

**ALASKA STATE LEGISLATURE
SENATE JUDICIARY STANDING COMMITTEE**

April 17, 2023

1:30 p.m.

MEMBERS PRESENT

Senator Matt Claman, Chair
Senator James Kaufman
Senator Cathy Giessel
Senator Löki Tobin

MEMBERS ABSENT

Senator Jesse Kiehl, Vice Chair

COMMITTEE CALENDAR

CONFIRMATION HEARING(S)

Alaska Judicial Council
Dennis DeWitt - Juneau

- CONFIRMATION ADVANCED

Board of Governors of the Alaska Bar
William Granger - Anchorage

- CONFIRMATION ADVANCED

SENATE BILL NO. 61

"An Act relating to an interstate compact to elect the President and Vice-President of the United States by national popular vote; and relating to the selection of electors for candidates for President and Vice-President of the United States and to the duties of those electors."

MOVED SB 61 OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: SB 61

SHORT TITLE: US PRESIDENT ELECT. POPULAR VOTE COMPACT

SPONSOR(S): SENATOR(S) WIELECHOWSKI

02/07/23 (S) READ THE FIRST TIME - REFERRALS

02/07/23 (S) JUD, STA
03/13/23 (S) JUD AT 1:30 PM BUTROVICH 205
03/13/23 (S) Heard & Held
03/13/23 (S) MINUTE (JUD)
04/17/23 (S) JUD AT 1:30 PM BUTROVICH 205

WITNESS REGISTER

DENNIS DEWITT, Appointee
Alaska Judicial Council
Juneau, Alaska

POSITION STATEMENT: Testified as an appointee to the Alaska Judicial Council.

WILLIAM GRANGER, Appointee
Board of Governors of the Alaska Bar
Office of the Governor
Anchorage, Alaska

POSITION STATEMENT: Testified for reappointment to the Board of Governors of the Alaska Bar.

ACTION NARRATIVE

[1:30:24 PM](#)

CHAIR MATT CLAMAN called the Senate Judiciary Standing Committee meeting to order at 1:30 p.m. Present at the call to order were Senators Giessel, Tobin, and Chair Claman. Senator Kaufman arrived immediately thereafter.

CONFIRMATION HEARING(S)
ALASKA JUDICIAL COUNCIL
BOARD OF GOVERNORS OF THE ALASKA BAR

[1:31:06 PM](#)

CHAIR CLAMAN announced the consideration of Governor Appointees to the Alaska Judicial Council and the Board of Governors of the Alaska Bar.

[1:31:26 PM](#)

CHAIR CLAMAN opened public testimony.

[1:31:37 PM](#)

SENATOR KAUFMAN joined the committee.

CHAIR CLAMAN invited Mr. DeWitt to testify.

[1:31:57 PM](#)

DENNIS DEWITT, Appointee, Alaska Judicial Council, Juneau, Alaska, testified as an appointee to the Alaska Judicial Council. He relayed his personal and professional history. He remarked that his background prepared him for the responsibilities of the council. His skills and responsibilities include the ability to listen, review pertinent information, remember the state's diversity and make fair judicial applicant recommendations.

[1:33:26 PM](#)

SENATOR GIESSEL remarked that the Alaska Judicial Council is a controversial entity. She wondered what Mr. DeWitt thought about the hypothetical deletion of the Alaska Judicial Council and its authority to put forth names to the governor.

MR. DEWITT replied that he believed that the council's candidate-review process was effective. He shared his concern about the council's lack of transparency. He expressed his wish that the council could offer a greater number of recommendations to the governor.

SENATOR GIESSEL asked if he would support the council offering occasional press releases about the names forwarded to the governor. She wondered about the council sharing specific voting details. She referred to consternation about attorneys "running the show" on the Alaska Judicial Council.

[1:35:25 PM](#)

MR. DEWITT replied that all council votes are included in the public record, but he supports the notion of greater transparency. He shared his philosophy that greater transparency and inclusivity are always best. He remarked that state government belongs to all Alaskans and they have a right to be informed.

[1:36:06 PM](#)

SENATOR TOBIN asked him to expound on what he views as a lack of transparency and what he might do to address it.

MR. DEWITT replied that council executive sessions should be limited to topics that are inappropriate for public discussion.

[1:37:20 PM](#)

SENATOR TOBIN recapped her understanding of his response. She wondered if he interpreted that the council entered executive sessions without consideration about privileged information. She

wondered if he might instead wish to bring transparency via his participation and intent.

MR. DEWITT replied that both things are true. He stated that he was sworn during last week's meeting. He recounted the council's executive session where a litigation strategy was discussed. He reflected later on his discomfort with a certain comment, and he realized that further conversation was needed going forward.

[1:38:50 PM](#)

CHAIR CLAMAN followed up on Senator Tobin's question. He understood that the council discussed the strengths and weaknesses of different judicial nominees during executive sessions. He wondered if Mr. DeWitt agreed with that tradition.

MR. DEWITT opined that conversations about the strengths and weaknesses of judicial nominees should continue to be held in executive sessions.

CHAIR CLAMAN restated Mr. DeWitt's comment that the judicial nominee discussions should be held in executive session.

MR. DEWITT concurred with Senator Claman.

[1:40:13 PM](#)

CHAIR CLAMAN recalled that the nomination standard involves choosing two nominees who are among the most qualified. He queried Mr. DeWitt's comfort in applying the traditional standard.

MR. DEWITT replied that neither he nor Senator Claman had been privy to past executive sessions. He stated that forwarding two nominees was set in regulation, and its interpretation was the question. He believed that the rating system played a role in the number of nominees chosen.

CHAIR CLAMAN interpreted that Mr. DeWitt felt comfortable applying the regulation the council adopted until the regulation is changed.

MR. DEWITT affirmed Chair Claman's interpretation.

[1:43:43 PM](#)

SENATOR CLAMAN noted that Mr. DeWitt's daughter is Deputy Attorney General Cori Mills. He asked Mr. DeWitt if he would feel compelled to recuse himself from council deliberations if Ms. Mills were to apply for a position on the judiciary.

MR. DEWITT replied that he absolutely would recuse himself.

CHAIR CLAMAN appreciated and expected the response.

MR. DEWITT stated that if his daughter opts to become a judge, he will step down from his council service.

[1:44:44 PM](#)

SENATOR GIESSEL asked if he would continue his service on the Alaska Labor Relations Board.

MR. DEWITT replied that he had already resigned, as required by statute and the constitution.

CHAIR CLAMAN invited William Granger to provide his testimony for reappointment to the Board of Governors of the Alaska Bar.

[1:46:03 PM](#)

WILLIAM GRANGER, Appointee, Board of Governors of the Alaska Bar, Office of the Governor, Anchorage, Alaska, testified for reappointment to the Board of Governors of the Alaska Bar. He reported serving the board for 20 years. He enjoyed the rewarding and important public service. He stated that most of his tenure involved serving as the treasurer and he witnessed the board mature financially during his tenure. He shared that he was a lifelong Alaskan and a banker by trade.

[1:47:56 PM](#)

CHAIR CLAMAN asked whether public members have a voice compared to the attorney members.

MR. GRANGER opined that the public members' influence is prevalent. He stated that public members' opinions are considered respectfully.

[1:49:43 PM](#)

CHAIR CLAMAN opened public testimony on the appointments; finding none, he closed public testimony.

[1:49:48 PM](#)

SENATOR TOBIN stated that the Senate Judiciary Standing Committee reviewed the following and recommends the appointments be forwarded to a joint session for consideration:

Alaska Judicial Council
Dennis DeWitt - Juneau

Board of Governors of the Alaska Bar
William Granger - Anchorage

Signing the reports regarding appointments to boards and commissions in no way reflects individual members' approval or disapproval of the appointees; the nominations are merely forwarded to the full legislature for confirmation or rejection.

CHAIR CLAMAN found no objection and stated that the names would be forwarded.

SB 61-US PRESIDENT ELECT. POPULAR VOTE COMPACT

[1:50:24 PM](#)

CHAIR CLAMAN announced the consideration of SENATE BILL NO. 61 "An Act relating to an interstate compact to elect the President and Vice-President of the United States by national popular vote; and relating to the selection of electors for candidates for President and Vice-President of the United States and to the duties of those electors."

CHAIR CLAMAN stated that this is the second hearing, and his office did not receive amendments. He asked if there were final comments; finding none, he solicited a motion.

[1:50:46 PM](#)

SENATOR TOBIN moved to report SB 61, work order 33-LS0288\B, from committee with individual recommendations and attached fiscal note(s).

[1:50:57 PM](#)

CHAIR CLAMAN found no objection and SB 61 was reported from the Senate Judiciary Standing Committee.

[1:51:24 PM](#)

There being no further business to come before the committee, Chair Claman adjourned the Senate Judiciary Standing Committee meeting at 1:51 p.m.