINS announced that the final order of business would be HOUSE BILL NO. 412, "An Act relating to the confirmation of appointees to the Board of Trustees of the Alaska Permanent Fund Corporation; relating to the appointment of public members of the Alaska Industrial Development and Export Authority; and providing for an effective date."

[2:18:31 PM](#)

XANNIE BORSETH, Staff, Representative Jonathan Kreiss-Tomkins, Alaska State Legislature, on behalf of Representative Kreiss-Tomkins, prime sponsor, provided a sectional analysis of HB 412 [included in the committee packet], which read as follows [original punctuation provided]:

Section 1 adds language to statute requiring the public members of the Board of Trustees of the Alaska Permanent Fund Corporation (APFC) to be separately subject to confirmation by a majority of the members of the legislature in a joint session.

Section 2 states that public members of the Board of Trustees of APFC who are reappointed are subject to confirmation by a majority of the members of the legislature in a joint session.

Section 3 deals with vacancies of the Board of Trustees of APFC and asserts that (1) a vacancy on the board which has been filled by appointment by the governor will then be subject to confirmation by a majority of the members of the legislature in a joint session; and (2) if a vacancy occurs while the

legislature is not in session, the governor may appoint an interim board member who shall exercise the powers of the board member until the next session of the legislature, at which time the name of the interim board member shall be presented to the legislature for appointment.

Section 4 adds language to statute asserting the membership of the authority consists of the five public members of the board of the Alaska Industrial Development and Export Authority (AIDEA) appointed by the governor and confirmed by a majority of the members of the legislature in a joint session.

Section 5 amends uncodified law by adding this section which addresses applicability of the bill:

(a) this act does not apply to members of the Board of Trustees of APFC who are serving on the effective date of this Act; (b) on or after the effective date of this Act, members of the board who are reappointed shall be confirmed by a majority of the members of the legislature in joint session; (c) this Act does not apply to members of AIDEA who are serving on the effective date of this Act; and (d) in this section, "board" means, "the Board of Trustees of the Alaska Permanent Fund Corporation."

Section 6 establishes an effective date of January 1, 2023.

[2:20:43 PM](#)

CHAIR KREISS-TOMKINS said he would be drafting an amendment that adjusted the effective date to make it prior to the ending of the current gubernatorial term.

[2:21:10 PM](#)

REPRESENTATIVE VANCE directed attention to Section 3, which provided that the governor "may" appoint an interim board member to fill a vacancy on the Alaska Permanent Fund Corporation (APFC) Board of Trustees. She opined that additional clarification would be helpful, suggesting that the appointment should be made within 30 days [of the vacancy] to avoid ambiguity and an empty seat on the board.

[2:22:26 PM](#)

REPRESENTATIVE EASTMAN asked whether the word "promptly" on page 2, line 8 of the bill applied to the legislative confirmation process in addition to the governor's appointments. He suggested "nudging" the legislature to conduct its confirmations expeditiously.

CHAIR KREISS-TOMKINS questioned what "nudges" would affect change in that regard.

REPRESENTATIVE EASTMAN asked whether the reappointment process was followed by both the Alaska Industrial Development and Export Authority (AIDEA) and APFC.

MS. BORSETH explained that three sections in statute applied to APFC, one of which directly addressed reappointment. She indicated that if the bill were to pass, the provision regarding reappointment would apply to AIDEA in addition to APFC.

REPRESENTATIVE EASTMAN asked whether the current process was broad enough to "encompass some of the same actions that we're looking at with regard to the permanent fund board, or do they just have a different way of doing things?"

MS. BORSETH deferred to Ms. Nauman.

[2:25:56 PM](#)

EMILY NAUMAN, Deputy Director, Legislative Legal Services, Legislative Affairs Agency, reiterated that the AIDEA statutes were silent as to reappointment; however, no statute prohibited a member of AIDEA from being reappointed. She said the process would work the same way for AIDEA as it did for APFC.

[2:26:49 PM](#)

CHAIR KREISS-TOMPKINS announced HB 412 would be held over.

[2:27:16 PM](#)

ADJOURNMENT

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at 2:27 p.m.