

**ALASKA STATE LEGISLATURE
HOUSE SPECIAL COMMITTEE ON MILITARY AND
VETERANS' AFFAIRS**

February 20, 2001
3:41 p.m.

MEMBERS PRESENT

Representative Mike Chenault, Chair
Representative Lisa Murkowski
Representative Joe Green
Representative Pete Kott
Representative Joe Hayes

MEMBERS ABSENT

Representative Beverly Masek
Representative Sharon Cissna

COMMITTEE CALENDAR

SENATE JOINT RESOLUTION NO. 9
Relating to the development and deployment of the National
Missile Defense System.

- MOVED SJR 9 OUT OF COMMITTEE

HOUSE BILL NO. 98

"An Act relating to the award of a high school diploma to
certain World War II veterans."

- MOVED CSHB 98(MLV) OUT OF COMMITTEE

HOUSE BILL NO. 87

"An Act establishing the Alaska Veterans Advisory Council; and
providing for an effective date."

- BILL HEARING CANCELED

PREVIOUS ACTION

BILL: SJR 9

SHORT TITLE: NATIONAL MISSILE DEFENSE SYSTEM

SPONSOR(S): SENATOR(S) LEMAN

Jrn-Date	Jrn-Page		Action
01/29/01	0201	(S)	READ THE FIRST TIME -

				REFERRALS
01/29/01	0202	(S)		STA
02/06/01		(S)		STA AT 3:30 PM BELTZ 211
02/06/01		(S)		Moved Out of Committee
02/06/01		(S)		MINUTE(STA)
02/07/01	0300	(S)		STA RPT 3DP
02/07/01	0300	(S)		DP: THERRIAULT, PHILLIPS, DAVIS
02/07/01	0300	(S)		FN1: ZERO(S.STA)
02/08/01		(S)		RLS AT 10:45 AM FAHRENKAMP 203
02/08/01		(S)		MINUTE(RLS)
02/08/01	0308	(S)		RULES TO CALENDAR 1OR 2/8/01
02/08/01	0310	(S)		READ THE SECOND TIME
02/08/01	0310	(S)		ADVANCED TO THIRD READING UNAN CONSENT
02/08/01	0310	(S)		READ THE THIRD TIME SJR 9
02/08/01	0310	(S)		COSPONSOR(S): DONLEY, TAYLOR, WILKEN,
02/08/01	0310	(S)		WARD, AUSTERMAN
02/08/01	0310	(S)		PASSED Y17 N- E3
02/08/01	0314	(S)		TRANSMITTED TO (H)
02/09/01	0276	(H)		READ THE FIRST TIME - REFERRALS
02/09/01	0276	(H)		MLV
02/20/01		(H)		MLV AT 3:30 PM CAPITOL 120

BILL: HB 98

SHORT TITLE:HIGH SCHOOL DIPLOMA FOR CERTAIN WWII VETS
SPONSOR(S): RLS BY REQUEST OF THE GOVERNOR

Jrn-Date	Jrn-Page		Action
01/31/01	0211	(H)	READ THE FIRST TIME - REFERRALS
01/31/01	0211	(H)	MLV, HES
01/31/01	0212	(H)	FN1: ZERO(EED)
01/31/01	0212	(H)	GOVERNOR'S TRANSMITTAL LETTER
02/20/01		(H)	MLV AT 3:30 PM CAPITOL 120

WITNESS REGISTER

SENATOR LOREN LEMAN
Alaska State Legislature
Capitol Building, Room 115
Juneau, Alaska 99801
POSITION STATEMENT: Sponsor of SJR 9.

PAUL ROETMAN, Staff
to Senator Loren Leman
Alaska State Legislature
Capitol Building, Room 115
Juneau, Alaska 99801

POSITION STATEMENT: Explained difference in SJR 9 between a National Missile Defense System and a National Missile Defense Program.

CAROL CARROLL, Director
Administrative Services Division
Department of Military and Veterans' Affairs (DMVA)
400 Willoughby Avenue, Suite 500
Juneau, Alaska 99811

POSITION STATEMENT: Presented HB 98 on behalf of the DMVA.

REPRESENTATIVE RICHARD FOSTER
Alaska State Legislature
Capitol Building, Room 410
Juneau, Alaska 99801

POSITION STATEMENT: Offered comments about World War II relating to HB 98.

ACTION NARRATIVE

TAPE 01-3, SIDE A
Number 0001

CHAIR MIKE CHENAULT called the House Special Committee on Military and Veterans' Affairs meeting to order at 3:41 p.m. Members present at the call to order were Representatives Chenault, Murkowski, Green, and Kott. Representative Hayes arrived as the meeting was in progress. Chair Chenault invited Representative Foster to join members at the committee table.

SJR 9 - NATIONAL MISSILE DEFENSE SYSTEM

Number 0086

CHAIR CHENAULT announced that the first order of business would be SENATE JOINT RESOLUTION NO. 9, Relating to the development and deployment of the National Missile Defense System.

Number 0146

SENATOR LOREN LEMAN, Alaska State Legislature, sponsor, explained that SJR 9 speaks to an issue addressed in past

legislatures: an interest in national missile defense. While the United States reigns supreme as the last great "superpower," there is no means to protect the entire nation from ballistic missile attack. The threat, however, is real.

SENATOR LEMAN noted that last month, before President Bush took office, the U.S. Department of Defense issued a report [a portion of which is in the packet] titled "Proliferation: Threat and Response." That report analyzes the country's growing threat from foreign nations that are developing missile technology. In the report, Senator Leman pointed out, former Secretary of Defense William Cohen says at least 25 countries now possess - or are in the process of acquiring and developing - capabilities to inflict mass casualties and destruction: nuclear, biological, and chemical weapons or the means to deliver them. Senator Leman noted that the foregoing was reiterated by Lieutenant General Norton Schwartz when he spoke to "us" a few weeks ago.

SENATOR LEMAN advised members that in response to this growing threat, the United States has been developing a National Missile Defense System; it is not operational, however, the decision on how to proceed having been deferred to President Bush by former President Clinton.

SENATOR LEMAN noted that Alaska has been identified as a preferred alternative for the location of key system components, including a forward radar site at Shemya and perhaps a ground-based interceptor site, most likely at Fort Greely. The design of the entire system isn't final; North Dakota may figure in the mix, and there may be mobile installations on submarines or ships, for example. Although there are unanswered questions, there is broad political support for developing the National Missile Defense System.

Number 0388

SENATOR LEMAN reported that President Bush's stated plans include planning to develop and build this; Alaska's congressional delegation support this, and packets contain letters of support from U.S. Senators Murkowski and Stevens.

SENATOR LEMAN said normally people from the [U.S.] Department of Defense would testify in support, but the department is reviewing this and doesn't want to get caught up in the politics. In order to do the analysis fairly, he said, "they've been asked not to participate today." Senator Leman told

members he believes the resolution is worded such that it is in the national interest as well as the interest of Alaska. He urged members' support.

Number 0478

REPRESENTATIVE MURKOWSKI pointed out that page 1, line 10, the third "whereas" clause, has the only reference to a National Missile Defense Program, rather than a National Missile Defense System. She asked about the difference.

Number 0588

PAUL ROETMAN, Staff to Senator Loren Leman, Alaska State Legislature, explained that the "program" refers to the overall umbrella organizations that are initiating the development of not only a missile defense system, but other technologies including theater missile defense and sea-based defense.

Number 0666

SENATOR LEMAN, in response to a question by Representative Murkowski, affirmed that there was a similar resolution the previous session. This [SJR 9], however, has been tailored a little differently at the request of the [congressional] delegation, in the interests of working with the new President and the Department of Defense.

REPRESENTATIVE MURKOWSKI recalled little, if any, opposition [the previous session]. She also recalled discussion on the House floor about developing and deploying this as soon as technologically feasible, however, as well as Representative Davies' questions about the technological feasibility at the time. Representative Murkowski suggested it is timely to move something like this through.

Number 0752

SENATOR LEMAN noted that there was no opposition in the Senate [to SJR 9]. Brought to his attention that very day, he reported, was that part of this system may include a fiber-optic cable or cables that would run from approximately Whittier to Shemya, at the end of the Aleutians. If that ever became part of the overall project, it would, in itself, be an incredible investment. Senator Leman surmised that there might be elements which could be tied in with the civilian systems of communication; that would have tremendous impacts on Alaska.

SENATOR LEMAN concluded by saying Alaska rightfully was the first to step up, as a state, and express support for this system. He suggested it is appropriate, therefore, to indicate that support. Even if a part of the system is invested elsewhere, Alaska and the rest of the United States need to be fully protected.

Number 0918

CHAIR CHENAULT asked whether there was any public testimony; none was offered.

Number 0930

REPRESENTATIVE GREEN made a motion to move SJR 9 out of committee with individual recommendations and the zero fiscal note. There being no objection, SJR 9 was moved from the House Special Committee on Military and Veterans' Affairs.

HB 98 - HIGH SCHOOL DIPLOMA FOR CERTAIN WWII VETS

CHAIR CHENAULT announced that the next order of business would be HOUSE BILL NO. 98, "An Act relating to the award of a high school diploma to certain World War II veterans."

Number 0984

REPRESENTATIVE KOTT made a motion to adopt version 22-GH1011\C, Ford, 2/17/01, as a work draft. There being no objection, it was so ordered and Version C was before the committee.

Number 1051

CAROL CARROLL, Director, Administrative Services Division, Department of Military and Veterans' Affairs (DMVA), explained that HB 98 was put forth by the DMVA in order to recognize and honor World War II veterans who left school to fight in the war, in service to their country.

MS. CARROLL addressed changes in Version C, which the DMVA had requested. On page 1, line 10, deleted are the words "in this state". She explained that many people moved to Alaska after the war and never went to school in the state; the DMVA would not like to exclude those people. Second, on page 1, line 12, deleted are the words "or general equivalency diploma". Ms. Carroll explained that just because a person got a general

equivalency diploma (GED) doesn't mean that person wouldn't like to have the actual paper diploma.

Number 1145

MS. CARROLL informed members that she had received a letter from the Revisor of Statutes concerning the dates August 7, 1940, through July 25, 1947 [page 1, line 14, Version C]. Ms. Carroll explained that in Alaska Statutes, the date August 7 as the beginning of World War II is never found; that date is September 16, 1940. She asked that it be changed, therefore, from August 7 to September 16, to be consistent throughout the statutes. She noted that according to the [federal] Department of Veterans Affairs (DVA), "those dates are the true dates that they have for the conflict of World War II, beginning and end dates."

Number 1216

REPRESENTATIVE GREEN recalled that there were conflicts relating to World War II prior to that date, although [the U.S.] didn't come into the war until 1941. He suggested perhaps the date mentioned was the date of the first armed conflict.

REPRESENTATIVE RICHARD FOSTER, Alaska State Legislature, said he would think German U-boats sank some American ships flying aid to England in 1940.

MS. CARROLL noted that Poland was invaded in 1939.

REPRESENTATIVE GREEN said if the given date is for the start of World War II, he believes it is too late.

Number 1271

MS. CARROLL clarified that the desire is to be consistent with what the federal DVA defines as the time period for veterans in that conflict. Sprinkled throughout Alaska Statutes, too, are various veterans' programs, including preference programs, that start with the date of September 16. The Revisor of Statutes would like to make it more consistent throughout Alaska Statutes, which the DMVA has no problem with.

REPRESENTATIVE MURKOWSKI alluded to materials in the packet that indicate the national "Operation Recognition" program uses the date August 7.

MS. CARROLL said she had no idea where the August 7 date came from; she surmised that it was an error overlooked in putting the bill together. She suggested it is safest to stick with the federal DVA definition of the conflict period, although it certainly is the committee's prerogative to broaden it.

Number 1384

REPRESENTATIVE GREEN proposed saying "ending July 25, 1947" [so that page 1, lines 13-14, would read: "(4) actively served in the United States armed forces or the Alaska Territorial Guard during the period ending July 25, 1947"]. He asked, "Do we care if there was a veteran that was in the service prior to September 1940?" He pointed out that nobody seems to object to an ending date well after World War II.

MS. CARROLL said she had no objection. The purpose of the bill is to recognize people in this situation; these cutoff dates were chosen because they are what the federal government uses. However, if the desire is to get the largest number of people and not exclude anybody [whose service] falls before that date, she added, "I do understand what you're saying."

REPRESENTATIVE GREEN emphasized the desire to do something for these veterans who made sacrifices for others' benefit.

Number 1490

REPRESENTATIVE KOTT pointed out that under Representative Green's proposal, HB 98 would not be limited to those who served in World War II. For example, a veteran who served from 1933 to 1935, or during World War I, would fall within the scope. He said that is fine with him; the point is to recognize veterans.

MS. CARROLL remarked that except for the dates, nothing within the body of [the bill] relates it to World War II.

REPRESENTATIVE GREEN noted that the title says "World War II".

Number 1550

REPRESENTATIVE KOTT said if the desire is to include even those who served in World War I, for example, then the title would need to be changed, which would be appropriate.

MS. CARROLL said she certainly doesn't mind including veterans of World War I. This bill also applies to people who have died,

she pointed out; she doesn't know how many people would be included. She restated that it is up to the committee. In response to a question about how many people would want this [diploma], Ms. Carroll estimated that it would be less than 150 people, if limited to World War II veterans.

Number 1619

REPRESENTATIVE MURKOWSKI referred to page 2, line 5 [Version C], which read in part, "(b) The commissioner shall provide a form or electronic format". Pointing out that there is a zero fiscal note, she surmised that would make no difference whether 150 or 300 [requests] were received.

MS. CARROLL answered that up to 300, it would make no difference; if there were thousands, of course, it would. She stated, "We were certain that, with the number of World War II vets that we thought would apply for this, ... there would be a zero fiscal impact to prepare a high school diploma for them." In response to comments, Ms. Carroll said [the DMVA] has a web site and interacts with the veteran service organizations all the time.

Number 1675

REPRESENTATIVE GREEN asked whether it is the sponsor's concept to honor all veterans who couldn't do this [get a high school diploma] or just those who were in World War II, primarily because Alaska, as a territory, was involved in that war but not World War I.

MS. CARROLL answered that the concept was to honor the World War II veterans, as is being done nationally with "Operation Recognition."

REPRESENTATIVE GREEN suggested that having "World War II" in the title creates a conflict with "1947", which wasn't the end of the war. He asked how that language can be changed if the desire is to confine it to [World War II].

MS. CARROLL said there must be some way to state it in order to be reasonable, to have a definite time period, and to be able to include someone "who comes in prior to that date."

Number 1767

REPRESENTATIVE GREEN at first offered to change his possible amendment conceptually, to find what truly is considered the start of World War II, so that nobody is excluded. He then acknowledged that there may be another reason for the proposed dates.

MS. CARROLL offered to research how many U.S. citizens were fighting in forces other than the U.S. armed services, if that was what Representative Green was talking about.

REPRESENTATIVE GREEN explained that the U.S. wasn't in the war in 1940, and the war started prior to 1940. He said he didn't know what 1940 tied to, although if there was some unknown factor, he would retract his concern; otherwise, he indicated, he would want to make sure that everyone was included who was in the conflict.

MS. CARROLL reiterated, "The only thing that we were using is the Department of Veterans Affairs and their dates."

REPRESENTATIVE GREEN remarked that it may be a good enough reason.

Number 1868

REPRESENTATIVE FOSTER commented that it is possible for someone who joined the Army in November 1945, after the war, to qualify without even being a veteran [of the war]. He suggested that would apply to perhaps only one person, and also suggested it wouldn't make any difference.

REPRESENTATIVE KOTT asked how the Alaska Scouts, who performed a vital function during World War II, fit into the scheme.

MS. CARROLL confirmed that Representative Kott was talking about the Territorial Scouts of the Territorial Guard. She said they are included, having been active when the Japanese were in the Aleutians.

REPRESENTATIVE KOTT asked whether initially they weren't part of a militia, however, rather than the Guard.

REPRESENTATIVE FOSTER said they were in more than the Aleutians, having been scattered all over the western and northern coasts of Alaska, as the "eyes and ears" watching for a Japanese invasion. Initially, they were a militia under "Muktuk Marston (ph)," who didn't have authority to create a national guard.

Number 1969

REPRESENTATIVE KOTT returned attention to page 1, line 10; he said he understood why "in this state" had been taken out, because Alaska wasn't a state during World War II. However, how could it be validated that a person left high school for the sole purpose of joining the armed forces? He suggested that all of subsection (2) [page 1, lines 10-11] could be deleted, because taking a person's word for it would make it meaningless.

MS. CARROLL agreed that the department would take a person's word for it, and said there wouldn't be any real reason to validate it.

Number 2021

REPRESENTATIVE KOTT made a motion to adopt Amendment 1, to delete page 1, lines 10-11 [subsection (2)], for the reasons he had already stated.

REPRESENTATIVE MURKOWSKI asked whether a model "Operation Recognition" statute was used in formulating this legislation, and whether that may be the reason for having subsection (2).

MS. CARROLL affirmed that, adding that it was copied from Wisconsin's law. "Not all states are the same," she noted.

REPRESENTATIVE MURKOWSKI responded that she would agree with Representative Kott, then.

REPRESENTATIVE KOTT specified that Amendment 1 would include the Scouts, who may have been in the militia and, therefore, excluded; it would still achieve the same overall objective. He asked for unanimous consent.

Number 2139

CHAIR CHENAULT asked whether there was any objection. There being no objection, Amendment 1 was adopted.

Number 2149

REPRESENTATIVE GREEN made a motion to adopt Amendment 2, on [page 1], line 14, Version C. [Line 14 read: "Territorial Guard during the period of August 7, 1940, through July 25, 1947, and".] Amendment 2 would delete the language between

"during" and "and", and insert "World War II". Thus line 14 would read, "Territorial Guard during World War II and", followed by subparagraphs (A) through (C). Representative Green explained that this way, there would be no problem with dates.

REPRESENTATIVE MURKOWSKI asked whether it would be left open for the individual to establish that [the service] was during World War II.

REPRESENTATIVE GREEN affirmed that, noting that [the DMVA] would take the person's word for it anyway, as Ms. Carroll had said.

CHAIR CHENAULT asked whether there was any objection. There being no objection, Amendment 2 was adopted.

Number 2206

CHAIR CHENAULT asked whether this will really increase the number of applicants; he remarked, however, that he didn't really care if it did.

MS. CARROLL answered that she doesn't believe it will increase the number of people who will apply. She added, "Whether or not they were there on September 14 instead of September 16, really, the purpose is to honor the people that did that and don't have a high school diploma and want one."

Number 2235

REPRESENTATIVE MURKOWSKI asked what the diploma will look like, and whether it will be a regular state diploma.

MS. CARROLL said she thought it would be [a regular state diploma], although she hadn't seen what the Department of Education [and Early Development] is going to do. "They do tell me, though, that it's not going to cost them any more than what they already have available," she added.

REPRESENTATIVE MURKOWSKI suggested perhaps the department could "spiffy it up a little bit" because these folks have waited this long.

Number 2289

REPRESENTATIVE GREEN pointed out that because of Amendment 2, subsections (3) and (4) would have to be renumbered.

Number 2298

REPRESENTATIVE GREEN made a motion to move CSHB 98 [version 22-GH1011\C, Ford, 2/17/01, as amended], out of committee with individual recommendations and the zero fiscal note.

REPRESENTATIVE MURKOWSKI indicated there may be concern by veterans of more recent wars about being excluded. She suggested that this bill honors World War II veterans in recognition of Alaska's involvement in that war.

CHAIR CHENAULT asked whether there was any objection to moving the bill from committee. There being no objection, CSHB 98(MLV) was moved from the House Special Committee on Military and Veterans' Affairs.

ADJOURNMENT

Number 2368

There being no further business before the committee, the House Special Committee on Military and Veterans' Affairs meeting was adjourned at 4:25 p.m.