

ALASKA STATE LEGISLATURE
HOUSE SPECIAL COMMITTEE ON EDUCATION

February 14, 2006

11:07 a.m.

MEMBERS PRESENT

Representative Mark Neuman, Chair
Representative Carl Gatto
Representative Bob Lynn
Representative Bill Thomas
Representative Peggy Wilson
Representative Les Gara
Representative Woodie Salmon

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 387

"An Act providing for a partial tuition waiver for families of members of the Alaska National Guard; and directing the executive director of the Alaska Commission on Postsecondary Education to seek additional funding to support tuition waivers."

- MOVED CSHB 387(EDU) OUT OF COMMITTEE

HOUSE BILL NO. 412

"An Act relating to the waiver of undergraduate expenses for a spouse or dependent of a deceased resident peace officer or member of the armed services or fire department."

- MOVED HB 412 OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 387

SHORT TITLE: TUITION WAIVER FOR NATIONAL GUARD FAMILY

SPONSOR(S): REPRESENTATIVE(S) THOMAS

01/20/06	(H)	READ THE FIRST TIME - REFERRALS
01/20/06	(H)	EDU, HES, FIN
02/14/06	(H)	EDU AT 11:00 AM CAPITOL 106

BILL: HB 412

SHORT TITLE: TUITION WAIVERS:MILITARY/POLICE/FIRE

SPONSOR(S): REPRESENTATIVE(S) RAMRAS

01/30/06 (H) READ THE FIRST TIME - REFERRALS
01/30/06 (H) EDU, HES, FIN
02/14/06 (H) EDU AT 11:00 AM CAPITOL 106

WITNESS REGISTER

KACI SCHROEDER-HOTCH, Staff
to Representative Bill Thomas
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented HB 387 on behalf of
Representative Thomas, prime sponsor.

AMANDA NORRIS, Intern
to Representative Eric Croft
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented HB 387 on behalf of
Representative Croft, co-sponsor.

MARY GOWER, Manager of Student Services
University of Alaska Statewide
Fairbanks, Alaska

POSITION STATEMENT: Provided information on the University of
Alaska's fiscal note for HB 387.

REPRESENTATIVE ERIC CROFT
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: As co-sponsor, provided information on the
tuition waiver portion of HB 387.

SARAH GILBERTSON, Legislative Liaison
Office of the Commissioner
Alaska Department of Fish & Game (ADF&G)
Juneau, Alaska

POSITION STATEMENT: Provided a comparison on the differences
between Governor Frank Murkowski's two bills and HB 387 and
their effect on ADF&G.

RODGER MORRISON, Sergeant First Class
Alaska Army National Guard
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 387.

DIANE BARRANS, Executive Director

Alaska Commission on Postsecondary Education (ACPE)

Department of Education and Early Development (EED)

POSITION STATEMENT: Clarified ACPE's fiscal involvement with HB 387.

REPRESENTATIVE JAY RAMRAS

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: As sponsor, testified in support of HB 412.

ACTION NARRATIVE

CHAIR MARK NEUMAN called the House Special Committee on Education meeting to order at [11:07:22 AM](#). Representatives Neuman, Lynn, Thomas, and Wilson were present at the call to order. Representatives Gatto, Gara, and Salmon arrived as the meeting was in progress.

HB 387-TUITION WAIVER FOR NATIONAL GUARD FAMILY

[11:07:31 AM](#)

CHAIR NEUMAN announced that the first order of business would be HOUSE BILL NO. 387, "An Act providing for a partial tuition waiver for families of members of the Alaska National Guard; and directing the executive director of the Alaska Commission on Postsecondary Education to seek additional funding to support tuition waivers."

[11:08:11 AM](#)

REPRESENTATIVE THOMAS moved to adopt the committee substitute (CS) for HB 387, labeled 24-LS1323\I, Mischel, 2/9/06, as the working document. There being no objection, Version I was before the committee.

REPRESENTATIVE THOMAS moved to adopt [Amendment 1], labeled 24-LS1323/I.2, Mischel, 2/14/06, which read:

Page 1, lines 2 - 3:

Delete "executive director of the Alaska
Commission on Postsecondary Education"

Insert "Department of Military and Veterans'
Affairs"

Page 1, line 9:

Delete "A"

Insert "The Department of Military and Veterans' Affairs shall establish a program for partial tuition waivers entitling a"

Page 1, line 10:

Delete "is entitled to a waiver and assistance"

Insert "to a waiver"

Page 1, line 13, through page 2, line 1:

Delete "executive director of the commission"

Insert "adjutant general of the Department of Military and Veterans' Affairs"

Page 2, line 2:

Delete "AS 14.43.085, 14.43.087, and AS 26.05.296"

Insert "AS 14.43.087 and AS 26.05.296"

Page 2, line 3:

Delete "executive director"

Insert "adjutant general of the Department of Military and Veterans' Affairs"

There being no objection, Amendment 1 was adopted.

[11:09:06 AM](#)

KACI SCHROEDER-HOTCH, Staff to Representative Bill Thomas, Alaska State Legislature, explained that Version I is the same as the original bill except that it adds a new section allowing all members of the Alaska National Guard to obtain free hunting and fishing licenses. She related that Representative Croft's office worked on the education portion of the bill and Representative Thomas's office worked on the hunting and fishing portion of the bill.

[11:10:00 AM](#)

AMANDA NORRIS, Intern to Representative Eric Croft, Alaska State Legislature, explained that the general purpose of the bill is to support the Alaska National Guard and its families by providing them with an education. She said that there are tuition assistance programs already in place; however, these programs are not fully funded by the state and "guardsmen are

getting turned away every year and not getting the funding they need to continue their education." Additionally, the bill adds a 50 percent tuition waiver for the dependents of the Alaska National Guard members, she explained, to acknowledge the families' efforts in supporting and caring for enlisted loved ones.

CHAIR NEUMAN asked if there is a required minimum grade point average that will continue to be in place with the tuition assistance portion of the bill.

MS. NORRIS said the bill states, "a student in good standing", which is defined in law as a 2.0 [grade point average ("GPA")]. She confirmed, in answer to a question by Chair Neuman, that it's similar to a [Federal] PELL Grant [requirement].

CHAIR NEUMAN, in noting that there currently are about 3,600 guard members, asked how many students or dependents this [legislation] would affect.

MS. NORRIS explained that the only way to determine this would be to send out a survey to every guard member; however, the return rates on this kind of survey are not good.

[11:13:32 AM](#)

REPRESENTATIVE WILSON observed that two zero fiscal notes were included, though neither of them "from the departments that would be noticing a difference." The University [of Alaska], she said, has a zero fiscal note because 50 percent of the money would come from Alaska Commission on Postsecondary Education (ACPE); however she noted there was no fiscal note from either the [ACPE] or ADF&G.

MS. SCHROEDER-HOTCH said that although a fiscal note was requested from ADF&G, there might not have been sufficient advance notice to have one prepared in time for the meeting.

REPRESENTATIVE WILSON restated her question regarding the fiscal notes. She pointed out that the university provided a zero fiscal note with an analysis stating that the bill would have no fiscal impact on the university assuming that the ACPE continued to fund 50 percent of the tuition waivers for eligible National Guard [family] members as it currently does. Given this fact, Representative Wilson suggested that "maybe they wouldn't expect any more"

[11:14:58 AM](#)

MARY GOWER, Manager of Student Services, University of Alaska Statewide, explained that [Amendment 1] changes HB 387 such that the Department of Military & Veterans' Affairs (DMVA) is to establish a program for partial tuition waivers. Since the payment would not be coming from the university but instead from DMVA, there is a zero fiscal impact for the university. She suggested that since the change [in funding source] from ACPE to DMVA was made shortly before the meeting, perhaps there wasn't sufficient time to make necessary changes to fiscal notes.

[11:15:49 AM](#)

REPRESENTATIVE THOMAS, speaking as the sponsor of HB 387 and in remembering his combat experience in Vietnam, remarked that this is the first time the National Guard has been deployed to a combat zone in Iraq which might be a disincentive for those considering enlisting with the National Guard. He expressed his belief that this bill would serve as a needed incentive in recruiting, in advancing the families' educations, and "being able to go out and get peace and quiet by hunting or fishing and get a little solitude." He opined that Governor Murkowski's bill also includes good language, but, "I think he didn't go far enough" by not including the incentives for fishing and hunting as offered in Version I.

[11:17:51 AM](#)

REPRESENTATIVE ERIC CROFT, Alaska State Legislature, expressed his belief that it's important to "honor our National Guard soldiers and their families who are doing a very difficult job for us."

REPRESENTATIVE LYNN expressed his support of the bill noting that "it's almost a breach of contract" when those enlisting in the National Guard, expecting certain benefits, find there is no money to go to college.

REPRESENTATIVE WILSON opined that the bill additionally serves as a commitment to the families who "gave up so much" and "helps them keep their minds off some of the things that they're worrying about all the time."

[11:19:29 AM](#)

SARAH GILBERTSON, Legislative Liaison, Office of the Commissioner, Alaska Department of Fish & Game (ADF&G), said she has not seen Version I and thus could not speak on behalf of the administration for the entire bill. She referred to Governor Frank Murkowski's two bills, HB 451 and SB 286, which give complimentary hunting and fishing licenses to those National Guard troops returning from combat overseas. She noted that an estimated return of 300 troops annually would cost ADF&G about \$5,000 per year. She then remarked on the two main differences between Representative Thomas's bill and the governor's two bills, one of which deals with the intent of the legislation. Whereas the governor's bills hope to acknowledge and reward those who have served overseas, she explained, the intent behind Representative Thomas's bill is more one of a recruiting measure. A further difference would be the expense of providing complimentary hunting and fishing licenses to all active Alaska National Guard members as specified in Representative Thomas's bill. She offered her understanding that this benefit would cost ADF&G "\$18,000 to \$20,000" annually. She concluded by remarking that it's "really a policy call on behalf of this committee, on behalf of the legislature" to determine whether it wants to use this as a recruiting measure or to honor those returning from combat, as well as a consideration of the amount of loss to ADF&G's budget.

REPRESENTATIVE THOMAS opined that the benefit of providing the complimentary sports licenses should be given "upfront" when it is more certain that members of the Alaska National Guards can fully enjoy the activities because they may be unable to do so should they return from service with physical limitations.

[11:23:53 AM](#)

RODGER MORRISON, Sergeant First Class, Alaska Army National Guard, said that in his position as a recruiter, the complimentary licenses would serve as a reward as well as a recruiting tool. He noted that such is used in other states as well. He said he agreed with Representative Thomas that these licenses should be available to guard members before they are deployed, and added that many National Guard members will never be deployed and thus will never receive this reward. Addressing the educational component of the bill, he informed the committee that ensuring 100 percent tuition coverage to all guard members is important. Additionally, he highlighted that providing partial tuition waivers for guard members' families is equally important in acknowledging and rewarding those, particularly spouses, for their part in solely managing the home front, for

often lengthy periods of time, while guard members are away. He opined that spouses play a very important part in the decision as to whether guard members stay enlisted, and therefore the tuition waivers could help sway their decisions and make it worth their while.

CHAIR NEUMAN expressed his thanks to Sergeant Morrison for his service to the country.

[11:28:47 AM](#)

REPRESENTATIVE GATTO asked Sergeant Morrison if the Alaska National Guard is currently meeting its recruitment goals and how that compares to pre-Iraq recruitment goals.

SERGEANT MORRISON said that whereas recruitment is down since the war in Iraq began, "we are meeting our goals [nationwide] as of right now." He informed the committee that the National Guard recruiters are trying "to build it back up with new incentives" In further response to Representative Gatto, he said that although he wasn't recruiting prior to the war in Iraq, he noted that [meeting recruitment goals] has "been a struggle every year."

CHAIR NEUMAN opined that it was "safe to say that you could use the extra tools if you had it in your bag."

[11:30:45 AM](#)

REPRESENTATIVE SALMON recalled that about 10 years ago the Alaska Natives in the National Guard were being discriminated against because they weren't being advanced in rank. He asked Sergeant Morrison to address this as well as whether the enlistment of Alaska Natives is decreasing.

SERGEANT MORRISON, referring to his eight years of service in Kotzebue, said he never observed lower recruitment numbers for Alaska Natives. He also stated that "I've enlisted more Alaska Natives in Southeast than I have anybody else." Additionally, he remarked that he has never seen incidences of discrimination against Alaska Native National Guard or Air National Guard members, and opined that everyone is given equal opportunity. He noted that there is an Alaska Scout Waiver for Alaska Natives which gives them the "opportunity to come on board."

REPRESENTATIVE SALMON recalled that in the 1960's, the National Guard consisted of many Alaska Natives, and asked whether that trend continues.

SERGEANT MORRISON said this trend still applies in outlying areas such as Bethel. Although the numbers are high, the Alaska National Guard continues to raise the number of recruited Alaska Natives. He said that may not be apparent in Anchorage where those recruited primarily come from outside the state with the desire to move to Alaska.

REPRESENTATIVE LYNN opined that this bill is about tuition waivers and "has nothing to do with alleged discrimination or non-discrimination."

[11:34:00 AM](#)

REPRESENTATIVE GARA thanked Sergeant Morrison for his service and asked whether being an active duty guard means "you have a chance of being deployed or are there active duty members who know that they wouldn't ever be deployed?"

SERGEANT MORRISON clarified that being in the Active Guard Reserve (AGR) means "you are a full-time National Guard [member] ... and you can be deployed any time" However, the Ground Missile Defense (GMD) in Delta Junction is an example of a nondeployable unit, which is run solely by the AGR. In further response to questions by Representative Gara, he said there are a few other nondeployable [units] in Anchorage as well. He explained that a traditional guard member serves 1 weekend a month, 2 weeks out of the year for 39 days total and whenever "you get activated or mobilized, that means you go active duty at that point on." Those activated and deployed for 14 to 16 months, then return to their civilian jobs and show up 1 weekend a month and 2 weeks out of the year.

REPRESENTATIVE GARA said that he would want the family members of the [traditional] guard member who returned from deployment to Iraq to still qualify for the 50 percent tuition waiver upon the member's return. He questioned whether the current language of the bill allows this, or does it mean that the family members only qualify for the tuition waiver while the guard member is deployed but end upon the member's return. He suggested that the bill might need revising to ensure adequate coverage.

[11:36:44 AM](#)

REPRESENTATIVE CROFT, referring to page 1, lines 11-12, said that he copied the language that was used in the original bill. He asked Sergeant Morrison whether the term "active" refers only to those who are deployed.

SERGEANT MORRISON said that as long as a guard member is in good standing, shows up for the one weekend a month and the annual training, and is accruing points toward retirement, that is what "I consider an active guard [member]" In response to further questions by Representative Croft, he explained that there are also full-time positions performed daily by the Active Guard Reserves.

REPRESENTATIVE CROFT said although the current language accomplishes the desired purpose, he would double-check.

REPRESENTATIVE GARA asked whether the bill intends to extend the benefit to family members of part-time guard members who are not deployed as well as those who are full-time active.

REPRESENTATIVE THOMAS explained that the intent is "to take care of them because they don't know if [they'll be] sent over again." He pointed out that in the 1960's although not everybody went to Vietnam, "they" were still recognized as Vietnam era [veterans]. In response to Representative Gara's suggestion, Representative Thomas said [he would review] the statutes to ensure that the word "active" provides the intended coverage.

SERGEANT MORRISON, in response to Representative Salmon's question as to how many National Guard are in the State of Alaska, said that the Air National Guard and the Army National Guard have approximately the same numbers which would be about 1,850 on both sides.

[11:39:53 AM](#)

DIANE BARRANS, Executive Director, Alaska Commission on Postsecondary Education, Department of Education and Early Development (EED), said that the adoption of Version I would essentially resolve the technical issue that she had raised with the sponsor's staff. However, referring to an observation made earlier by Representative Wilson on the fiscal note, she said she wanted to make it clear that the tuition waiver program is not one "we administer, not under our statutory purview, and we have never funded this program."

REPRESENTATIVE GATTO informed the committee that he serves on the commission with Ms. Barrans and commented on what an "outstanding director" she is.

REPRESENTATIVE WILSON inquired from where the funds would be generated if the bill as written is passed.

MS. BARRANS said that it was her understanding that the appropriation of funds for Version I would occur through the DMVA. She estimated that the room and board expenses combined with the 50 percent tuition benefit would be about \$15,000 per year based on a standard budget at the University of Alaska.

[11:42:33 AM](#)

CHAIR NEUMAN determined there was no further public testimony.

[11:42:57 AM](#)

REPRESENTATIVE GARA related that although he supports the bill, he is considering a conceptual amendment that would extend the benefit of tuition assistance to foster children as well. He noted that foster children are not an organized interest group that are able to contact the legislature but rather "a silent, large segment of the population" and that "there's nobody here demanding that foster children be added to this bill or that a similar benefit be provided to them." He opined that they are "born with less privilege, less opportunity, and less chance than almost anybody else in society" and are another group [the state] has an obligation to support.

CHAIR NEUMAN questioned how germane the conceptual amendment is to the Alaska National Guard. He informed the committee of legislation regarding foster children, which the House Special Committee on Education would address at future meetings.

REPRESENTATIVE GARA said that if he has a commitment from this committee to discuss the issue of tuition assistance to foster kids, then he would not need to attach his conceptual amendment to the bill. He noted that at five weeks into the session, the opportunity to discuss it had not presented itself.

[11:46:59 AM](#)

REPRESENTATIVE GARA [moved to adopt Conceptual Amendment 2], which read as follows [original punctuation provided]:

Insert a new section to read:

The benefits provided in Sec. 14.43.087 of this bill shall also be provided to foster care children and children who have been released after age 17 from the foster care system.

A foster care child is defined as an individual ordered committed to the custody of the department under AS 47.10.080(c) or AS 47.12.120(b)(3), is placed in a foster home, and is otherwise eligible under AS 14.43.465(b).

[11:47:05 AM](#)

REPRESENTATIVE THOMAS objected.

REPRESENTATIVE WILSON asked whether Amendment 2 pertains to those currently in foster care or would it also include those previously in foster care.

REPRESENTATIVE GARA explained that it would cover those now in foster care and those released after age 17 from foster care. He said he does not have totals for either group.

REPRESENTATIVE WILSON said she supports Representative Gara in philosophy; however, the bill already adds a \$15,000 per year expense and she does not want to jeopardize the bill by adding the unknown expense of providing the tuition benefit to foster children.

REPRESENTATIVE GARA opined that there are many different groups deserving assistance and that the "problem we have right now is we have a very underfunded university financial aid system [which should be providing] financial aid to anybody who needs it." He relayed that findings from a recent university report show that "we're about \$3 million short in that system" and "we provide the least amount of money per capita of any other state to help people go to college." He informed the committee that there is proposed legislation to address this.

REPRESENTATIVE GARA withdrew Conceptual Amendment 2.

REPRESENTATIVE GATTO asked Representative Gara whether his statement regarding Alaska's low ranking in providing financial support to students included the money made available through the student loan program.

REPRESENTATIVE GARA said that he believed the national statistics on needs-based financial assistance referred to grant money and that Alaska provides less grant money than any other state in the country. He expressed his appreciation of the needs-based financial aid system the university recently implemented, though opined that "we could do a lot better."

[11:49:58 AM](#)

REPRESENTATIVE CROFT, in response to earlier questions by Representative Wilson regarding funding, said that similar questions were asked of DMVA when preparing the legislation and that there is explanatory documentation in the committee packets. He noted, in particular, the numbers corresponding with fiscal year 2006 (FY06) when guard members were turned away from tuition reimbursement. He clarified that the FY06 numbers are only indicative of half this present fiscal year and that the "200 number" [of guard members applying for tuition waivers] is more likely to be 400 to 500 guard members by the end of the fiscal year, with an annual program cost of about \$400,000. He explained that the zero fiscal note is more an indication that DMVA intends to maintain the current program and wants to "fund it ... but there's been this under funding and they didn't know whether they should come up with a supplemental or just cut [guard members] off [mid-year]." He opined that the intent [of this legislation] is to ensure that the program is adequately funded. Regarding the 50 percent tuition waiver for guard member spouses, he said that it is harder to estimate the numbers of those wishing to participate in the program and therefore difficult to prepare an adequate fiscal note. He surmised that if there are 400 guard members enrolling, then perhaps one could estimate the enrollment of about 200 spouses and then apply the 50 percent tuition cost to that number.

REPRESENTATIVE WILSON, in regard to the 26 guard members denied tuition reimbursement so far this year due to a lack of funding by \$29,500, asked how the program can be adequately funded even with passage of the bill.

REPRESENTATIVE CROFT relayed that the department would initially estimate the number of those eligible and interested in the service and then determine the amount, perhaps \$300,000 to \$400,000 a year, that it would take to accommodate the program. He said, "A department like that ... can either have the understanding that they cut off the program when the money is gone, or the understanding that they serve the qualified

applicants who come before them and [then] come back to [the legislature] for that money." The intent of the bill is to ensure that every eligible guard member receives this benefit, and it was worded to ensure that "we're going to estimate [program funding] the best we can, but we want it fully funded and we want you to come back and get the money for it."

REPRESENTATIVE WILSON, upon noting that she is working on three finance subcommittee budgets and that there are four supplemental budgets this year, asked Representative Croft if she was correct in her understanding that the intent of the bill is to have [DMVA] pay the tuition fees regardless of available funds, and then submit a supplemental budget to the legislature at the end of the year.

REPRESENTATIVE CROFT said this is correct and remarked that he did "not like the size of this year's supplemental budget either" though expressed his hope that the budget process would provide the funding necessary to cover what is actually paid. He also noted that the Alaska National Guard is "a pretty well-defined population; it's hard to pretend that you're a guard member if you're not." Where [eligibility fraud] may be a problem for some programs, he expressed doubt that it would be in this case.

REPRESENTATIVE WILSON expressed her belief that although she is concerned from where the funding will originate, "it's a good bill" and noted that the House Finance Committee could address the funding issue.

[11:55:47 AM](#)

REPRESENTATIVE SALMON asked for ADF&G's opinion providing free hunting and fishing licenses.

MS. GILBERTSON, referring to her earlier explanation, said that the two main differences between Governor Murkowski's bill and HB 387, concern the intent and the fiscal notes. The governor's bill would cost ADF&G roughly \$5,000 annually and HB 387 would cost the department between \$18,000 and \$20,000, she explained. Furthermore, the governor's bill would limit the complimentary hunting and fishing licenses to only those who served in combat whereas HB 387 provides the complimentary licenses to all Alaska National Guard members, she explained. In response to Chair Neuman's question regarding whether ADF&G supports HB 387 or not, she remarked, "We support the language that's in the governor's bill, however we are very excited to see that

Representative Thomas and the committee are very interested in similar language."

[11:57:31 AM](#)

REPRESENTATIVE GATTO, in response to Representative Lynn, commented on the similarity of this bill to the Government Issue (GI) Bill following World War II, and asked whether the latter had expired.

REPRESENTATIVE LYNN confirmed that the GI Bill, which supported his college education and carried him halfway toward his masters degree, had expired. He explained that it was basically a voucher system.

REPRESENTATIVE GATTO opined that HB 387 "seems like a resumption" of the (GI) Bill [and referred to it as] the "Alaska GI Bill."

[11:58:41 AM](#)

CHAIR NEUMAN determined there was no further testimony.

[11:58:56 AM](#)

REPRESENTATIVE THOMAS moved to report CSHB 387, Version 24-LS1323\I, Mischel, 2/9/06, as amended, out of committee with individual recommendations and the accompanying fiscal notes.

[11:59:13 AM](#)

REPRESENTATIVE SALMON objected. He expressed that the education portion of the bill seems "great," however, adding the section offering free hunting and fishing licenses seems irrelevant to education and would additionally be "stressing our resources in Alaska."

REPRESENTATIVE GARA opined that the extra cost of adding in free hunting and fishing licenses to those guard members before and after being deployed is minimal and worth it.

REPRESENTATIVE SALMON maintained his objection.

[12:00:56 PM](#)

A roll call vote was taken. Representatives Wilson, Gatto, Lynn, Thomas, Gara, and Neuman voted in favor of reporting CSHB

387, Version 24-LS1323\I, Mischel, 2/9/06, as amended, out of committee. Representative Salmon voted against it. Therefore, CSHB 387(EDU) was reported out of the House Special Committee on Education by a vote of 6-1.

The committee took an at-ease from 12:02 p.m. to 12:03 p.m.

HB 412-TUITION WAIVERS:MILITARY/POLICE/FIRE

12:03:10 PM

CHAIR NEUMAN announced that the final order of business would be HOUSE BILL NO. 412, "An Act relating to the waiver of undergraduate expenses for a spouse or dependent of a deceased resident peace officer or member of the armed services or fire department."

12:03:19 PM

REPRESENTATIVE JAY RAMRAS, Alaska State Legislature, speaking as sponsor of HB 412, said that he represents District 10 in Fairbanks, 55 percent of which are from Fort Wainwright where 3,800 are active duty military that are presently deployed to Iraq as part of the Stryker Brigade [Combat Team]." He noted the recent loss of four Alaska National Guard members and highlighted the benefit HB 412 would provide to the [spouses or dependents of deceased peace officers, members of the armed services, or fire department] in not only waiving undergraduate expenses for tuition [as currently provided] but covering room and board as well. He said he would address his concerns with the fiscal note upon request.

12:05:30 PM

REPRESENTATIVE GATTO referred to language on page 1, lines 13-14 and page 2, line 1, which says, "who died from an act arising out of and in the course of employment as a peace officer or a fire fighter" and asked whether a fatal heart attack suffered by someone in one of those professions while hunting on vacation could be claimed as a result of employment. He said that "this is the kind of situation that came up in the fire department at great length about what is [specifically] covered" and is referred to as the heart-lung clause: "if indeed you are in Plan 1 then the heart-lung clause applied until you died, if you're in Plan 2, it applied for seven years, and in Plan 3 it may not have applied at all."

REPRESENTATIVE RAMRAS informed the committee that HB 412 adds only seven words - "and on-campus room and board costs" - to the existing statute, AS 14.43.085. Referring to the section of the bill that Representative Gatto questioned, he said he "doesn't care to take issue with the balance of the language in the statute" and that his primary concern is fulfilling a benefit for [the families] of those who "give their life to this country when we are at war" by adding those seven words.

[12:07:42 PM](#)

REPRESENTATIVE GATTO opined that the bill is not just seven words and that the entire bill should be considered. He said he wants to know exactly what Representative Ramras' intent is when adding a line that increases the benefits for a group by \$10,000 per person. He said that he thinks it's a great idea, but if existing language is being used in the current bill, he would like knowing how it may have affected the qualification of some people and not others.

REPRESENTATIVE RAMRAS said he only has an opinion on the seven words inserted on line 7, Section 1.

REPRESENTATIVE GATTO, referring to page 2, line 2, asked whether it was necessary to address volunteer fire fighters separately from any other fire fighter.

REPRESENTATIVE RAMRAS reiterated that he does not have an opinion about that above fulfilling the promise of the benefit to primarily "active duty military and National Guard [members]." He said he is "trying to speak on behalf of 3,800 deployed soldiers from the Stryker Brigade who are in harm's way every single day"

CHAIR NEUMAN reminded the committee that the majority of [HB 412] is already in statute.

[12:10:15 PM](#)

REPRESENTATIVE THOMAS asked whether it would be possible to extend the tuition benefits to include the "significant others" of those who died in service.

REPRESENTATIVE RAMRAS expressed his belief that this bill is "very appropriately and very narrowly defined" and does not extend to "promises or the intent of marriage." He then expressed his concern regarding the fiscal note and his

reluctance to have it expanded to provide [benefits to significant others] as well.

REPRESENTATIVE THOMAS stated that he had "no problem" with the fiscal note and that anyone serving in the line of duty "deserves anything they can get." However, he said that he was still sympathetic to the "significant other" and suggested that perhaps the legislature could determine a way to include this group as well.

[12:12:18 PM](#)

REPRESENTATIVE WILSON opined that including on-campus room and board costs would be a significant benefit to those who lost their spouse in the line of service and find themselves alone supporting children. She said she "likes this bill."

REPRESENTATIVE GARA, in response to Representative Thomas's point on including nonfamily members, suggested having a needs-based financial aid system available to everyone who wants to go to college or to a vocational school. To the sponsor, he asked why children who lost a parent in other professions shouldn't receive a similar benefit.

[12:14:40 PM](#)

REPRESENTATIVE RAMRAS opined that Representative Gara's question is not germane to this bill, which is "about well over 4,000 ... Alaskan soldiers who are presently deployed to Iraq who are putting themselves ... in harm's way every day." He said he doesn't want the bill "distracted by a lot of other issues." He informed the committee that the casualty rate in Iraq is estimated between 3 and 6 percent and because of the nature of the Stryker Brigade mission, Alaska casualties will be on the higher end of that range. He explained that this could mean, at 6 percent of the approximately 4,000 deployed soldiers, 240 men or women would be wounded or killed in action. He further noted that Alaska has had over 80 wounded people at Fort Wainwright since the deployment last August and there have been several who have died since.

REPRESENTATIVE LYNN opined that he did not wish the bill to be diverted by addressing "significant others" and that it should address "legally recognized relationships" only.

[12:17:19 PM](#)

REPRESENTATIVE WILSON moved to report HB 412 out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, HB 412 was reported from the House Special Committee on Education.

[12:17:31 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Special Committee on Education meeting was adjourned at 12:17 p.m.