

**ALASKA STATE LEGISLATURE**  
**SENATE STATE AFFAIRS STANDING COMMITTEE**

May 2, 2023

3:34 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**

SENATE BILL NO. 95

"An Act relating to special request specialty organization registration plates; and providing for an effective date."

- MOVED CSSB 95(STA) OUT OF COMMITTEE

HOUSE BILL NO. 8

"An Act relating to electric-assisted bicycles."

- MOVED SCS HB 8(STA) OUT OF COMMITTEE

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

SENATE BILL NO. 119

"An Act relating to state identifications and driver's licenses for persons in the custody of the Department of Corrections; relating to state identifications issued by the Department of Corrections; relating to the duties of the commissioner of corrections; relating to misconduct involving confidential information; relating to voter identification; relating to

identification for fishing permits; relating to identification for debtor financing statements; and providing for an effective date."

- MOVED SB 119 OUT OF COMMITTEE

SENATE BILL NO. 138

"An Act relating to elections; relating to voters; relating to voting; relating to the crime of unlawful interference with voting in the first degree; relating to campaign signs; relating to the reporting of financial and business interests by certain municipal officers and former officers and candidates for municipal office; relating to the Redistricting Board; and providing for an effective date."

- MOVED CSSB 138(STA) OUT OF COMMITTEE

SENATE BILL NO. 23

"An Act relating to the duties of the Alaska Police Standards Council; relating to municipal correctional officers and municipal correctional employees; making municipal police officers subject to police standards; relating to the duties of the Department of Public Safety; relating to reports of incidents of use of force by state and municipal police, probation, parole, and correctional officers and municipal correctional facility employees; and providing for an effective date."

- HEARD & HELD

#### **PREVIOUS COMMITTEE ACTION**

BILL: SB 138

SHORT TITLE: ELECTIONS; VOTER REG.; CAMPAIGNS

SPONSOR(S): STATE AFFAIRS

|          |     |  |
|----------|-----|--|
| 04/25/23 | (S) | READ THE FIRST TIME - REFERRALS              |
| 04/25/23 | (S) | STA, FIN                                     |
| 04/26/23 | (S) | STA WAIVED PUBLIC HEARING NOTICE, RULE<br>23 |
| 04/27/23 | (S) | STA AT 3:30 PM BELTZ 105 (TSBldg)            |
| 04/27/23 | (S) | Heard & Held                                 |
| 04/27/23 | (S) | MINUTE(STA)                                  |
| 05/02/23 | (S) | STA AT 3:30 PM BELTZ 105 (TSBldg)            |

BILL: SB 95

SHORT TITLE: LICENSE PLATES: SPECIALTY ORGANIZATIONS

SPONSOR (s) : MERRICK

03/08/23 (S) READ THE FIRST TIME - REFERRALS  
03/08/23 (S) STA, FIN  
04/18/23 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)  
04/18/23 (S) -- MEETING CANCELED --  
04/20/23 (S) STA AT 3:30 PM  
04/20/23 (S) Heard & Held  
04/20/23 (S) MINUTE(STA)  
05/02/23 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)

BILL: HB 8

SHORT TITLE: ELECTRIC-ASSISTED BICYCLES

SPONSOR (s) : CARRICK

01/09/23 (H) PREFILE RELEASED 1/9/23  
01/19/23 (H) READ THE FIRST TIME - REFERRALS  
01/19/23 (H) STA, L&C, TRA  
02/23/23 (H) STA AT 3:00 PM GRUENBERG 120  
02/23/23 (H) Heard & Held  
02/23/23 (H) MINUTE(STA)  
02/27/23 (H) L&C REFERRAL REMOVED  
02/27/23 (H) BILL REPRINTED  
03/02/23 (H) STA AT 3:00 PM GRUENBERG 120  
03/02/23 (H) Moved HB 8 Out of Committee  
03/02/23 (H) MINUTE(STA)  
03/06/23 (H) STA RPT 6DP  
03/06/23 (H) DP: ARMSTRONG, CARPENTER, C.JOHNSON,  
ALLARD, WRIGHT, SHAW  
03/14/23 (H) TRA AT 1:00 PM BARNES 124  
03/14/23 (H) Heard & Held  
03/14/23 (H) MINUTE(TRA)  
03/28/23 (H) TRA AT 1:00 PM BARNES 124  
03/28/23 (H) Moved CSHB 8(TRA) Out of Committee  
03/28/23 (H) MINUTE(TRA)  
03/29/23 (H) TRA RPT CS(TRA) NEW TITLE 7DP  
03/29/23 (H) DP: MINA, STUTES, MCKAY, C.JOHNSON,  
SUMNER, VANCE, MCCABE  
04/14/23 (H) FAILED TO ADOPT TRA CS N39 E1  
04/17/23 (H) TRANSMITTED TO (S)  
04/17/23 (H) VERSION: HB 8  
04/19/23 (S) READ THE FIRST TIME - REFERRALS  
04/19/23 (S) STA  
04/20/23 (S) TRA AT 1:30 PM BUTROVICH 205  
04/20/23 (S) <Pending Referral>  
04/20/23 (S) STA AT 3:30 PM  
04/20/23 (S) Heard & Held

04/20/23 (S) MINUTE(STA)  
05/02/23 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)

BILL: SB 119

SHORT TITLE: STATE IDENTIFICATION CARD FOR PRISONERS

SPONSOR(s) : MYERS

03/31/23 (S) READ THE FIRST TIME - REFERRALS  
03/31/23 (S) STA  
04/13/23 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)  
04/13/23 (S) Heard & Held  
04/13/23 (S) MINUTE(STA)

BILL: SB 61

SHORT TITLE: US PRESIDENT ELECT. POPULAR VOTE COMPACT

SPONSOR(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)  
04/25/23 (S) Heard & Held  
04/25/23 (S) MINUTE(STA)  
05/02/23 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)

BILL: SB 23

SHORT TITLE: LAW ENFORCEMENT: REGISTRY; USE OF FORCE

SPONSOR(s) : GRAY-JACKSON BY REQUEST

01/18/23 (S) PREFILE RELEASED 1/9/23  
01/18/23 (S) READ THE FIRST TIME - REFERRALS  
01/18/23 (S) CRA, STA  
03/09/23 (S) CRA AT 1:30 PM BELTZ 105 (TSBldg)  
03/09/23 (S) Heard & Held  
03/09/23 (S) MINUTE(CRA)  
03/21/23 (S) CRA AT 1:30 PM BELTZ 105 (TSBldg)  
03/21/23 (S) Moved CSSB 23(CRA) Out of Committee  
03/21/23 (S) MINUTE(CRA)

03/22/23 (S) CRA RPT CS 1DP 3NR NEW TITLE  
03/22/23 (S) NR: DUNBAR, BJORKMAN, GIESSEL  
03/22/23 (S) DP: GRAY-JACKSON  
05/02/23 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)

**WITNESS REGISTER**

SORCHA HAZELTON, Staff  
Senator Kelly Merrick  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Presented the explanation of changes from version A to version B for SB 95.

STUART RELAY, Staff  
Representative Ashley Carrick  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Presented the explanation of changes from version A to version R for HB 8.

REPRESENTATIVE ASHLEY CARRICK, District 35  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Sponsor of HB 8.

SANTA CLAUS, representing self  
North Pole, Alaska

**POSITION STATEMENT:** testified in support of SB 61.

SENATOR ROBERT MEYERS, District Q  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Sponsor of SB 119.

MATT LONGABAUGH, Staff  
Senator Scott Kawasaki  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Presented the explanation of changes from version A to version B of SB 138.

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

**POSITION STATEMENT:** Provided an explanation for Amendment 1 for SB 138.

SENATOR ELVI GRAY-JACKSON, District G  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Sponsor of SB 23,

HARLYN ANDREW, Staff  
Senator Elvi Gray-Jackson  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Presented the sectional analysis for SB 23 on behalf of the sponsor.

#### **ACTION NARRATIVE**

[3:34:47 PM](#)

**CHAIR SCOTT KAWASAKI** called the Senate State Affairs Standing Committee meeting to order at 3:34 p.m. Present at the call to order were Senators Bjorkman, Merrick, Claman, Wielechowski, and Chair Kawasaki.

#### **SB 95-LICENSE PLATES: SPECIALTY ORGANIZATIONS**

[3:36:20 PM](#)

**CHAIR KAWASAKI** announced the consideration of SENATE BILL NO. 95 "An Act relating to special request specialty organization registration plates; and providing for an effective date."

He noted that there was a committee substitute (CS) for the committee to consider.

[3:36:35 PM](#)

**SENATOR BJORKMAN** moved to adopt the committee substitute (CS) for SB 138, work order 33-LS0517\B, as the working document.

**CHAIR KAWASAKI** objected for purposes of discussion.

[3:37:27 PM](#)

**SORCHA HAZELTON**, Staff, Senator Kelly Merrick, Alaska State Legislature, Juneau, Alaska, presented the explanation of changes from version A to version B for SB 95.

#### **Explanation of Changes for SB 95 version A to version B**

**Page 1 Line 8-10**

On Page 1, Lines 8-10, financial institutions, insurance companies, and commercial real estate holding companies that are organized under 26 U.S.C. 501(c) are made not eligible for specialty organization license plates.

**Page 2 Lines 2 - 3**

Renumbers two sections accordingly.

[3:38:05 PM](#)

SENATOR KELLY MERRICK, District L, speaking as sponsor of SB 95, recapped that the bill transfers the responsibility of approving specialty license plates from the legislature to the Division of Motor Vehicles.

[3:38:50 PM](#)

SENATOR BJORKMAN moved to report SB 95, work order 33-LS0517\B, from committee with individual recommendations and attached fiscal note(s).

[3:39:14 PM](#)

At ease

[3:39:26 PM](#)

CHAIR KAWASAKI reconvened the meeting and removed his objection to adopting the CS for SB 95. He asked Senator Bjorkman to restate the motion.

SENATOR BJORKMAN restated the motion to report SB 95, work order 33-LS0517\B, from committee with individual recommendations and attached fiscal note(s).

CHAIR KAWASAKI found no objection and CSSB 95(STA) was reported from the Senate State Affairs Standing Committee.

[3:40:05 PM](#)

At ease

**HB 8-ELECTRIC-ASSISTED BICYCLES**

[3:40:37 PM](#)

CHAIR KAWASAKI reconvened the meeting and announced the consideration of HOUSE BILL NO. 8 "An Act relating to electric-assisted bicycles."

He noted that this was the second hearing and there was a committee substitute (CS) for the committee to consider.

[3:40:52 PM](#)

SENATOR CLAMAN moved to adopt the committee substitute (CS) for HB 8, work order 33-LS0196\R, as the working document.

CHAIR KAWASAKI objected for purposes of discussion.

[3:41:14 PM](#)

STUART RELAY, Staff, Representative Ashley Carrick, Alaska State Legislature, Juneau, Alaska, presented the explanation of changes from version A to version R for HB 8.

Page 5, line 4 provides conforming changes.

Page 5, line 5 adds AS 41.23.295 that specifies that the Department of Natural Resources (DNR) may set standards on the land it manages for non-electric assisted bicycles in each class.

Page 5, line 12 adds an immediate effective date.

[3:41:59 PM](#)

CHAIR KAWASAKI removed his objection. Finding no further objection, version R was adopted. He asked the sponsor if she had any final comments.

[3:42:12 PM](#)

REPRESENTATIVE ASHLEY CARRICK, District 35, Alaska State Legislature, Juneau, Alaska, sponsor of HB 8, stated that the changes were amenable and she supported the SCS as currently written.

CHAIR KAWASAKI found no questions and solicited a motion.

SENATOR CLAMAN made a motion to move the bill and then restated the motion below to reflect the Senate CS.

[3:43:06 PM](#)

At ease

[3:44:24 PM](#)

CHAIR KAWASAKI reconvened the meeting and asked Senator Claman to restate the motion.

[3:44:35 PM](#)

SENATOR CLAMAN moved to report the Senate CS for HB 8(STA), work order 33-LS0196\R, from committee with individual recommendations and attached fiscal note(s).

CHAIR KAWASAKI found no objection and SCS HB 8(STA) was reported from the Senate State Affairs Standing Committee.

[3:45:03 PM](#)

At ease

**SB 61-US PRESIDENT ELECT. POPULAR VOTE COMPACT**

[3:45:54 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 second hearing.

[3:46:35 PM](#)

CHAIR KAWASAKI opened public testimony on SB 61.

[3:46:59 PM](#)

SANTA CLAUS, representing self, North Pole, Alaska, testified in support of SB 61. He stated that he was endorsing the National Popular Vote Interstate Compact that preserves the Electoral College and state control of elections. It ensures that the presidential candidate who receives the most popular votes in all 50 states and the District of Columbia wins the election. He emphasized that Electoral College electors should not continue to be able to override the popular vote as they did most recently in 2000 and 2016. The winner takes all policy is only statewide and is not prescribed in the US Constitution. He asked the committee to support SB 61.

[3:48:38 PM](#)

CHAIR KAWASAKI closed public testimony on SB 61.

[3:48:48 PM](#)

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

[3:49:03 PM](#)

SENATOR MERRICK and SENATOR BJORKMAN objected.

CHAIR KAWASAKI asked for a roll call.

[3:49:12 PM](#)

A roll call vote was taken. Senators Claman, Wielechowski, and Kawasaki voted in favor of the motion to report SB 61 from committee and Senators Merrick and Bjorkman voted against it. The vote was 3:2.

[3:49:30 PM](#)

CHAIR KAWASAKI announced that on a vote of 3 yeas and 2 nays, SB 61 was reported from the Senate State Affairs Standing Committee.

[3:49:45 PM](#)

At ease

**SB 119-STATE IDENTIFICATION CARD FOR PRISONERS**

[3:50:25 PM](#)

CHAIR KAWASAKI reconvened the meeting and announced the consideration of SENATE BILL NO. 119 "An Act relating to state identifications and driver's licenses for persons in the custody of the Department of Corrections; relating to state identifications issued by the Department of Corrections; relating to the duties of the commissioner of corrections; relating to misconduct involving confidential information; relating to voter identification; relating to identification for fishing permits; relating to identification for debtor financing statements; and providing for an effective date."

He asked the sponsor if he had any final comments on the bill.

[3:50:50 PM](#)

SENATOR ROBERT MEYERS, District Q, Alaska State Legislature, Juneau, Alaska, sponsor of SB 119, thanked the committee for moving the bill forward.

CHAIR KAWASAKI thanked the sponsor for introducing the bill to help people reenter their community after incarceration. He solicited a motion.

[3:51:45 PM](#)

SENATOR MERRICK moved to report SB 119, work order 33-LS0711\A, from committee with individual recommendations and attached fiscal note(s).

CHAIR KAWASAKI found no objection and SB 119 was reported from the Senate State Affairs Standing Committee.

#

[3:52:19 PM](#)

At ease

**SB 138-ELECTIONS; VOTER REG.; CAMPAIGNS**

[3:53:31 PM](#)

CHAIR KAWASAKI reconvened the meeting and announced the consideration of SENATE BILL NO. 138 "An Act relating to elections; relating to voters; relating to voting; relating to the crime of unlawful interference with voting in the first degree; relating to campaign signs; relating to the reporting of financial and business interests by certain municipal officers and former officers and candidates for municipal office; relating to the Redistricting Board; and providing for an effective date."

He noted that there was a committee substitute (CS) for the committee to consider.

[3:53:53 PM](#)

SENATOR WIELECHOWSKI moved to adopt the committee substitute (CS) for SB 138, work order 33-LS0783\B, as the working document.

[3:54:06 PM](#)

CHAIR KAWASAKI objected for purposes of discussion.

[3:54:26 PM](#)

MATT LONGBAUGH, Staff, Senator Scott Kawasaki, Alaska State Legislature, Juneau, Alaska reviewed the changes from version A to version B of SB 138.

Page 2, lines 21-23. The phrase "A change of residence is made only by the act of removal joined with the intent to remain in another place." was removed.

Page 3, lines 7 and 9. References to the statutes [AS 15.15.210] for questioning voter qualifications and

[AS 15.20.215] for challenging ballot review decisions were added.

Section 3. The new paragraph (13) in version A that amended AS 15.07.060(a) was removed. This would have required voter registration forms to include an acknowledgment that the voter understands that if they are registered to vote in another state, DOE will notify the other state and request cancelation of the voter's registration in that state.

Page 7, line 4 - page 8, line 2. A new bill Section 10 amends AS 15.07.130(a) relating to notifying voters to verify their voter registration.

Page 8, lines 3 - 21. A new bill Section 11 amends AS 15.07.130(b) to conform to the changes in Section 10.

Page 8, line 22 - page 9, line 4. A new bill Section 12 amends AS 15.07.130(d) to conform to the changes in Sections 10 and 11.

Page 10, line 20 - page 11, line 4. A new bill Section 16 amends AS 15.13.020(j) repealing the requirement for APOC to have offices in every Senate District.

Page 11, line 7. The phrase "in a manner that enables each voter to participate effectively in the electoral process" was removed [from the new subsection (f) in AS 15.15.060].

Page 11, lines 22-28. A new bill Section 19 amends AS 15.15 with a new Sec. 15.15.205. A voter who requested an absentee ballot and appears at a polling station to vote may surrender the absentee ballot for destruction or vote a question ballot.

Page 16, line 16. The term "signed" was replaced with the term "executed."

Page 17, line 28 - Page 18, line 2. The new Sec.15.20.215 clarifies that an observer for any campaign may challenge a ballot review decision. The requirement for the procedure to challenge a decision to provide 24 hours was changed to "a reasonable amount of time."

Page 18, lines 10, 19, and 20. The phrase "multi-factor authentication" was removed from Sec. 15.20.221 for clarity.

Page 20, line 7. The phrase "for elections conducted by mail" was removed to clarify that secure drop boxes will be provided for all elections.

Page 20, lines 8-9. The phrase "if practicable" is applied only to the requirement for drop boxes at the Division of Elections regional offices.

Page 21, lines 16-21. A new bill Section 37 amends AS 15.80 adding Sec. 15.80.006 that requires DOE to develop a cybersecurity program.

[3:59:52 PM](#)

CHAIR KAWASAKI removed his objection; finding no further objection, version B was adopted.

He noted there was an Amendment 1.

[4:00:04 PM](#)

SENATOR WIELECHOWSKI moved Amendment 1, work order 33-LS0783\B.1.

33-LS0783\B.1  
Klein  
5/2/23

#### AMENDMENT 1

OFFERED IN THE SENATE BY SENATOR WIELECHOWSKI  
TO: CSSB 138(STA), Draft Version "B"

Page 1, following line 7:

Insert a new bill section to read:

**\*\* Section 1.** The uncodified law of the State of Alaska is amended by adding a new section to read:

LEGISLATIVE INTENT: TRANSPARENCY. It is the intent of the legislature that the division of elections, in order to increase transparency and ensure trust in the integrity of the state's vote counting and tabulation process and to allow members

of the public to verify the accuracy of ranked-choice tabulations,

(1) in accordance with national best practices for reporting results of ranked-choice voting elections, include preliminary ranked-choice tabulations when releasing preliminary election results; and

(2) periodically throughout the vote counting process post updated cast vote record files that include anonymized records indicating the ranking order of each ballot cast."

Page 1, line 8:

Delete "**Section 1**"

Insert "**Sec. 2**"

Renumber the following bill sections accordingly.

Page 12, following line 8:

Insert new bill sections to read:

"\* **Sec. 23.** AS 15.15.370 is amended to read:

**Sec. 15.15.370. Completion of ballot count; certificate.** When the count of ballots is completed, and in no event later than the day after the election, the election board shall make a certificate in duplicate of the results. The certificate includes the number of votes cast for each candidate, including, for a candidate in a general election, the number of votes at each ranking [ROUND OF THE RANKED-CHOICE TABULATION PROCESS] under AS 15.15.350, the number of votes for and against each proposition, yes or no on each question, and any additional information prescribed by the director. The election board shall, immediately upon completion of the certificate or as soon thereafter as the local mail service permits, send in one sealed package to the director one copy of the certificate and the register. In addition, all ballots properly cast shall be mailed to the director in a separate, sealed package. Both packages, in addition to an address on the outside, shall clearly indicate the precinct from which they come. Each board shall, immediately upon completion of the certification and as soon thereafter as the local mail service permits, send the duplicate certificate to the respective election supervisor. The director may authorize election boards in precincts in those areas of the state where distance and weather make mail communication unreliable to forward their election results by telephone or radio. The director may

authorize the unofficial totaling of votes on a regional basis by election supervisors, tallying the votes as indicated on duplicate certificates. To ensure adequate protection, the director shall prescribe the manner in which the ballots, registers, and all other election records and materials are thereafter preserved, transferred, and destroyed.

**\* Sec. 24.** AS 15.15.370 is amended by adding a new subsection to read:

(b) Each day the director releases unofficial totals of election results for a general election, the director shall also release an updated ranked-choice tabulation."

Renumber the following bill sections accordingly.

Page 24, line 1:  
Delete "sec. 36"  
Insert "sec. 39"

Page 24, line 2:  
Delete "sec. 36"  
Insert "sec. 39"

Page 24, line 9:  
Delete "Section 47"  
Insert "Section 50"

Page 24, line 10:  
Delete "sec. 48"  
Insert "sec. 51"

CHAIR KAWASAKI objected for discussion purposes.

SENATOR WIELECHOWSKI explained that many people thought that as votes were counted and the unofficial totals were released, the DOE director would release the updated ranked-choice tabulations. That didn't happen and it eroded trust and confidence in the elections process. Amendment 1 requires the director to release the unofficial election results in a general election as the results are tabulated. It also requires the rankings to be listed when the ballot count is completed. He deferred further explanation to Mr. Dunsmore.

[4:01:22 PM](#)

DAVID DUNSMORE, Staff, Senator Bill Wielechowski, Alaska State Legislature, Juneau, Alaska, explained that Amendment 1 adds three new bill sections relating to reporting preliminary ranked-choice voting results, which will bring Alaska in line with national best practices for releasing ranked-choice voting results. He advised that the Harvard Law School and Fair Vote recommend releasing preliminary ranked-choice tabulations on election night as well as the cast vote record, which is the raw file of how each individual ballot was ranked. This allows voters to verify the accuracy of the count. They recommend the periodic release of these results. The amendment further requires the release of a ranked-choice tabulation result on any day that preliminary results are released. There is also intent language for the periodic release of the cast vote records prior to the final count.

[4:02:58 PM](#)

CHAIR KAWASAKI asked if the state would be able to comply with these requirements.

MR. DUNSMORE responded that after the last hearing DOE confirmed by email that the cast vote records can be produced for intermediate results. He added that other jurisdictions that have adopted these best practices use the same Dominion software as Alaska.

[4:03:51 PM](#)

SENATOR BJORKMAN spoke in favor of Amendment 1. He opined that releasing preliminary data was important to the public. He continued that it was surprising in the last election to see that the ranked-choice voting tabulation results were delayed, but it was particularly surprising that the absentee ballots results were delayed when DOE was clearly able to produce absentee ballot results in a timely manner in previous elections. That data was in hand and could have been produced, but Alaskans had to wait two weeks for the results. That's not okay, which is why he supports the amendment.

[4:05:29 PM](#)

CHAIR KAWASAKI withdrew his objection to Amendment 1. He found no further objection and Amendment 1 was adopted.

[4:06:36 PM](#)

CHAIR KAWASAKI opened public testimony on SB 138; finding none, he closed public testimony.

[4:07:24 PM](#)

SENATOR WIELECHOWSKI moved to report CSSB 138, work order 33-LS0783\B, as amended, from committee with individual recommendations and attached fiscal note(s).

[4:07:48 PM](#)

SENATOR BJORKMAN objected to comment on the potential danger of coercion when somebody takes a picture of their ballot and posts it on social media. This is illegal and those who flout the law should be held accountable. A person's ballot is secret for a reason and should remain so.

[4:09:23 PM](#)

SENATOR BJORKMAN removed his objection.

CHAIR KAWASAKI found no further objection and CSSB 138(STA) was reported from the Senate State Affairs Standing Committee.

[4:09:46 PM](#)

At ease

**SB 23-LAW ENFORCEMENT: REGISTRY; USE OF FORCE**

[4:11:22 PM](#)

CHAIR KAWASAKI reconvened the meeting and announced the consideration of SENATE BILL NO. 23 "An Act relating to the duties of the Alaska Police Standards Council; relating to municipal correctional officers and municipal correctional employees; making municipal police officers subject to police standards; relating to the duties of the Department of Public Safety; relating to reports of incidents of use of force by state and municipal police, probation, parole, and correctional officers and municipal correctional facility employees; and providing for an effective date."

[CSSB 23(CRA) was before the committee.]

[4:11:47 PM](#)

SENATOR ELVI GRAY-JACKSON, District G, Alaska State Legislature, Juneau, Alaska, sponsor of SB 23, thanked the hard working peace officers and staff that provide the services that protect the lives and welfare of people in Alaska's communities. She conveyed that in 2020, she and former Senator Begich developed a series of bills that are referred to as TPIP (turning pain into progress). They contain eight specific policies that have been proven to reduce police violence markedly. These bills were crafted to ensure that the proposals were fitting for Alaska.

SENATOR GRAY-JACKSON read the sponsor statement for SB 23.

Committee Substitute Senate Bill 23 will ensure that instances when use of force was used will be sent to the Department of Public Safety to be entered into a central registry and sent to the Federal Bureau of Investigation for data collection. The use-of-force database under AS 44.41.055 will be utilized by a municipal police officer, municipal correctional facility employee, pretrial services officer, probation officer, parole officer, correctional officer, state trooper, village public safety officer, or regional officers. This report will be submitted by the Department of Public Safety under AS 44.41.020(h) from the preceding fiscal year to the Chief Clerk of the House of Representatives and the Senate Secretary.

Additional training will be included in AS 18.65.676(a) which will be disabilities training described under AS 18.65.220(a)(3).

Currently, there is no central database that tracks instances of use-of-force within the State of Alaska, but there are agencies within the state that report uses of force and send those reports to the Federal Bureau of Investigation. While this central database will not be open to the public, it will be shared for employment purposes amongst departments and agencies who is hiring as well as, the Alaska State Legislature. This will allow for transparency among agencies and will close loopholes that allow officers to be hired with another agency after having a certificate denied or revoked under AS 18.65.240(c) as proven by the Police Standards Council.

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HARLYN ANDREW, Staff, Senator Elvi Gray-Jackson, Alaska State Legislature, Juneau, Alaska, presented the sectional analysis for SB 23 on behalf of the sponsor.

[The sectional analysis was drafted to comport to CSSB 23(CRA).]

**Section 1:** AS 18.65.220 is amended by adding new subsections (b) which will require a police officer, probation officer, parole officer, pretrial services officer, municipal correctional officer, or correctional officer to report, to a supervisor, when

an officer engaged in the use of force against a person. (c) requires that the Council shall maintain a central registry of denied or revoked officer certificates. (d) requires that the Council shall adopt and prepare a report detailing the registry information to the chief clerk of the House of Representatives and the Senate Secretary no later than December 1st of each year. (e) states that upon request, the Council shall assist a Department, an agency, or municipality in developing rules based on recommendations on regulations adopted under (b) of this section.

**Section 2:** AS 18.65.285 is amended by replacing the word "may" with "shall."

**Section 3:** AS 18.65.290(b) is amended by defining "municipal correctional officer."

**Section 4:** AS 18.65.290 is amended by defining "pretrial services officers," and defining "serious physical injury" per AS 11.81.900(b), as well as defining "use of force."

**Section 5:** AS 18.65.670(h) is amended by providing training in the subjects set out in 18.65.220(a)(3). These trainings are as follows: physical training, methods of arrest, use of batons, use of chemical defensive weapons, and electronic controls weapons. Instruction is state's criminal and procedural law, state's criminal justice system, police procedures, disabilities training, domestic violence and sexual assault prevention and response procedures; emergency trauma technician, search and rescue, and rural fire protection specialist trainings.

**Section 6:** Amends AS 18.65.676 (a) by stating that instruction in disabilities training be outlined in AS 18.65.22 (a) (3). This statute addresses powers of the police standards council.

**Section 7:** Amends AS 29.71 by adding a new section that outlines the use of force reporting requirement to the Department of Public Safety by a municipality that employs various positions.

**Section 8:** Amends AS 44.28.020 by adding a new subsection that details that the Department of Public Safety use a form prescribed by Department of Public Safety reporting uses of force for probation officers, parole officers, correctional officers, and pretrial services officers.

**Section 9:** AS 44.41.020 is amended by adding a new subsection that the Department of Public Safety will submit a report to the Federal Bureau of Investigation that relates use of force incidents by state troopers, VSPOs, or regional public safety officers.

**Section 10:** Amends AS 44.41 to add a new section (b) that states the Department of Public Safety shall prepare a report. (c) The Department of Public Safety will submit the report from the preceding fiscal year to the Chief Clerk of the House of Representatives and the Senate Secretary. This section asks for the report to be supplied by December 1st of each year.

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**Section 11:** AS 18.65.280(b) is repealed.

**Section 12:** The uncodified law of the State of Alaska is amended by adding a new section that applies to employment contracts entered on or after the effective date of sec. 2 of this Act.

**Section 13:** Amends the uncodified law of the State of Alaska by adding a new section pertaining to transition: employment. This section sets an effective date of sec. 11 of this Act to comply with AS 18.65.240 requirements.

**Section 14:** Amended by adding a new section regarding regulations of the Department of Corrections, the Department of Public Safety, and municipalities that employ a person as a police officer or in a municipality correctional facility to adopt and publish regulations from section 7-10 from this Act by January 1, 2024.

**Section 15:** Section 14 provides for an effective date under AS 01.10.070(c).

**Section 16:** Except as provided in section 15, this act will be effective on July 1, 2023.

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CHAIR KAWASAKI asked if she knew of any departments that do not participate in the use of force registry because the DPS commissioner indicated that most departments do participate.

SENATOR GRAY-JACKSON said most departments have a policy to use the registry but she wanted it statute so the practice doesn't change as leadership and policies change.

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CHAIR KAWASAKI opened public testimony on SB 23; finding none, he closed public testimony.

SENATOR CLAMAN said he'd like DPS to articulate its position on the bill either in writing or at a subsequent hearing.

SENATOR GRAY-JACKSON offered her understanding that the chair intended to offer an amendment on behalf of the Department of Public Safety (DPS).

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At ease

[4:24:11 PM](#)

CHAIR KAWASAKI reconvened the meeting.

[4:24:21 PM](#)

SENATOR MERRICK read the first sentence in the second paragraph of the DPS fiscal note.

The bill requires the DPS to provide a report detailing the information provided by the DPS, the DOC, and municipalities to the FBI in the prior year; however, this will not be possible as the DOC and municipal correctional facilities are not eligible to submit use of force incidents to the FBI program.

She asked how the bill will be affected if these agencies aren't eligible to submit the reports to the FBI program.

SENATOR GRAY-JACKSON said she couldn't answer the question.

CHAIR KAWASAKI asked the sponsor if she had any closing comments.

SENATOR GRAY-JACKSON thanked the committee for hearing the bill.

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CHAIR KAWASAKI held SB 23 in committee.

[4:27:15 PM](#)

There being no further business to come before the committee, Chair Kawasaki adjourned the Senate State Affairs Standing Committee meeting at 4:27 p.m.