

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

February 9, 2006

1:11 p.m.

MEMBERS PRESENT

Representative Bob Lynn, Chair
Representative Jim Elkins
Representative Bill Thomas
Representative Sharon Cissna
Representative Max Gruenberg

MEMBERS ABSENT

Representative Lesil McGuire
Representative Nancy Dahlstrom

COMMITTEE CALENDAR

HOUSE BILL NO. 354

"An Act relating to qualifications of the adjutant general; and providing for an effective date."

- MOVED CSHB 354(MLV) OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 354

SHORT TITLE: QUALIFICATIONS OF ADJUTANT GENERAL

SPONSOR(S): MILITARY & VETERANS' AFFAIRS

01/09/06	(H)	READ THE FIRST TIME - REFERRALS
01/09/06	(H)	MLV, STA
01/19/06	(H)	MLV AT 1:00 PM CAPITOL 124
01/19/06	(H)	Bill Postponed
02/09/06	(H)	MLV AT 1:00 PM CAPITOL 124

WITNESS REGISTER

LIEUTENANT COLONEL MIKE BRIDGES, President
Alaska National Guard Officers Association
Anchorage, Alaska

POSITION STATEMENT: Testified as to the reasoning behind HB354.

ACTION NARRATIVE

CHAIR BOB LYNN called the House Special Committee on Military and Veterans' Affairs meeting to order at [1:11:07 PM](#). Representatives Lynn, Elkins, Thomas, and Cissna were present at the call to order. Representative Gruenberg arrived as the meeting was in progress.

HB 354-QUALIFICATIONS OF ADJUTANT GENERAL

[1:11:19 PM](#)

CHAIR LYNN announced that the only order of business would be HOUSE BILL NO. 354, "An Act relating to qualifications of the adjutant general; and providing for an effective date."

[1:11:37 PM](#)

CHAIR LYNN informed the committee that he had consulted with Department of Military & Veterans' Affairs (DMVA) administrators and based on their suggestions had an amendment to offer.

[1:11:50 PM](#)

CHAIR LYNN moved that the committee adopt Conceptual Amendment 1, as follows:

Page 1, line 12;
Delete "shall"
Insert "should"

Page 1, line 12;
Delete "and give preference to"

[1:12:23 PM](#)

REPRESENTATIVE LYNN clarified that the new version would read: "the governor should consider persons with at least five years' service in the Alaska National Guard or Alaska Air National Guard."

REPRESENTATIVE ELKINS commented that he liked "shall" more than "should".

[1:12:44 PM](#)

REPRESENTATIVE CISSNA inquired as to the reasoning behind the DMVA requesting "should" as opposed to "shall".

CHAIR LYNN explained that the concern was in regard to the separation of authority between the legislature and the [governor]; the legislature would potentially be dictating how [the governor] appoints the adjutant general.

[1:13:29 PM](#)

REPRESENTATIVE ELKINS opined that if [line 12 of HB 354] reads "should", the governor wouldn't be able to appoint whomever he/she desired. Therefore, maintaining "shall" allows the governor to appoint whomever he/she desires.

REPRESENTATIVE ELKINS objected to adopting Conceptual Amendment 1.

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A roll call vote was taken. Representatives Thomas, Cissna, and Lynn voted in favor of Conceptual Amendment 1. Representative Elkins voted against it. Therefore, Conceptual Amendment 1 was adopted by a vote of 3-1.

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CHAIR LYNN explained that the purpose of [HB 354] is to ensure that Alaska has an adjutant general who is knowledgeable about Alaska. Currently, the governor of Alaska is free to appoint any citizen of Alaska, without other qualifications to be the adjutant general. This legislation attempts to remedy that situation by recognizing additional guidelines for appointees because the nature of the job requires substantial experience and understanding of military operations in general, and the Alaska National Guard/Alaska Air Guard, in particular. He opined that an Alaska adjutant general should be selected from a cadre of professional Alaska officers who go through the military educational process with active duty military.

[1:15:18 PM](#)

LIEUTENANT COLONEL MIKE BRIDGES, President, Alaska National Guard Officers Association, remarked that the National Guard is unique among the military services because it serves two unique audiences. The National Guard serves both the federal government/commander in chief when "federalized" as well as the active component of the U.S. Army and U.S. Air Force, which provide the majority of its [resources]. He noted that depending on funding and [resources], the National Guard is

federally obligated to be equivalent in training, experience, and capabilities to its active component peers.

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LIEUTENANT COLONEL BRIDGES stated that the aforementioned is a major component of the [Alaska National Guard's] request that the Alaska adjutant general be federally recognized as a general officer. When the Alaska adjutant general is beyond Alaska borders, it is important that he/she is equivalent in standing to active duty general officers and adjutant generals of other states, who are federally recognized as general officers. He noted that if the Alaska adjutant general is not federally recognized as a general officer, there is a significant difference in his/her standing.

[1:17:29 PM](#)

LIEUTENANT COLONEL BRIDGES explained that in regard to the National Guard, Alaska is unique in that it has unique criteria, conditions, population, demographics, and emergency situations. He opined that it would take a long time for a general officer from the Lower 48 to become knowledgeable about Alaska. He opined that the Alaska National Guard Officer Core has grown/will grow "high quality" [officers] and they should be looked at first for adjutant general.

[1:18:45 PM](#)

CHAIR LYNN, upon determining that no one else wished to testify, announced the closure of public testimony.

[1:18:51 PM](#)

REPRESENTATIVE ELKINS opined that [HB 354] is a good bill, except for the "should".

[1:18:56 PM](#)

REPRESENTATIVE CISSNA added that the only problem she foresees is the [Alaska National Guard] not having enough [officers to select from for the adjutant general position]. She suggested that the committee hear testimony on that particular issue in order to ensure that it isn't making it difficult to fill [the adjutant general] position.

[1:19:29 PM](#)

CHAIR LYNN reiterated that he had talked with the [DMVA] administration.

[1:20:00 PM](#)

REPRESENTATIVE THOMAS added that a general officer who is originally from and/or enlisted in Alaska should be eligible for the Alaska adjutant general position.

REPRESENTATIVE CISSNA surmised then that enlistment in Alaska should be an alternative to five years of [service in the Alaska National Guard or Alaska Air National Guard].

CHAIR LYNN, attempting to clarify, stated that the adjutant general could be an Alaska resident, knowledgeable about Alaska, who served outside of Alaska. He then reiterated that HB 354 doesn't require that the governor [appoint a general officer with at least five years of service in the Alaska National Guard or Alaska Air National Guard to fill the adjutant general position].

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REPRESENTATIVE THOMAS opined that retired Alaska residents should be eligible for the [Alaska] adjutant general [position].

REPRESENTATIVE CISSNA inquired as to whether the committee would be able to make [Representative Thomas' suggestion] a conceptual amendment.

CHAIR LYNN responded that he didn't think such was necessary.

[1:22:43 PM](#)

REPRESENTATIVE THOMAS moved that the committee adopt Conceptual Amendment 2, as follows:

Page 1, line 14;

Insert ", or began their regular service enlistment in Alaska."

There being no objection, Conceptual Amendment 2 was adopted.

[1:24:26 PM](#)

REPRESENTATIVE CISSNA moved to report HB 354, as amended, out of committee with individual recommendations and the accompanying fiscal notes.

[1:24:58 PM](#)

REPRESENTATIVE GRUENBERG asked whether there's a need for an immediate effective date.

CHAIR LYNN responded that he was unaware of a reason.

REPRESENTATIVE GRUENBERG remarked that he doesn't generally favor [effective dates], unless there's a need [for them].

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REPRESENTATIVE CISSNA withdrew her motion.

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REPRESENTATIVE GRUENBERG added that typically, laws don't take effect until 90 days after the governor signs them, unless there's a reason for an immediate effective date, which requires passage by a two-thirds majority.

LIEUTENANT COLONEL BRIDGES informed the committee that there isn't a specific reason for an immediate effective date.

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REPRESENTATIVE GRUENBERG moved that the committee adopt Amendment 3, which would delete the immediate effective date, thus deleting Section 2. There being no objection, Conceptual Amendment 3 was adopted.

[1:26:28 PM](#)

REPRESENTATIVE CISSNA renewed her earlier motion to report HB 354, as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 354(MLV) was reported out of the House Special Committee on Military and Veterans' Affairs.

There was discussion regarding potential legislation, including a specialized license plate for the Civil Air Patrol (CAP) as well as appropriation/federal funding for the CAP.

1:28:56 PM

ADJOURNMENT

There being no further business before the committee, the House Special Committee on Military and Veterans' Affairs meeting was adjourned at 1:28 p.m.