

**ALASKA STATE LEGISLATURE**  
**HOUSE STATE AFFAIRS STANDING COMMITTEE**

March 18, 2008  
8:00 a.m.

**MEMBERS PRESENT**

Representative Bob Lynn, Chair  
Representative Bob Roses, Vice Chair  
Representative John Coghill  
Representative Kyle Johansen  
Representative Craig Johnson  
Representative Andrea Doll  
Representative Max Gruenberg

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

CS FOR SENATE CONCURRENT RESOLUTION NO. 15(SED)  
Proposing amendments to the Uniform Rules of the Alaska State  
Legislature relating to standing committees.

- MOVED HCS CSSCR 15(STA) OUT OF COMMITTEE

HOUSE BILL NO. 44

"An Act relating to information from veterans on the permanent  
fund dividend application form."

- MOVED CSHB 44(STA) OUT OF COMMITTEE

HOUSE BILL NO. 266

"An Act relating to the approval and administration of child  
care services by the Department of Administration primarily for  
the benefit of state officers and employees; and providing for  
an effective date."

- SCHEDULED BUT NOT HEARD

HOUSE BILL NO. 353

"An Act relating to the blocking of certain Internet sites at  
public libraries and to library assistance grants."

- BILL HEARING RESCHEDULED TO 3/20/08

**PREVIOUS COMMITTEE ACTION**

BILL: SCR 15

SHORT TITLE: AMEND UNIFORM RULES: STANDING COMMITTEES

SPONSOR(S): SENATOR(S) STEVENS BY REQUEST OF JT LEG EDUCATION  
FUNDING TASK FORCE

01/18/08 (S) READ THE FIRST TIME - REFERRALS  
01/18/08 (S) SED, STA  
01/30/08 (S) SED RPT CS 2DP 1DNP 1NR 1AM NEW  
TITLE  
01/30/08 (S) DP: STEVENS, OLSON  
01/30/08 (S) DNP: HUGGINS  
01/30/08 (S) NR: WILKEN  
01/30/08 (S) AM: DAVIS  
01/30/08 (S) SED AT 8:00 AM BUTROVICH 205  
01/30/08 (S) Moved CSSCR 15(SED) Out of Committee  
01/30/08 (S) MINUTE(SED)  
02/14/08 (S) STA AT 9:00 AM BELTZ 211  
02/14/08 (S) Moved CSSCR 15(SED) Out of Committee  
02/14/08 (S) MINUTE(STA)  
02/15/08 (S) STA RPT CS(SED) 3DP 2NR  
02/15/08 (S) DP: MCGUIRE, FRENCH, STEVENS  
02/15/08 (S) NR: GREEN, BUNDE  
03/03/08 (S) BEFORE THE SENATE ON FINAL PASSAGE  
03/03/08 (S) TRANSMITTED TO (H)  
03/03/08 (S) VERSION: CSSCR 15(SED)  
03/04/08 (H) READ THE FIRST TIME - REFERRALS  
03/04/08 (H) STA, RLS  
03/18/08 (H) STA AT 8:00 AM CAPITOL 106

BILL: HB 44

SHORT TITLE: VETERAN INFO ON PFD APPLICATIONS

SPONSOR(S): REPRESENTATIVE(S) GUTTENBERG, DAHLSTROM, KERTTULA

01/16/07 (H) PREFILE RELEASED 1/5/07  
01/16/07 (H) READ THE FIRST TIME - REFERRALS  
01/16/07 (H) MLV, STA  
02/26/08 (H) MLV AT 1:00 PM BARNES 124  
02/26/08 (H) Moved CSHB 44(MLV) Out of Committee  
02/26/08 (H) MINUTE(MLV)  
02/29/08 (H) MLV RPT CS(MLV) 5DP 1AM  
02/29/08 (H) DP: LEDOUX, FAIRCLOUGH, DAHLSTROM,  
BUCH, ROSES  
02/29/08 (H) AM: KAWASAKI  
02/29/08 (H) FIN REFERRAL ADDED AFTER STA  
03/18/08 (H) STA AT 8:00 AM CAPITOL 106

**WITNESS REGISTER**

TIM LAMPKIN, Staff  
Senator Gary Stevens  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Presented SCR 15 on behalf of Senator Stevens, sponsor by request of the Joint Legislative Education Funding Task Force.

REPRESENTATIVE DAVID GUTTENBERG  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Presented HB 44 as prime sponsor.

TOM BAIRD  
Vietnam Veterans of America Chapter 903;  
Alaskan Republican Party District 15  
Wasilla, Alaska

**POSITION STATEMENT:** Testified in during the hearing on HB 44.

MAURICE BAILEY, Founder  
Veterans Aviation Outreach (VAO)  
(No address provided)

**POSITION STATEMENT:** Testified during the hearing on HB 44.

DAVE GLENN  
Vietnam Veterans of America Chapter 903  
Wasilla, Alaska

**POSITION STATEMENT:** Testified during the hearing on HB 44.

McHUGH PIERRE, Director of Communications, Legislative Liaison  
Office of the Commissioner/Adjutant General  
Department of Military & Veterans' Affairs (DMVA)

**POSITION STATEMENT:** Answered questions during the hearing on HB 44.

**ACTION NARRATIVE**

**CHAIR BOB LYNN** called the House State Affairs Standing Committee meeting to order at [8:00:54 AM](#). Representatives Roses, Coghill, Johnson, Doll, and Lynn were present at the call to order. Representatives Johansen and Gruenberg arrived as the meeting was in progress.

SCR 15-AMEND UNIFORM RULES: STANDING COMMITTEES

8:02:10 AM

CHAIR LYNN announced that the first order of business was CS FOR SENATE CONCURRENT RESOLUTION NO. 15(SED), Proposing amendments to the Uniform Rules of the Alaska State Legislature relating to standing committees.

8:02:13 AM

TIM LAMPKIN, Staff, Senator Gary Stevens, Alaska State Legislature, presented SCR 15 on behalf of Senator Stevens, sponsor by request of the Joint Legislative Education Funding Task Force. The proposed resolution, he explained, would set up a standing committee to address issues related to education in the state. He noted that Alaska is one of only three states in the Union that does not presently have a [standing] committee for education, and he said there is a spread sheet in the committee packet that supports that statement.

8:03:08 AM

MR. LAMPKIN, in response to a question from Representative Roses, explained that there are a number of Senators who are convinced that the proposed standing education committees for both houses will be cumbersome and will not work, and thus are responsible for adding a sunset clause so that [on "the first day of the First Regular Session of the Twenty-Eighth Alaska State Legislature"] the new standing education committees would be "reabsorbed" by the House Health, Education and Social Services Standing Committee and the Senate Health, Education and Social Services Standing Committee. In response to a question from Chair Lynn, he proffered that the decision of committee members as to whether that sunset should be in the bill would most likely be determined based on whether or not they think the idea of creating separate education standing committees is a good one.

REPRESENTATIVE COGHILL stated that he agrees with the proposed sunset, because there are so many areas where education, social service, and health policies intertwine, and it is important to "keep some of those things in context." Furthermore, he said most of health and social service policies, as broad as they are, really center on about four or five different topics, while education policy "is generally settled in the funding process."

8:06:07 AM

REPRESENTATIVE DOLL stated that she does not think the sunset is needed. She said she thinks it is important to separate issues of education from those of health and social services.

[8:06:36 AM](#)

REPRESENTATIVE JOHNSON said he agrees with Representative Coghill that education policy is "centered around funding," and he expressed his hope that the committee would "start centering education around results." He stated, "So, I see this as being an opportunity for us to take that next step that we need to take to bring in the home schooling and to do the other things, and to pay the type of attention we need to, to hold the schools accountable for the money that we've been spending all these years."

MR. LAMPKIN offered his understanding that the purpose of the Joint Legislative Education Funding Task Force in creating a standing education committee was to separate the fiscal conversations from discussions of policy.

[8:08:00 AM](#)

REPRESENTATIVE ROSES, as a member of the Joint Legislative Education Funding Task Force, confirmed that typically, about the only thing discussed regarding education is funding. He added, "And by having worked to try to put a multiple-year funding mechanism in place, to where those conversations didn't have to be constantly revisited every year, we felt like creating a standing education committee would allow us to have some more substantive conversations about addressing the concerns that people have ...." He mentioned getting students to the point where they can compete on a global scale and concerns regarding the university's graduation system. He said this is his second year serving on the House Health, Education and Social Services Standing Committee, and the bills heard in that committee run 10:1, social and medical issues to education issues. He said he does not think a sunset clause is necessary, because the legislature can revisit the issue in five years and decide on its own whether or not to continue running standing education committees in both houses.

[8:10:23 AM](#)

REPRESENTATIVE ROSES moved to adopt Amendment 1, which read as follows [original punctuation provided]:

Page 2, Line 25 through Page 3, Line 30  
Delete all material

Page 3, Line 31, following "by"  
Delete: "sec. 1 of"

Page 4, Lines 1-2  
Delete all material

REPRESENTATIVE COGHILL objected for discussion purposes.

REPRESENTATIVE ROSES clarified that Amendment 1 would remove the sunset clause.

REPRESENTATIVE COGHILL removed his objection to Amendment 1, explaining that his previously expressed opinion about the sunset clause is not strongly held. There being no further objections, Amendment 1 was adopted.

[8:12:05 AM](#)

REPRESENTATIVE ROSES moved to report CSSCR 15(SED), as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, HCS CSSCR 15(STA) was reported out of the House State Affairs Standing Committee.

HB 44-VETERAN INFO ON PFD APPLICATIONS

[8:13:04 AM](#)

CHAIR LYNN announced that the last order of business was HOUSE BILL NO. 44, "An Act relating to information from veterans on the permanent fund dividend application form."

[Before the committee was CSHB 44(MLV).]

[8:13:06 AM](#)

REPRESENTATIVE DAVID GUTTENBERG, Alaska State Legislature, presented HB 44 as prime sponsor. He said the intent of the bill is to establish a way for military veterans to learn about their rights and benefits. The bill proposes that there be a box to check on the Alaska Permanent Fund Dividend (PFD) application, which would show that the applicant is a veteran. That information would then be passed on to [the Department of

Military & Veterans' Affairs (DMVA)] and made a available to service organizations. Contact could then be made to inform veterans' of changes, for example, to benefits and eligibility. The benefits that find their way to veterans would roll back into the economy, he said.

[8:14:55 AM](#)

REPRESENTATIVE ROSES directed attention to language on page 1, beginning on line 8, which read:

the department shall release information provided under this subsection to the Department of Military and Veterans' Affairs and, on request, to veterans service organizations in the state.

REPRESENTATIVE ROSES said he does not think the language clearly articulates that the intent is for the information to go to DMVA, and for any other service organization to request the information from DMVA. Instead, he continued, the language sounds as though the service organizations could request the information from the Alaska Permanent Fund Dividend Division, which is not the intention. He suggested the need to clarify that part of the bill.

REPRESENTATIVE GUTTENBERG concurred. He stated that the Alaska Permanent Fund Division does not want to do that work and furthermore is probably not the right agency to be reaching out the veterans.

[8:16:07 AM](#)

REPRESENTATIVE COGHILL asked Representative Guttenberg to confirm that the information to be released to the DMVA from the division would include only the facts regarding the applicant's military service, not the whole PFD application.

REPRESENTATIVE GUTTENBERG said he imagines that would be the case. He added that the division already has rules about what information can be released, and it is his intent that the only information given to DMVA by the division be the name of the veteran and the type and length of the veteran's service.

REPRESENTATIVE COGHILL noted that on separation from the military, a veteran is given a form called, "DD-214." He asked if that form would be "a required document in this."

REPRESENTATIVE GUTTENBERG replied that the bill does not require the form; however, DMVA might require it. He clarified that the purpose of the bill is not to establish whether or not someone is a veteran. He spoke of qualifications that exist outside of the bill to ensure that someone really is a veteran.

REPRESENTATIVE GUTTENBERG, in response to a request from Representative Coghill, restated the steps that would be taken with the veteran's information. He added that a veteran would also be able to choose not to fill in the information.

[8:19:44 AM](#)

REPRESENTATIVE GUTTENBERG, in response to Representative Doll, recollected that the catalyst for the bill may have been that he was approached by someone who thought the issue was important. He noted that, to date, he has heard from many veterans regarding the bill.

[8:20:37 AM](#)

REPRESENTATIVE JOHANSEN said his wife is a veteran who gets information in the mail and is contacted by the local office of the American Legion, and he questioned whether there is difficulty anywhere in the state in finding a list of veterans.

[8:22:01 AM](#)

REPRESENTATIVE ROSES noted that CSHB 44(MLV) includes amended language that adds the Alaska Territorial Guard. He said he agrees with Representative Johansen that there is plenty of information available regarding "regular veterans"; however, he said the House Special Committee on Military and Veterans' Affairs committee worked hard to add the Alaska Territorial Guard to the bill, because there are many who serve in the Alaska Territorial Guard who qualify for benefits but are not receiving them.

[8:23:15 AM](#)

REPRESENTATIVE GUTTENBERG said it is wonderful if every veteran in a district is registered and affiliated with one of the service organizations; however, he said he thinks that is not a "representative example." He related that his own father, a veteran of 60 years, has never been inside a service organization in his life. He said he thinks there are a lot of veterans who, for one reason or another, have not kept up to

date with what is going on in terms of services available to them.

8:25:00 AM

REPRESENTATIVE GUTTENBERG, in response to a question from Representative Doll, offered his understanding that a bill was passed several years ago that made information entered into the PFD database private; the proposed legislation would be the exception. In response to comments from Chair Lynn, he confirmed that the information the veterans would enter on the PFD application would not be made available to the public. In response to Representative Coghill, he confirmed that the proposed bill would not change the confidentiality status of the information currently required on the PFD application.

8:26:01 AM

REPRESENTATIVE GRUENBERG directed attention to a report compiled by Legislative Research Services, dated February 8, 2008, included in the committee packet, which shows that the military population in Alaska, as of December 31, 2007, totaled 26,176 and the number of veterans, [as of September 30, 2007], totaled 74,557. He said many people in active duty military about to leave the service are interested in finding out what will be available to them, and organizations are interested in contacting them. He asked if the sponsor would consider allowing active military to check the proposed box on the PFD application.

REPRESENTATIVE GUTTENBERG explained his intent through the proposed legislation is that "everybody understands and has a form of availability for all the services that are available to them"; therefore, he said Representative Gruenberg's suggestion would not be problematic.

8:27:52 AM

REPRESENTATIVE JOHNSON stated that when he first read the original bill version, he did not see any need for the legislation; however, upon seeing the addition of the Alaska Territorial Guard in the version before the committee, he has been convinced that the legislation is necessary. He said he thinks including active duty military is not necessary, because those on active duty who do not "know what's going on" have only themselves to blame. He concluded, "I think this is a veterans' bill, and I'd certainly like to see it stay that way."

[8:28:50 AM](#)

REPRESENTATIVE GRUENBERG pointed out that some people on active duty who are serving overseas have very little knowledge of upcoming services that will be available once they are off duty. He stated that he would have welcomed having this information while he was still on active duty. He restated that the veterans' organizations will probably want to contact active military personnel to let them know their rights and the availability of the organizations available to serve them, and he expressed his hope that Representative Johnson would not object to an amendment to include active military.

[8:29:36 AM](#)

CHAIR LYNN said he does not think the intent of the bill is to recruit members for organizations, but rather to explain the benefits available.

REPRESENTATIVE GUTTENBERG responded that is correct.

REPRESENTATIVE GRUENBERG explained that [including active military] would allow veterans' organizations to contact military personnel to let them know about benefits for which they may qualify.

[8:30:27 AM](#)

TOM BAIRD, Vietnam Veterans of America Chapter 903; Alaskan Republican Party District 15, noted that there are three veterans present to testify. He said, "We are pleased that HB 44 is being passed out of committee this morning."

[8:30:46 AM](#)

MAURICE BAILEY, Founder, Veterans Aviation Outreach (VAO), told the committee that VAO has four pilots that fly statewide to inform veterans of their benefits. Many veterans, he said, leave service without knowing what is available to them. He said there are currently close to 80,000 veterans in Alaska, with the influx of veterans from wars fought in Afghanistan and Iraq. He said he thinks passage of HB 44 would be a step in the right direction toward helping those who have helped Americans remain free. He thanked the committee for its "deep consideration of the passage of this bill."

[8:31:41 AM](#)

DAVE GLENN, Vietnam Veterans of America Chapter 903, shared his personal history in the military. He said he served in Vietnam, where he saw his fellow soldiers sustain grievous injury and death, and he said some of those veterans still suffer today from both mental and physical injuries sustained in combat. He said it is reported that Vietnam veterans have a 10-year shorter life span and are 5 times more susceptible to suffer illness in their senior years. He requested that the committee pass HB 44, which he said will allow members of military organizations to locate and render assistance to perhaps thousands of veterans who have been ignored by the federal government for decades. He stated that "contrary to popular belief," the federal government does not track its veterans. The information derived from HB 44 would help in locating veterans and guiding them through the process of collecting the benefits they were promised during their military service.

[8:33:11 AM](#)

REPRESENTATIVE JOHNSON asked if any of the previous testifiers would like to see active duty military personnel included with veterans as those who would be able to check off the box proposed to be put on the PFD application.

[8:33:32 AM](#)

MISTERS BAIRD, BAILEY, and GLENN answered yes.

[8:33:47 AM](#)

CHAIR LYNN closed public testimony.

[8:33:53 AM](#)

REPRESENTATIVE ROSES moved to adopt Conceptual Amendment 1, which would add "of the department" after "request" on page 1, line 10. There being no objection, Conceptual Amendment 1 was adopted.

[8:35:08 AM](#)

REPRESENTATIVE GRUENBERG asked if U.S. Merchant Marines in war time, the U.S. Coast Guard, perhaps Public Health Service, and the Philippine people who fought for the United States in World War II are included in the term "veteran."

[8:36:12 AM](#)

McHUGH PIERRE, Director of Communications Legislative Liaison, Office of the Commission/Adjutant General, responded yes. He continued:

The reason why we included Alaska Territorial Guard is because unless they have received an official discharge certificate, they are not veterans. So, that's the whole ... purpose there of achieving that discharge certificate and distributing that to the family members. The same goes for the members of the Philippines; they need to be officially discharged and acknowledged by the military - and that's other efforts that are ongoing right now.

REPRESENTATIVE GRUENBERG asked if an amendment is needed to include the aforementioned groups.

MR. PIERRE responded that the term "veteran" includes all of those members. He added, "If you feel that you're a veteran, and you check the box, we're going to make sure that we don't censor that list, but we give it to the appropriate veterans' organizations." In response to a question from Representative Gruenberg, he said the department would not object to including active military to the check-off box proposed for the PFD application.

[8:37:29 AM](#)

REPRESENTATIVE GRUENBERG moved to adopt Conceptual Amendment 2, to add "or active duty, including a reservist or National Guard".

[8:38:06 AM](#)

REPRESENTATIVE ROSES objected. He explained that improvements have been made in letting active duty military personnel know what their benefits will be when they leave, but so many benefits have been added at both the state and national level that many who are already veterans do not know about them unless they are contacted.

[8:39:26 AM](#)

REPRESENTATIVE JOHANSEN objected to Conceptual Amendment 2. He said he concurs with Representative Roses.

CHAIR LYNN asked what the harm would be in including active duty military personnel in the bill.

[8:40:40 AM](#)

REPRESENTATIVE GRUENBERG said sometimes people "don't get the word at first" and need to be told something several times. Younger people may not feel the information is important initially. He stated that he does not think it would do any harm to include active military personnel, and he emphasized that it is "very important that they know their rights."

[8:41:27 AM](#)

REPRESENTATIVE COGHILL objected to Conceptual Amendment 2. He recommended keeping the focus on veterans, rather than including the rapidly changing number of active military.

[8:42:21 AM](#)

CHAIR LYNN said he is a veteran. He observed that those who are on active duty are also veterans, because they have served - even if just for one day.

[8:42:53 AM](#)

REPRESENTATIVE ROSES said he wouldn't disagree with Chair Lynn and there will probably be many active duty military personnel who will check the box proposed to be added to the PFD application. He continued:

But the other fact of the matter is ... if this bill passes and we end up having a check box, and you don't provide it for those that are active duty military, I guarantee you that the first permanent fund dividend application that they fill out after they get out of the military they will check it, because they are a veteran then. So, by either definition, they're going to have an opportunity to self-select: those that already think they're veterans and those that will become veterans the minute that they get out and receive the next application. So, I think we've covered them no matter how you look at it ....

[8:43:42 AM](#)

REPRESENTATIVE GRUENBERG maintained his motion to adopt Conceptual Amendment 2.

REPRESENTATIVE ROSES maintained his objection.

A roll call vote was taken. Representatives Gruenberg, Doll, and Lynn voted in favor of Conceptual Amendment 2. Representatives Coghill, Johansen, Johnson, and Roses voted against it. Therefore, Conceptual Amendment 2 failed by a vote of 3-4.

[8:44:24 AM](#)

REPRESENTATIVE DOLL said she will probably support HB 44, but expressed concern about the use of the information that is gathered on the application and whether this may be a precedent for other departments and other groups wanting to also access that information. She said she thinks those who fill out PFD applications feel that that information is going to be used only for the purpose of being issued a dividend.

[8:45:08 AM](#)

REPRESENTATIVE GRUENBERG moved to report CSHB 44(MLV), [as amended], out of committee with individual recommendations [and the accompanying fiscal notes]. There being no objection, CSHB 44(STA) was reported out of the House State Affairs Standing Committee.

[8:45:58 AM](#)

CHAIR LYNN announced the upcoming committee calendar.

#### **ADJOURNMENT**

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at [8:46:29 AM](#).