

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101


State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

February 3, 2009

SUBJECT: Veterans, former prisoners of war, and members of the national guard (SB 45)

TO: Senator Charlie Huggins
Attn: Sharon

FROM: Dan Wayne 
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1 would allow the legislature to appropriate, to the Alaska veterans' cemetery fund, fees from the sale of special request motor vehicle license plates that commemorate Alaska veterans.

Sec. 2 adds certain gifts, donations and grants related to establishing and maintaining Alaska veterans' cemeteries to the list, under AS 37.05.146(c), of programs for which receipts are accounted for separately. (Receipts from programs on this list are not appropriated from the unrestricted general fund).

Sec. 3 creates a special account in the general fund called the Alaska veterans' cemetery fund., from which amounts may be appropriated for building and operating Alaska veterans' cemeteries.

Sec. 4 adds a requirement that state personnel rules must provide for the grant of employment preference rights to members of the national guard under AS 39.25.159, a statute under which veterans, former prisoners of war and members of the national guard already receive preference when they apply for a position, either in the form of extra points being added to their numerical rating (when assessments using numerical ratings are used in hiring), or, when hiring is based on assessments that are not based on numerical ratings, a guarantee that they will be considered for the position.

Senator Charlie Huggins

February 3, 2009

Page 2

Sec. 5 and 6 amend AS 39.25.159, a statute with the catch line "employment preference for veterans and former prisoners of war," by combining repetitious language from subsections (a) and (c) and moving it to a new subsection, and changing "preference," in subsections (a) and (c), to the more explicit "employment preference as a matter of form."

Sec. 7 defines "member of the national guard" under AS 39.25.159.

Sec. 8 adds two new subsections to AS 39.25.159. Subsection (e) consolidates and restores language that the bill, as noted above, removes from AS 39.25.159(c) and (d). Subsection (f) limits the applicability of subsections (a), (c), and (e) so that they may not be interpreted to amend the terms of a collective bargaining agreement.

Sec. 9 adds language permitting the department of military and veterans affairs to establish and maintain Alaska veterans' cemeteries, allowing the department to raise funds for that purpose, and listing administrative duties and options of the department, including the duty, or in some instances the option, to adopt regulations.

If I may be of further assistance, please advise.

DCW:plm
09-063.plm