

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

May 12, 2003

5:19 p.m.

MEMBERS PRESENT

Representative Bob Lynn, Chair
Representative Beverly Masek, Vice Chair
Representative Nancy Dahlstrom
Representative Hugh Fate
Representative Sharon Cissna
Representative Max Gruenberg

MEMBERS ABSENT

Representative Bruce Weyhrauch

COMMITTEE CALENDAR

SENATE BILL NO. 146

"An Act relating to a commemorative veterans' license plate; and providing for an effective date."

- MOVED SB 146 OUT OF COMMITTEE

HOUSE BILL NO. 287

"An Act relating to waiver of permanent fund dividend application requirements in a time of national military emergency; and providing for an effective date."

- MOVED HB 287 OUT OF COMMITTEE

SENATE BILL NO. 148

"An Act relating to allowable absences for certain members of the armed forces and their spouses and dependents for purposes of eligibility for permanent fund dividends; and providing for an effective date."

- MOVED SB 148 OUT OF COMMITTEE

HOUSE BILL NO. 185

"An Act changing the name of the Department of Military and Veterans' Affairs to the Department of Military and Veterans' Affairs and Homeland Security; and providing for an effective date."

- HEARD BUT NOT SCHEDULED

PREVIOUS ACTION

BILL: SB 146

SHORT TITLE: COMMEMORATIVE VETERANS LICENSE PLATE

SPONSOR(S): SENATOR(S) GUESS

Jrn-Date	Jrn-Page		Action
03/17/03	0517	(S)	READ THE FIRST TIME - REFERRALS
03/17/03	0517	(S)	STA, FIN
04/03/03		(S)	STA AT 3:30 PM BUTROVICH 205
04/03/03		(S)	-- Location Change --
04/08/03		(S)	STA AT 3:30 PM BELTZ 211
04/08/03		(S)	Moved Out of Committee
04/08/03		(S)	MINUTE(STA)
04/09/03	0764	(S)	STA RPT 4DP
04/09/03	0764	(S)	DP: STEVENS G, COWDERY, DYSON, GUESS
04/09/03	0764	(S)	FN1: (ADM)
04/29/03		(S)	FIN AT 9:00 AM SENATE FINANCE 532
04/29/03		(S)	Heard & Held
04/29/03		(S)	MINUTE(FIN)
04/30/03	1045	(S)	FIN RPT 3DP 2NR
04/30/03	1045	(S)	DP: WILKEN, TAYLOR, OLSON;
04/30/03	1045	(S)	NR: GREEN, BUNDE
04/30/03	1045	(S)	FN1: (ADM)
04/30/03		(S)	FIN AT 9:00 AM SENATE FINANCE 532
05/02/03	1104	(S)	RULES TO CALENDAR 5/2/03
05/02/03	1104	(S)	READ THE SECOND TIME
05/02/03	1104	(S)	ADVANCED TO THIRD READING UNAN CONSENT
05/02/03	1105	(S)	READ THE THIRD TIME SB 146
05/02/03	1105	(S)	COSPONSOR(S): WILKEN, DYSON, STEVENS G,
05/02/03	1105	(S)	FRENCH, LINCOLN, WAGONER, SEEKINS,
05/02/03	1105	(S)	ELTON, TAYLOR, COWDERY, OLSON,
05/02/03	1105	(S)	THERRIAULT
05/02/03	1105	(S)	PASSED Y19 N- E1
05/02/03	1105	(S)	EFFECTIVE DATE(S) SAME AS PASSAGE
05/02/03	1114	(S)	TRANSMITTED TO (H)

05/02/03	1114	(S)	VERSION: SB 146
05/05/03	1305	(H)	READ THE FIRST TIME - REFERRALS
05/05/03	1305	(H)	MLV, STA
05/05/03	1333	(H)	CROSS SPONSOR(S): LYNN, MCGUIRE
05/12/03		(H)	MLV AT 5:15 PM CAPITOL 17

BILL: HB 287

SHORT TITLE:WAIVE SOME PFD REQUIREMENTS FOR MILITARY
SPONSOR(S): REPRESENTATIVE(S)DAHLSTROM

Jrn-Date	Jrn-Page		Action
04/25/03	1128	(H)	READ THE FIRST TIME - REFERRALS
04/25/03	1128	(H)	MLV, FIN
05/02/03	1290	(H)	COSPONSOR(S): LYNN
05/12/03		(H)	MLV AT 5:15 PM CAPITOL 17

BILL: SB 148

SHORT TITLE:PFD: ALLOWABLE ABSENCE FOR MILITARY SVC
SPONSOR(S): SENATOR(S) COWDERY

Jrn-Date	Jrn-Page		Action
03/18/03	0534	(S)	READ THE FIRST TIME - REFERRALS
03/18/03	0534	(S)	STA, FIN
04/03/03		(S)	STA AT 3:30 PM BUTROVICH 205
04/03/03		(S)	-- Location Change --
04/03/03		(S)	MINUTE(STA)
04/08/03		(S)	STA AT 3:30 PM BELTZ 211
04/08/03		(S)	Moved Out of Committee
04/08/03		(S)	MINUTE(STA)
04/09/03	0764	(S)	STA RPT 4DP
04/09/03	0764	(S)	DP: STEVENS G, COWDERY, DYSON, GUESS
04/09/03	0764	(S)	FN1: (REV)
04/17/03		(S)	FIN AT 9:00 AM SENATE FINANCE 532
04/17/03		(S)	Heard & Held
04/17/03		(S)	MINUTE(FIN)
05/01/03	1073	(S)	FIN RPT 2DP 5NR
05/01/03	1073	(S)	NR: GREEN, WILKEN, HOFFMAN, OLSON,
05/01/03	1073	(S)	BUNDE; DP: STEVENS B, TAYLOR
05/01/03	1073	(S)	FN1: (REV)
05/01/03		(S)	FIN AT 9:00 AM SENATE FINANCE

			532
05/01/03		(S)	Moved Out of Committee
05/01/03		(S)	MINUTE(FIN)
05/03/03	1129	(S)	RULES TO CALENDAR 5/3/2003
05/03/03	1129	(S)	READ THE SECOND TIME
05/03/03	1129	(S)	ADVANCED TO THIRD READING 5/4 CALENDAR
05/04/03	1144	(S)	READ THE THIRD TIME SB 148
05/04/03	1144	(S)	PASSED Y14 N- E5 A1
05/04/03	1144	(S)	EFFECTIVE DATE(S) SAME AS PASSAGE
05/04/03	1144	(S)	ELTON NOTICE OF RECONSIDERATION
05/05/03	1162	(S)	RECONSIDERATION NOT TAKEN UP
05/05/03	1164	(S)	TRANSMITTED TO (H)
05/05/03	1164	(S)	VERSION: SB 148
05/06/03	1343	(H)	READ THE FIRST TIME - REFERRALS
05/06/03	1343	(H)	MLV, FIN
05/07/03	1438	(H)	CROSS SPONSOR(S): LYNN
05/12/03		(H)	MLV AT 5:15 PM CAPITOL 17

WITNESS REGISTER

SENATOR GRETCHEN GUESS
Alaska State Legislature
Juneau, Alaska
POSITION STATEMENT: Testified as sponsor of SB 146.

ROBIN PHILLIPS, Staff
to Representative Nancy Dahlstrom
Alaska State Legislature
Juneau, Alaska
POSITION STATEMENT: Answered questions pertaining to HB 287,
which was sponsored by Representative Dahlstrom.

SHARON BARTON, Director
Permanent Fund Dividend Division
Department of Revenue
Juneau, Alaska
POSITION STATEMENT: Answered questions on HB 287.

ANNETTE SKIBINSKI, Staff
to Senator John Cowdery
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented SB 148 on behalf of Senator Cowdery, sponsor.

JOHN CRAMER, Director
Administrative Services Division
Department of Military & Veterans' Affairs (DMVA)
Juneau, Alaska

POSITION STATEMENT: Offered to work with members on HB 185 over the interim.

ACTION NARRATIVE

TAPE 03-9, SIDE A

Number 0001

[Chair Lynn announced that he was adjourning the recessed 5/1/03 meeting, which had never reconvened.]

CHAIR BOB LYNN called the House Special Committee on Military and Veterans' Affairs meeting to order at 5:19 p.m. Representatives Lynn, Dahlstrom, Fate, Cissna, and Gruenberg were present at the call to order. Representative Masek arrived as the meeting was in progress.

SB 146-COMMEMORATIVE VETERANS LICENSE PLATE

CHAIR LYNN announced that the first order of business would be SENATE BILL NO. 146, "An Act relating to a commemorative veterans' license plate; and providing for an effective date."

Number 0068

SENATOR GRETCHEN GUESS, Alaska State Legislature, sponsor of SB 146, explained that Alaska is one of the few states without a commemorative license plate for veterans. Right now, there is a license plate that veterans only may purchase; however, any Alaskan may purchase the plates proposed in SB 146 in support of veterans. She said the bill is structured similar to the children's trust, with a \$100 purchase fee for the plates. In addition, there is a \$35 fee for renewal. Those monies would be available for the legislature to appropriate for veterans' services, which is the intent. She said there has been no opposition to the legislation and that the Division of Motor Vehicles (DMV) has no problem with it. Furthermore, it generates money, and any costs would be covered by the fee.

Number 0162

REPRESENTATIVE FATE moved to report SB 146 out of committee with individual recommendations and the accompanying fiscal note. There being no objection, SB 146 was reported from the House Special Committee on Military and Veterans' Affairs.

HB 287-WAIVE SOME PFD REQUIREMENTS FOR MILITARY

CHAIR LYNN announced that the next order of business would be HOUSE BILL NO. 287, "An Act relating to waiver of permanent fund dividend application requirements in a time of national military emergency; and providing for an effective date."

Number 0289

REPRESENTATIVE DAHLSTROM, sponsor of HB 287, explained that statutes allow the commissioner of revenue to waive certain eligibility requirements for the permanent fund dividend (PFD) for a member of the U.S. armed forces during a time of national emergency. The bill corrects an oversight in filing by authorizing the commissioner to approve an extension of the filing date to a military member who is "assigned in support of the condition causing the national emergency." She noted that this year's filing period was during the same timeframe in which military personnel were called to duty. She offered her belief that allowing Alaska's service people ample time to file for the [PFD] is "the least that we can do."

Number 0351

REPRESENTATIVE GRUENBERG asked what AS 43.23.005(a)(4) and AS 43.23.011 do. [He began to look them up.]

Number 0409

ROBIN PHILLIPS, Staff to Representative Nancy Dahlstrom, Alaska State Legislature, noted that AS 43.23.005(a)(4) reads, "has been physically present in the state for at least 72 consecutive hours at some time during the prior two years before the current dividend year".

REPRESENTATIVE GRUENBERG said AS 43.23.011 defines the application period and states that filing must occur between January 2 and March 31. He asked whether the waiver is during the period of the emergency.

REPRESENTATIVE DAHLSTROM affirmed that.

REPRESENTATIVE GRUENBERG asked whether it is the sponsor's intent, after the military emergency is over, that the person must come back [to Alaska] for the 72 hours.

REPRESENTATIVE DAHLSTROM replied, "At some point, yes."

REPRESENTATIVE GRUENBERG noted that the language doesn't say when; he suggested a person could, therefore, legitimately claim to have forever to come back. He proposed perhaps specifying a certain period of time during which the person must fulfill the 72-hour requirement. Referring to the language that says a person must apply between January 2 and March 31, he also suggested the need to have the person apply within a certain period of time after the national emergency ends.

REPRESENTATIVE DAHLSTROM said she thinks it's a valid point. In response to Chair Lynn, she affirmed that she would entertain a friendly amendment. She requested that Ms. Phillips respond.

Number 0621

MS. PHILLIPS said the bill doesn't touch the part about 72 hours, which already is in statute. The bill simply allows the commissioner to waive the application period. This year, January 2 to March 31 was during a time of national military [engagement]; she said this asks the commissioner to waive that as well.

REPRESENTATIVE GRUENBERG asked to hear from the department.

Number 0673

SHARON BARTON, Director, Permanent Fund Dividend Division, Department of Revenue, told members:

We've been administering this section for some time now with respect to national emergencies and interpret it to mean that if ... during a dividend year the person was on active duty during a national emergency for that ... dividend year, these provisions would be waived. So I don't see that we would have a problem ... with it being an indefinite ending. If, in the next dividend year, ... the national emergency was still in place, then we would waive it again.

Number 0714

REPRESENTATIVE GRUENBERG posed a situation in which fighting occurs beyond March 31 but then ends during the dividend year. He asked by when a person would have to apply, as it has been interpreted.

MS. BARTON said she'd have to get back with an answer. She added, "I believe that we would allow them a reasonable length of time to get their application in for that dividend year."

REPRESENTATIVE GRUENBERG asked, "And you don't need that in statute to say that."

MS. BARTON said she didn't think so.

CHAIR LYNN asked whether there were further questions; none were offered.

Number 0768

REPRESENTATIVE MASEK moved to report HB 287 out of committee with individual recommendations and the accompanying fiscal note; she requested unanimous consent. There being no objection, HB 287 was reported from the House Special Committee on Military and Veterans' Affairs.

SB 148-PFD: ALLOWABLE ABSENCE FOR MILITARY SVC

CHAIR LYNN announced that the final order of business would be SENATE BILL NO. 148, "An Act relating to allowable absences for certain members of the armed forces and their spouses and dependents for purposes of eligibility for permanent fund dividends; and providing for an effective date."

Number 0811

ANNETTE SKIBINSKI, Staff to Senator John Cowdery, Alaska State Legislature, presented SB 148 on behalf of Senator Cowdery, sponsor. She said this corrects what Senator Cowdery believes to be an oversight. A constituent who was activated on September 11 [2001] in the Navy reserves was deployed for 10 months; he has been an Alaskan resident for 20 years. When the constituent returned from duty, he went to California for two months and was denied his dividend. However, [nonmilitary residents] can be gone from Alaska for up to 180 days and still receive a dividend. Thus the bill corrects the amount of time

such a person is allowed to be gone [in addition to time absent during military duty].

CHAIR LYNN asked whether there were questions; none were offered.

Number 0902

REPRESENTATIVE MASEK moved to report SB 148 out of committee with individual recommendations and the accompanying fiscal note; she requested unanimous consent. There being no objection, SB 148 was reported from the House Special Committee on Military and Veterans' Affairs.

HB 185-RENAMING DEPT. MILITARY/VETERANS AFFAIRS

Number 0940

CHAIR LYNN asked John Cramer to speak briefly to the committee about HB 185. [The bill had been heard previously, and a proposed committee substitute had been adopted on 5/1/03.]

Number 0949

JOHN CRAMER, Director, Administrative Services Division, Department of Military & Veterans' Affairs (DMVA), informed members that the department would like to work during the interim with members and other committees to which HB 185 might be referred, to make sure that issues and concerns are answered to everyone's satisfaction.

CHAIR LYNN requested that members contact Mr. Cramer or himself if there are questions. [End of discussion of HB 185.]

ADJOURNMENT

There being no further business before the committee, the House Special Committee on Military and Veterans' Affairs meeting was adjourned at 5:34 p.m.