

ALASKA STATE LEGISLATURE
SENATE STATE AFFAIRS STANDING COMMITTEE

April 25, 2023

3:41 p.m.

MEMBERS PRESENT

Senator Scott Kawasaki, Chair
Senator Matt Claman, Vice Chair
Senator Jesse Bjorkman
Senator Bill Wielechowski
Senator Kelly Merrick

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

CONFIRMATION HEARINGS

Commissioner, Department of Corrections
Jen Winkelman - Juneau

- CONFIRMATION ADVANCED

Alaska Public Offices Commission
Eric Feige

- 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."

- HEARD & HELD

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
04/17/23 (S) Moved SB 61 Out of Committee
04/17/23 (S) MINUTE(JUD)
04/19/23 (S) JUD RPT 2DP 1DNP 1NR
04/19/23 (S) DP: CLAMAN, TOBIN
04/19/23 (S) NR: GIESSEL
04/19/23 (S) DNP: KAUFMAN
04/25/23 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)

WITNESS REGISTER

JEN WINKELMAN, Commissioner-Designee
Department of Corrections
Juneau, Alaska

POSITION STATEMENT: Testified as Commissioner-Designee for the Department of Corrections.

ERIC FEIGE, Appointee
Alaska Public Offices Commission
Department of Administration (DOA)
Chickaloon, Alaska

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

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

POSITION STATEMENT: Presented the sectional analysis for SB 61 on behalf of the sponsor.

DR. JOHN KOZA, Chair
National Popular Vote
Los Altos, California

POSITION STATEMENT: Testified by invitation in support of SB 61.

SAUL ANUZIS, representing self
Washington, DC

POSITION STATEMENT: Testified in support of SB 61.

MICHAEL OWENS, representing self
Palmer, Alaska

POSITION STATEMENT: Testified in opposition to SB 61.

JUDY ANDREE, representing self
Juneau, Alaska

POSITION STATEMENT: Testified in support of SB 61.

ALEX KOPLIN, representing self
Homer, Alaska

POSITION STATEMENT: Testified in support of SB 61.

KASSIE ANDREWS, representing self
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to SB 61.

KEN HUCKEBA, representing self
Wasilla, Alaska

POSITION STATEMENT: Testified in opposition to SB 61.

KEN GRIFFIN, representing self
Wasilla, Alaska

POSITION STATEMENT: Testified in opposition to SB 61.

SEAN PARNELL, Senior Fellow
Save our States
Virginia

POSITION STATEMENT:

PAT REDMOND, representing self
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 61.

KARLA HART, representing self
Juneau, Alaska

POSITION STATEMENT: Testified in support of SB 61.

ACTION NARRATIVE

[3:41:02 PM](#)

VICE CHAIR MATT CLAMAN called the Senate State Affairs Standing Committee meeting to order at 3:41 p.m. Present at the call to order were Senators Bjorkman, Merrick, Wielechowski, and Vice Chair Claman. Senator Kawasaki arrived soon thereafter.

CONSIDERATION OF GOVERNOR APPOINTEES
COMMISSIONER, DEPARTMENT OF CORRECTIONS
ALASKA PUBLIC OFFICES COMMISSION

3:41:58 PM

VICE CHAIR CLAMAN announced the confirmation hearing for Jen Winkelman, Commissioner-Designee for the Department of Corrections.

3:42:22 PM

JEN WINKELMAN, Commissioner-Designee, Department of Corrections, Juneau, Alaska, offered the following prepared statement:

A little bit about myself. I am a 4th generation Alaskan. I was born and raised in Fairbanks. My paternal grandparents homesteaded on Chena Hot Springs Road. A fun fact- my great grandma was born in Chicken, Alaska. I graduated from the University of Alaska Fairbanks with a degree in Justice and Paralegal Studies. I thought I would continue on to law school or graduate school for Chemistry. At one point, I wanted to be an attorney or work in a crime lab.

During my final days in college, I participated in an internship in the Fairbanks District Attorney's office and had the privilege of learning about the work Probation/Parole Officers do. I was intrigued by the ability to wear two hats in one job. One was that of a social worker and the other was that of a public safety officer. I was fortunate enough to be hired on as PO a little over 22 years ago. By trade I would call myself a Probation and Parole Officer. I started as an entry level Probation Officer and wrote presentence reports for the 4th Judicial District and have worked my way through the ranks of this wonderful career.

While in the field, I have covered and supervised offices from our northernmost office in Barrow/Utqiagvik to our southernmost office in Ketchikan. I have also worked for the Division of Institutions, inside Fairbanks and Palmer. Not only did this give me experience working the toughest beat inside our facilities, it gave me experience working with both unsentenced and sentenced inmates.

In 2016, my family and I relocated to Juneau when I accepted a position as the Chief Probation Officer of Region 2. The region consisted of Fairbanks, Western Alaska, Northern Alaska as well as Southeast. I feel strongly this position gave me a very unique and special view of Corrections across the state. I am familiar with the strengths and struggles, particularly as they pertain to Corrections, across the state and how they differ from one area to the next.

In 2018, then Commissioner Dahlstrom trusted me to run the Division of Pretrial, Probation and Parole and I was appointed into the Director position. I held that position until being presented this current opportunity by Governor Dunleavy. When the Governor asked me to step into the Commissioner role, it was an incredibly easy yes for a couple of different reasons, but I would say that the most significant factor was the support that the Governor and the Legislature has given to the Department and our staff.

My husband of 13 years, Ron, is in the room today. He is Alaska Native, an Athabaskan Indian born in the village of Shageluk on the Inoko River. He is absolutely my biggest supporter. He retired in 2016, after 30 years with the Department of Corrections. He worked as both a Correctional and Probation Officer. We get a couple of raised eyebrows when our children tell their friends that their mom and dad met in jail. We have 2 beautiful school age boys who love soccer, baseball, skiing/snowboarding and we live in Juneau, so of course, fishing!

[3:45:55 PM](#)

A little more about me, I value developing and building relationships. With staff, outside agencies, the Legislature, and of course those in our care and custody. My experience across the state has led me figuring out how to work together with whatever resources might be available. Very early on in my career a colleague shared with me that we are in the relationship business and that is something I have

never forgotten. We cannot work Corrections alone or in a silo. It takes a team.

DESIGNEE WINKELMAN continued

Another value I bring to this position is that I am naturally a problem solver. I like to think outside the box for solutions. During my career I have managed a caseload of felony offenders. I am not afraid to tackle tough, sensitive situations when a decision needs to be made. This may mean making an arrest or removing someone from their home to help a victim or a child. On the flip side I may be working with someone who has hit rock bottom and I would make the decision to refer them to treatment instead of taking them to jail. These type of decisions I never made lightly. I have been fair and impartial in making decisions. I consider facts and successfully formulate decisions based on the big picture and ultimately the safety of our community. These are skills critical for the Commissioner of Corrections.

Before I go into my goals, I would like to mention something I appreciated the Chairman sharing years ago. These are my words, so I hope I am reflecting your sentiment accurately. You acknowledged that long range vision for Corrections is really important and the changes from one administration to the next makes it difficult for the Commissioner of Corrections to do their job. Having been a staff member of DOC through several different administrations, pendulum shifts of being tough on crime, easier on crime, putting money into programming, cutting programming, I could not agree more that the job demands a long vision, and the position is an imperative part of public safety. I will also take the opportunity to say on the record that reentry has to be considered just as much a part of public safety as incarceration.

You have likely heard me talk about my 3 goals or vision for the Department in various meetings. I would like to share them here on the record.

Health and Well Being of staff. Starts with shifting a culture so there is nobility in the profession of Corrections, no matter where you work in the Department. Kitchen, Maintenance, Admin, Medical, to our officers. Giving staff a sense of purpose and having them recognize they are part of something bigger. Healthier staff will have a greater impact on those in our care. Providing training and promotable opportunities once staff are on board is critical to job satisfaction. We have 24 hour jobs, having the ability to be flexible in our work day or schedule helps promote wellness.

My second goal is that those who enter our system, leave us better than they came to us. I've been doing this long enough to know I am not going to save the world. There are some dangerous individuals in our care that because they are there, we are safer. But for those releasing, making sure they release better than they came to us is important. It may mean a shower, sober for a few days... Or maybe they are reunited with kids or a GED.

Finally, as cliché as it sounds...do the same thing you get the same result. We need to be using resources, technology and best practices to do business differently. The hope is this will drive down recidivism. This might be as simple as examining current old practices and upgrading assessments to implementing tablets to help with everything from programming to visitation.

3:49:26 PM

When I go back to goal number 2 that folks leave us better than they came to us, I want to touch on deaths in custody. I've said it before and I will say it again, 18 deaths in 2022 is too many. Every death affects someone's parent, their loved one, or even our staff. While we have an unhealthy and quite vulnerable population, we look every day to do things better to prevent any unexpected deaths. While we cannot disclose details, I will share that in 2022, 11 were natural causes and 7 were suicide. For purposes of

today I'll share a few things about suicide behind our walls.

COMMISSIONER-DESIGNEE WINKELMAN continued.

Suicide in our community and inside correctional facilities has gone up nearly 30 percent. Unfortunately, it is no surprise that our numbers have gone up. We screen every individual that gets booked into our facilities and do our best to determine if suicide is a risk and handle the case appropriately. Unfortunately, individuals with trauma and years of substance abuse sometimes do not share everything. We do the best that we can. We are constantly striving to improve outcomes and close gaps. This is accomplished through staff training, policy changes, and continuous assessment for suicide risk factors. We are utilizing Project 2025 to guide suicide prevention planning within the department. The National Commission on Correctional Health Care partnered with the American Foundation for Suicide Prevention with the goal of reducing suicide 20 percent by 2025. While we continue to seek out ways to decrease suicide, it is important to share that we have implemented jump barriers and will continue to look at where we could have them. We've added camera cells and we've increased window sizing for visibility in key areas. We are looking at technology for tracking rounds and doing checks and we're looking at technology for tracking heart rates, similar to a Fitbit. The work is never done with this population.

3:51:10 PM

Another important detail that we've been working on is messaging. Where we can, due to HIPPA law, we're getting the information out to the general public on our website. This aggregate data on our population and what we're doing is critically important. It is equally important to share information about positive outcomes behind the walls from the near daily saves. We have some pretty incredible staff who have chosen to work in corrections and work with this population. There are definitely more glamorous jobs, but we have

staff dedicated daily to our population. And when we have a death it does affect us all.

In closing, I just want to say it is an absolute honor and a privilege to serve the Department and those in our care and custody. To echo some of the words of Chief Justice Winfree last week, I am just a kid from Fairbanks who had a dream to someday be in a position to make important decisions and effect the wellbeing of others. I have been honored to do just that as a Probation/Parole Officer for most of my career. To my delight and surprise I now find myself with an opportunity to head the Department I love. I am committed to giving it all I have to give for not only the 2100 employees, the nearly 11,000 in our care and custody... but for all Alaskans.

Thank you again for your time and support today and I am happy to answer your questions.

VICE-CHAIR CLAMAN asked if there were any questions for Commissioner-Designee Winkelman

[3:52:31 PM](#)

SENATOR MERRICK thanked Commissioner-Designee Winkelman for setting up the tour for her at the Highland Mountain Correctional Center. She agreed that the staff are critical to the mission and expressed appreciation for everything she was doing.

VICE-CHAIR CLAMAN asked what the protocol was for someone who is actively suicidal, and what DOC could do better to ensure that those in crisis are given a more therapeutic experience as opposed to more time in isolation.

COMMISSIONER-DESIGNEE WINKELMAN said she would need to ask the experts about the specifics of protocol, but everyone who is booked is screened when they enter the system. The screening tool is evidence-based and staff expertise is relied on to determine where the person should be placed. She offered to follow up with more specifics on protocols.

VICE-CHAIR CLAMAN asked about access to health care and how the grievance procedure plays into that.

[3:54:45 PM](#)

COMMISSIONER-DESIGNEE WINKELMAN replied that all inmates are constitutionally required to receive essential healthcare through DOC. Individuals request specific care and her understanding is that inmate health care needs are been met.

SENATOR KAWASAKI joined the committee

VICE-CHAIR CLAMAN asked for her thoughts on the new trooper position within corrections to investigate inmate deaths. He recalled a previous internal review process in corrections that was removed.

COMMISSIONER-DESIGNEE WINKELMAN said the previous position was essentially an internal affairs unit within the department. The benefit to the new trooper position is that it will bring an outside perspective and provide a consistent point of contact for the department and the Department of Law.

[3:57:20 PM](#)

VICE-CHAIR CLAMAN asked for a brief description of the Agnew Beck study about mental health disorders and substance abuse issues in the inmate population, the takeaways, and whether more studies were needed.

COMMISSIONER-DESIGNEE WINKELMAN replied that the report highlighted the significant mental health illness and substance abuse issues within the inmate population. She said there's a great need for services to address these issues and she's been looking at the first step to start working on it.

[3:59:29 PM](#)

VICE-CHAIR CLAMAN opened public testimony on the appointment of Commissioner-Designee Jen Winkelman; finding none, he closed public testimony.

[4:00:00 PM](#)

At ease

[4:00:55 PM](#)

CHAIR KAWASAKI reconvened the meeting and announced the confirmation hearing for Eric Feige to a seat on the Alaska Public Offices Commission.

[4:01:16 PM](#)

ERIC FEIGE, Appointee, Alaska Public Offices Commission (APOC), Department of Administration (DOA) Chickaloon, Alaska, introduced himself and relayed his personal and professional

resume. He graduated from West Point and served in a variety of command and staff positions before leaving the Army after Desert Storm. He transitioned to flying airplanes and currently flies cargo all over the world. He noted that he also served four years in the Alaska Legislature. He reviewed APOC's mission and said he wishes to serve on the commission as a way to give back to the state. He believes he has the intellectual depth and judicial temperament that the job requires. If confirmed, he would be the only member with previous legislative experience dealing with APOC rules. He'll be able to review appeals from both sides. He will rely on facts and the law under Title 2, Chapter 50. His plan for the near future is to meet with APOC staff and become familiar with APOC regulations, procedures, and processes.

[4:04:37 PM](#)

SENATOR CLAMAN asked for his perspective on following the advice of counsel in APOC matters versus interpreting the law as he sees it.

MR. FEIGE said he will rely on staff and counsel for specific questions about the law, but overall it has to be fair. If he sees areas where the regulations and statutes don't adequately address particular situations, he'll discuss potential changes with the other commissioners.

CHAIR KAWASAKI mentioned the budget cuts APOC had undergone the last few years and asked if he thought the commission had the tools necessary to accomplish the job of ensuring the integrity of public office holders.

MR. FEIGE said if it becomes obvious that resources are insufficient for the commission to do its job, he wouldn't hesitate to bring that to the legislature's attention. Whether or not the commission is doing its job may be a matter for others to consider.

[4:08:07 PM](#)

CHAIR KAWASAKI opened public testimony on the appointment of Eric Feige to the Alaska Public Offices Commission; finding none, he closed public testimony.

[4:08:36 PM](#)

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

Commissioner, Department of Corrections
Jen Winkelman - Juneau

Alaska Public Offices Commission
Eric Feige - Chickaloon

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.

[4:09:01 PM](#)

CHAIR KAWASAKI stated that without objection, the names will be forwarded.

[4:09:09 PM](#)

At ease

SB 61-US PRESIDENT ELECT. POPULAR VOTE COMPACT

[4:10:17 PM](#)

CHAIR KAWASAKI reconvened the meeting and 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."

He noted that this was the first hearing.

[4:10:36 PM](#)

SENATOR WIELECHOWSKI, District K, sponsor of SB 61, stated that the National Popular Vote Bill would guarantee the presidency to the candidate who receives the most popular votes in all states. He continued to introduce the legislation, speaking to the following sponsor statement:

Senate Bill 61 will give every Alaskan voter a meaningful vote in presidential elections by entering the National Popular Vote agreement with other states to guarantee the presidency to the candidate who receives the most votes nationwide.

SB 61 would have Alaska join the 15 other states and the District of Columbia that have already joined the agreement. Together these states have 195 electoral

votes. Once states totaling a majority of the Electoral College (currently 270 votes) join the agreement, these states will begin to award their electoral votes to the presidential ticket that receives the most votes nationwide. Until this threshold is reached, Alaska will continue to allocate its electoral votes to the winner of the statewide vote.

Under the current system presidential candidates do little to campaign for Alaskan votes, and they do not need to develop positions on - or even learn about - issues unique to Alaska. The last time a major presidential candidate came to Alaska to campaign for general election votes was John F. Kennedy in 1960.

It is not only Alaskan voters who are ignored in presidential elections - almost all serious campaigning happens in only 12 states. The entire Pacific Coast includes non-competitive states meaning presidential candidates do not have to address concerns that Alaska shares with other West Coast states like Pacific fisheries management. Under the National Popular Vote system, savvy presidential campaigns will fight for every persuadable vote, no matter where they are located, and develop messages addressing the concerns of all regions.

The National Popular Vote agreement will not give any political party an advantage. An analysis by well-known statistician Nate Silver found that "there's almost no correlation between which party has the Electoral College advantage in one election and which has it four years later."

Passing SB 61 will help ensure that all American votes truly are equal and that Alaskans' concerns must be taken seriously by presidential candidates.

SENATOR WIELECHOWSKI briefly addressed some misconceptions about the constitutionality of the bill. He quoted the US Constitution that says each state shall appoint its electors based on direction from the legislature. SB 61 does not do away with the Electoral College system. Rather, the state would enter into a contract to change the way Electoral College votes are cast to a system where the winner of the national popular vote gets the

Electoral College votes. He said it's also a misconception that the winner take all system of awarding Electoral College is in the US Constitution. Just three states used it in the first presidential election in 1789 and all three repealed that provision by 1800. It was after almost all the founding fathers were deceased that a majority of states adopted the winner takes all system of awarding Electoral College votes. It wasn't until 50 years after that that all states adopted the winner takes all system.

The story continues to 1969 when Maine changed to a district system to award its Electoral votes and Nebraska followed suit in 1992. This is a reminder that states have the flexibility to decide how their Electoral College votes will be cast.

SENATOR WIELECHOWSKI highlighted the following data. Since 2008, 22 states have had no presidential campaign events, 9 states have had one campaign event, and 95 of the 1,164 campaign events occurred in just 14 states. Just 14 states received 98 percent of the general election campaign events in 2008, 12 states received 100 percent of the general election campaign events in 2012, 12 states received 94 percent of the general election campaign events in 2016, and 12 states received 96 percent of the general election campaign events in 2020. The vast majority of political campaign events occur in just a small number of states. In 2012, for example, candidate Obama conducted campaign events in just 8 states after his nomination and candidate Romney conducted campaign events in 10 states after his nomination. Two-thirds of the presidential post-convention campaign events occurred in just 4 states. Only 3 of the 25 smallest states received any attention after the 2012 conventions.

SENATOR WIELECHOWSKI disputed the claim that small states are ignored because of their size, pointing out that they're ignored because they're not closely divided politically. He said a vote for president in Wyoming and Alaska is equal to a vote in California and New York. They're all politically irrelevant because the outcomes are clear before the vote is taken. By contrast, SB 61 will force candidates to solicit votes in all the states in the country.

[4:16:15 PM](#)

SENATOR WIELECHOWSKI stated that it's also a myth that the National Popular Vote will advantage large cities. In fact, large cities don't even control the elections in their state. He listed successful candidates for governor of California going

back to Ronald Reagan who lost in Los Angeles but won the race. Importantly, 85 percent of the population of the US live in places that have populations of fewer than 365,000 people. It is in those communities that presidential candidates will be forced to campaign to win the election.

CHAIR KAWASAKI asked Mr. Dunsmore to present the sectional analysis.

[4:18:19 PM](#)

DAVID DUNSMORE, Staff, Senator Bill Wielechowski, Alaska State Legislature, Juneau, Alaska, presented the sectional analysis for SB 61 on behalf of the sponsor.

Section 1 is a conforming section that references Section 2.

Section 2 establishes that the statute for deciding tied elections does not apply to the presidential electors when the National Popular Vote provisions are in effect.

Section 3 is a conforming section that references Section 4.

Section 4 establishes that Alaska's ranked choice voting system will be used for calculating the popular vote totals.

Section 5 is a conforming section that references Section 6.

Section 6 establishes that, when the National Popular Vote provisions are in effect, Alaska's presidential electors shall be awarded the winner of the nationwide popular vote.

Section 7 is a conforming section that references Section 8.

Section 8 requires that, when the National Popular Vote provisions are in effect, electors shall be required to vote for the presidential and vice-presidential candidates who won the nationwide popular vote.

Section 9 enacts the Agreement Among the States to Elect the President by National Popular Vote.

- New AS 15.30.104 is the language of the Agreement:
 - Article I states that any state and the District of Columbia may join the agreement.
 - Article II requires each state to conduct a statewide popular vote election for president and vice president.
 - Article III adopts procedures for awarding electors to the winner of the nationwide popular vote.
 - Article IV states that the Agreement takes effect when states representing the majority of the electoral votes have joined the Agreement. It also establishes procedures for states to leave the Agreement.
 - Article V defines terms used in the Agreement.
- New AS 15.30.106 establishes that the director of the Division of Election is considered the "chief election official" for purposes of the Agreement.
- New AS 15.30.108 establishes that when the agreement is in effect, it shall take precedence over any conflicting language in statute or regulation.

[4:20:53 PM](#)

CHAIR KAWASAKI asked if there were other obligations that the state would find difficult to comply with.

MR. DUNSMORE said not to his knowledge. The Division of Elections acknowledged the bill would not have a fiscal impact on the state and submitted a zero fiscal note. The state will do basic arithmetic on the certified results from all 50 states and the District of Columbia and award electors to the winner of the popular vote.

[4:22:08 PM](#)

CHAIR KAWASAKI read a brief biography to introduce Dr. John Koza who was an invited testifier.

[4:23:18 PM](#)

DR. JOHN KOZA, Chair, National Popular Vote; Author, Every Vote Equal, Los Altos, California, testified by invitation in support of SB 61, which would guarantee the presidency to the candidate with the most popular votes in all 50 states and the District of

Columbia. He informed the committee of the shortcomings in the current presidential election system. They stem from the winner take all laws that Alaska and 48 other states passed. The states award all electoral votes to the candidate receiving the most popular votes in the state. The effect of the winner take all laws is that some states are ignored during the presidential election campaign. He stated that a presidential candidate will not visit a state that is united in its party voting record.

DR. KOZA explained that presidential campaigns were limited to 12 battleground states comprising approximately 30 percent of the country's population. He pointed out that all of the small states were excluded with the exception of New Hampshire. He added that one congressional district in Maine received campaign attention. He added that nearly all Western States are excluded from campaigning. He noted that most of the heartland, southern, rural, and northeastern states are ignored in the presidential campaign. The exclusion of states remains the largest problem with the current system.

DR. KOZA continued that Alaska has two extra electoral votes because of the state's two senators. He countered that the eight smallest states with three electoral votes, like Alaska received one general election campaign visit. He added that Wisconsin received 58 visits over the last four elections. Wisconsin has ten electoral votes. He pointed out that the winner-take-all rule led to election results hinging on a few states.

The major problem with the current system is that three out of four states are irrelevant to candidates thinking about getting elected or reelected as president. A related problem is that the current system threatens democracy. Winner takes all laws are the cause of the problem and the reason that a national popular vote would be better.

DR. KOZA recapped the sponsor's explanation of the Interstate Compact and agreed that SB 61 does not abolish the Electoral College. It changes the method by which states select their presidential electors, guaranteeing that the Electoral College represents the majority of the voters in the country. He disputed the claim that the bill conflicts with Ranked-Choice Voting. The bill designates the final count as Alaska's official count on the Certificate of Attainment that shows the state's votes for president and choice of presidential electors. He noted that opponents of the compact have falsely claimed that it allows election officials in other states to judge Alaska's vote counts. The compact specifically requires all states belonging

to the compact to treat Alaska's determination of the presidential vote count as final.

[4:31:27 PM](#)

DR. KOZA also disputed the claim that rural areas would be ignored under a national popular vote. The evidence shows that every vote is equal in the battleground states where presidential candidates actually campaign. The winner is the candidate with the most votes. He cited the example from Pennsylvania which was the battleground state in 2020 that received the most visits. When every vote is equal a candidate can't ignore any area. He said another myth is that small states are Republican. Of the 14 states that have three and four electoral votes, seven are Republican and seven are Democratic. He dispelled other myths including the claim that California will dominate elections. It is one-eighth of the country by population but there is an equally loyal group of Republican states that balances California.

CHAIR KAWASAKI asked if there were questions for Dr. Koza.

[4:35:39 PM](#)

SENATOR BJORKMAN asked what outcomes he sees should the bill pass.

DR. KOZA said you'll see that candidates have to campaign in every state because a campaign that neglects a state would be giving up votes. Small states would necessarily get the same attention as the current battleground states. Turnout would also rise because voters are more likely to vote when their vote has been solicited.

SENATOR BJORKMAN asked if the idea is that presidential candidates would try to run up their margins in safe states.

DR. KOZA said there aren't safe states in the National Popular Vote. Every voter counts and every vote is equal. Every candidate certainly will cater to favorable geographic and demographic groups, but that balances out so that every part of a state gets equal attention based on population.

[4:40:21 PM](#)

CHAIR KAWASAKI opened public testimony on SB 61.

[4:40:40 PM](#)

SAUL ANUZIS, representing self, Washington, DC, testified in support of SB 61. He stated that he comes from a partisan

perspective and he wanted to dispel the notion that the bill is partisan. He believes that the bill is a bipartisan approach to a nonpartisan problem. His objective is to ensure that every voter in every state is politically relevant in every election. He cited examples that illustrate that the bill would provide American reform that ensures that every state becomes a battleground state and every voter is politically relevant.

[4:43:52 PM](#)

MICHAEL OWENS, representing self, Palmer, Alaska, testified in opposition to SB 61. He opined that the bill is aligned with Ranked-Choice Voting and that it's bad for Alaska. The Electoral College has served the country well as evidenced in 2016 when it saved the country. SB 61 seeks to change what's worked so well for so long and he doesn't understand why anybody would support that.

[4:46:16 PM](#)

JUDY ANDREE, representing self, Juneau, Alaska, testified in support of SB 61. She opined that the Electoral College provides a two-tiered system where everyone votes and then many votes are left at the state line. She believes that every vote should be equally powerful. She also pointed out that in recent years the Electoral College has become a national security issue that's made possible by modern technology that the founding fathers could not have predicted. She said it's imperative to adhere to the basic tenants of democracy while being flexible enough to correct problems that weaken democracy. The Electoral College may have been suitable in 1784 but America's purpose should be to build a more perfect union by keeping the notion of that perfection as the guiding star.

[4:48:20 PM](#)

ALEX KOPLIN, representing self, Homer, Alaska, testified in support of SB 61. He said what he likes about SB 61 is that when he casts his vote for president, it goes to that candidate. Under the current system, his vote only counts if his candidate wins the election in Alaska. Otherwise, his vote doesn't matter. All three of Alaska's electoral votes go to the winner in the state, regardless of the popular vote. This gives states more power than individual voters when picking a president. If SB 61 were to pass, the winner of the popular vote would receive Alaska's three electoral votes. It makes sense that every voter should count. The people should decide who should be president, not the states.

[4:50:57 PM](#)

KASSIE ANDREWS, representing self, Anchorage, Alaska, stated opposition to SB 61. She argued that the Electoral College preserves the constitutional checks and balances to power that the founders intended. Every four years it provides a state-by-state snapshot of the trends and political thought in the country. She opined that switching to the National Popular Vote would leave small states out in the cold while presidential candidates would be focused on states like California and Texas. She described the National Popular Vote as an end run around the amendment process of the US Constitution.

[4:52:29 PM](#)

KEN HUCKEBA, representing self, Wasilla, Alaska, stated that he vehemently disagrees with SB 61. He continued that there's a reason the US has a representative republic and not a democracy. True populism can be dangerous, particularly now when large amounts of money can manipulate an election. He cited the Bolshevik Revolution as evidence. The Electoral College was established to prevent such things. If it's abandoned in favor of the National Popular Vote, elections will be swamped with candidates from every ideological group.

[4:54:32 PM](#)

KEN GRIFFIN, representing self, Wasilla, Alaska, stated opposition to SB 61 as a citizen of Alaska. He maintained that the biggest problem with elections is fraud. He mentioned the use of the World Wide Web to access information and posited that the idea that citizens aren't informed or that candidates aren't campaigning in Alaska is ridiculous. He said Trump never came to Alaska but he learned everything he needed to know about him as a citizen. He opined that the bill goes around the rules without going through the established process that has kept this country safe.

[4:56:41 PM](#)

SEAN PARNELL, Save our State Action, Virginia, stated opposition to SB 61 and noted that he submitted written testimony to each of the committee members. He said the greatest defect in the compact is that there isn't an official national vote count that is reliably accurate and conclusive. He maintained that vote counts from other states might not be accurate and that ranked-choice voting will create additional issues because the compact doesn't stipulate that other states must use the number on the Certificate of Ascertainment. States can add phantom votes that other states would have to accept as valid. Finally, millions of votes could be excluded from the national vote if a state's election practices do not conform to the compact definition of a

statewide popular election. He offered to send the California 2016 Certificate of Ascertainment which clearly shows an extra 4.2 million votes for Donald Trump and the New York 2008-2020 ascertainment certificates that show hundreds of thousands of missing votes. He concluded by saying that the winner takes all process can be fixed while keeping Alaskans in charge of Alaska's electoral votes. Such changes could be in place for the 2024 election cycle.

CHAIR KAWASAKI asked him to send the letter he mentioned to senate.state.affairs@akleg.gov and he would distribute it to members.

[5:02:11 PM](#)

PAT REDMOND, representing self, Anchorage, Alaska, stated support for SB 61 and the national popular vote. She's been following the issue for 20-25 years and she believes it is a better way to ensure that every vote counts. She expressed optimism about moving forward into a new era of voting.

[5:03:48 PM](#)

KARLA HART, representing self, Juneau, Alaska, testified in support of SB 61. She stated that she'd been following the national popular vote concept for a long time. Dr. Koza, the League of Women Voters, and the sponsor have spoken well to it. She encouraged the committee to keep the bill moving forward.

[5:04:44 PM](#)

CHAIR KAWASAKI closed public testimony on SB 61 and held the bill in committee.

[5:05:27 PM](#)

There being no further business to come before the committee, Chair Kawasaki adjourned the Senate State Affairs Standing Committee meeting at 5:05 p.m.