

**ALASKA STATE LEGISLATURE**  
**SENATE STATE AFFAIRS STANDING COMMITTEE**

March 11, 2008  
9:21 a.m.

**MEMBERS PRESENT**

Senator Lesil McGuire, Chair  
Senator Gary Stevens, Vice Chair  
Senator Hollis French  
Senator Lyda Green  
Senator Con Bunde

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

CS FOR HOUSE BILL NO. 15(RES)

"An Act relating to participation in matters before the Board of Fisheries by members of the board and to the definition of 'immediate family member' under the Alaska Executive Branch Ethics Act as that Act applies to members of the Board of Fisheries; and providing for an effective date."

HEARD AND HELD

SENATE BILL NO. 296

"An Act relating to the crime victim compensation fund."

MOVED SB 296 OUT OF COMMITTEE

SENATE BILL NO. 278

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

MOVED SB 278 OUT OF COMMITTEE

CS FOR HOUSE BILL NO. 284(FIN)

"An Act relating to participation in certain student fellowships as an allowable absence from the state for purposes of eligibility for permanent fund dividends; and providing for an effective date."

HEARD AND HELD

**PREVIOUS COMMITTEE ACTION**

BILL: HB 15

SHORT TITLE: BOARD OF FISHERIES CONFLICTS OF INTEREST

SPONSOR(S): REPRESENTATIVE(S) REPRESENTATIVE SEATON

01/16/07 (H) PREFILE RELEASED 1/5/07  
01/16/07 (H) READ THE FIRST TIME - REFERRALS  
01/16/07 (H) FSH, RES  
03/14/07 (H) FSH AT 8:30 AM BARNES 124  
03/14/07 (H) Heard & Held  
03/14/07 (H) MINUTE(FSH)  
03/19/07 (H) FSH AT 8:30 AM BARNES 124  
03/19/07 (H) Heard & Held  
03/19/07 (H) MINUTE(FSH)  
03/21/07 (H) FSH AT 8:30 AM BARNES 124  
03/21/07 (H) Heard & Held  
03/21/07 (H) MINUTE(FSH)  
03/23/07 (H) FSH AT 8:30 AM BARNES 124  
03/23/07 (H) Moved CSHB 15(FSH) Out of Committee  
03/23/07 (H) MINUTE(FSH)  
03/27/07 (H) FSH RPT CS(FSH) 2DP 3NR 1AM  
03/27/07 (H) DP: LEDOUX, REPRESENTATIVE SEATON  
03/27/07 (H) NR: JOHNSON, HOLMES, EDGMON  
03/27/07 (H) AM: WILSON  
05/02/07 (H) RES AT 1:00 PM BARNES 124  
05/02/07 (H) Scheduled But Not Heard  
05/07/07 (H) RES AT 1:00 PM BARNES 124  
05/07/07 (H) Moved CSHB 15(RES) Out of Committee  
05/07/07 (H) MINUTE(RES)  
05/08/07 (H) RES RPT CS(RES) NT 6DP 3NR  
05/08/07 (H) DP: REPRESENTATIVE SEATON, KOHRING,  
EDGMON, WILSON, ROSES, GATTO  
05/08/07 (H) NR: GUTTENBERG, KAWASAKI, JOHNSON  
01/23/08 (H) TRANSMITTED TO (S)  
01/23/08 (H) VERSION: CSHB 15(RES)  
01/25/08 (S) READ THE FIRST TIME - REFERRALS  
01/25/08 (S) STA, RES, FIN  
02/21/08 (S) STA AT 9:00 AM BELTZ 211  
02/21/08 (S) Heard & Held  
02/21/08 (S) MINUTE(STA)  
03/11/08 (S) STA AT 9:00 AM BELTZ 211

BILL: SB 296

SHORT TITLE: CRIME VICTIM COMPENSATION FUND

SPONSOR(S): STATE AFFAIRS

02/27/08 (S) READ THE FIRST TIME - REFERRALS  
02/27/08 (S) STA, FIN  
03/04/08 (S) STA AT 9:00 AM BELTZ 211  
03/04/08 (S) Heard & Held

03/04/08 (S) MINUTE(STA)  
03/11/08 (S) STA AT 9:00 AM BELTZ 211

BILL: SB 278

SHORT TITLE: VETERAN INFO ON PFD APPLICATIONS

SPONSOR(S): SENATOR(S) WIELECHOWSKI

02/19/08 (S) READ THE FIRST TIME - REFERRALS  
02/19/08 (S) STA  
03/11/08 (S) STA AT 9:00 AM BELTZ 211

BILL: HB 284

SHORT TITLE: PFD ALLOWABLE ABSENCE: FELLOWSHIPS

SPONSOR(S): REPRESENTATIVE(S) HAWKER

01/04/08 (H) PREFILE RELEASED 1/4/08  
01/15/08 (H) READ THE FIRST TIME - REFERRALS  
01/15/08 (H) STA, FIN  
01/24/08 (H) STA RPT 4DP 1NR  
01/24/08 (H) DP: JOHANSEN, ROSES, DOLL, LYNN  
01/24/08 (H) NR: COGHILL  
01/24/08 (H) STA AT 8:00 AM CAPITOL 106  
01/24/08 (H) Moved Out of Committee  
01/24/08 (H) MINUTE(STA)  
01/30/08 (H) FIN AT 1:30 PM HOUSE FINANCE 519  
01/30/08 (H) Moved CSHB 284(FIN) Out of Committee  
01/30/08 (H) MINUTE(FIN)  
01/31/08 (H) FIN RPT CS(FIN) 5DP 4NR  
01/31/08 (H) DP: CRAWFORD, HAWKER, THOMAS, NELSON,  
CHENAULT  
01/31/08 (H) NR: GARA, STOLTZE, KELLY, MEYER  
02/13/08 (H) TRANSMITTED TO (S)  
02/13/08 (H) VERSION: CSHB 284(FIN)  
02/15/08 (S) READ THE FIRST TIME - REFERRALS  
02/15/08 (S) STA, HES  
03/11/08 (S) STA AT 9:00 AM BELTZ 211

**WITNESS REGISTER**

REPRESENTATIVE PAUL SEATON  
Alaska State Legislature  
Juneau AK

**POSITION STATEMENT:** Presented HB 15.

JIM MARCOTTE, Executive Director  
Board of Fisheries  
Juneau AK

**POSITION STATEMENT:** Answered questions regarding HB 15.

RICKY GEASE, Executive Director  
Kenai River Sport Fishing Association  
Soldotna AK

**POSITION STATEMENT:** Spoke in opposition to parts of HB 15.

SENATOR BILL WIELECHOWSKI,  
Alaska State Legislature  
Juneau AK

**POSITION STATEMENT:** Presented SB 278.

KATHERINE PUSTAY, Staff  
to Senator Wielechowski  
Alaska State Legislature

**POSITION STATEMENT:** Presented SB 278.

JERRY BURNETT, Director  
Administrative Services  
Department of Revenue (DOR)

**POSITION STATEMENT:** Answered questions regarding SB 278.

DAVID GLENN  
Vietnam Veterans of America 903  
Wasilla AK

**POSITION STATEMENT:** Spoke in favor of SB 278.

MAURICE BAILEY, President  
Veterans Aviation Outreach  
Wasilla AK

**POSITION STATEMENT:** Spoke in favor of SB 278.

RUSSELL KELL  
Vietnam Veterans of America Chapter 904  
Anchorage AK

**POSITION STATEMENT:** Spoke in favor of SB 278.

RON SIEBELS  
Military Order of the Purple Heart  
Anchorage AK

**POSITION STATEMENT:** Spoke in favor of SB 278.

TIM WHEELER, Secretary  
Alaska Veterans Business Alliance  
Anchorage AK

**POSITION STATEMENT:** Spoke in favor of SB 278.

KEVIN McGEE, President  
AFGE Local 3028  
Anchorage AK

**POSITION STATEMENT:** Spoke in favor of SB 278.

RAYMOND REYNOLDS  
American Legion Post 29  
Anchorage AK

**POSITION STATEMENT:** Spoke in favor of SB 278.

JOHN YOUMANS  
Alaska Services to Disabled Veterans Business Alliance  
Anchorage AK

**POSITION STATEMENT:** Spoke in favor of SB 278.

REPRESENTATIVE MIKE HAWKER  
Alaska State Legislature  
Juneau AK

**POSITION STATEMENT:** Presented HB 284.

#### **ACTION NARRATIVE**

**CHAIR LESIL MCGUIRE** called the Senate State Affairs Standing Committee meeting to order at [9:21:17 AM](#). Present at the call to order were Senators McGuire, French, and Bunde. Senators Stevens and Green arrived soon thereafter.

#### **SB 296-CRIME VICTIM COMPENSATION FUND**

[9:21:27 AM](#)

CHAIR MCGUIRE announced the consideration of SB 296. She said when it was heard last there was a recommendation for more direction to the Violent Crimes Compensation Board for pursuing payments, so a letter of intent was drafted.

SENATOR BUNDE moved to adopt the letter of intent. Hearing no objection, it was so ordered.

[9:22:30 AM](#)

SENATOR BUNDE moved to report SB 296, with the letter of intent, from committee with individual recommendations and attached fiscal note(s). Hearing no objection, SB 296 and the letter of intent moved from committee.

#### **HB 15-BOARD OF FISHERIES CONFLICTS OF INTEREST**

CHAIR MCGUIRE announced the consideration of HB 15. [Before the committee was CSHB 15(RES).]

[9:23:01 AM](#)

CHAIR MCGUIRE reminded the committee that Amendment 1, 25-LS0114\K.2, is before committee. She suggested a discussion about whether to incorporate the Board of Agriculture and Conservation into HB 15.

[9:24:17 AM](#)

SENATOR FRENCH said the memo from the sponsor dated 3/7/08 persuaded him [not to]. The primary function of the Board of Agriculture is authorizing loans. The majority of the board members must be involved in commercial production of agriculture, and currently the members must recuse themselves when dealing with a loan that affects a direct competitor. Access to proprietary information is integral to the loan deliberations. The amendment would allow direct competitors access to the information, which is unlike the Board of Fisheries that enacts a multitude of fishery regulations and has nothing to do with authorizing loans. That is a key difference.

SENATOR MCGUIRE noted that Senator Green had objected to Amendment 1.

SENATOR GREEN removed her objection to Amendment 1.

SENATOR MCGUIRE withdrew Amendment 1.

SENATOR BUNDE moved to adopt the Senate committee substitute (CS) to CSHB 15, labeled 25-LX0114\L, as the working document.

SENATOR FRENCH objected to ask what changed in the CS.

REPRESENTATIVE PAUL SEATON, Alaska State Legislature, explained that after the bill passed the House, some laws had changed, so now it refers to the correct citation.

[9:27:32 AM](#)

SENATOR GREEN said she is concerned because it allows those with a vested interest to deliberate. They are not recused from the discussion, only from the final vote. She asked if the bill gives them voting rights.

REPRESENTATIVE SEATON said not if they have a financial interest.

SENATOR GREEN said the fisheries board doesn't allow the public a second chance to object to what someone has said. So she will object to passing it from committee.

CHAIR MCGUIRE asked if she can offer any changes.

SENATOR GREEN said the whole purpose of bill is to allow [conflicted members] to deliberate.

REPRESENTATIVE SEATON said yes, to bring their expertise to the Board of Fish and to allow them to deliberate - but not to vote. There are two parts to the bill, and the second part narrows the definition of family.

SENATOR STEVENS pointed out that former Representative Tillion said when he was fisheries czar under Governor Hammond that the members of the board who knew about an issue couldn't participate. That's a disservice to everyone, "if you let everyone participate who knows nothing about the area." He supports the bill.

[9:30:36 AM](#)

SENATOR GREEN said it has been a long time since she has been at a Board of Fish meeting, but the discussion portion is critical and can't be refuted by anyone in the audience. If the counter position is not part of the discussion, then a balanced viewpoint can't be attained. If the board opened up the discussion again - which they're not going to do, it might be different. The board works now. If board members don't know the other side of the story on a particular issue then they can't get the information from anyone in the audience.

CHAIR MCGUIRE asked Representative Seaton if he thought about opening it again for public comment after the deliberations.

REPRESENTATIVE SEATON said this isn't meant to get into those technical details. Issues come before the board and are assigned to subcommittees for full discussion and public participation. Afterwards, the subcommittees come back and make recommendations to the board. The board takes public testimony first. It then goes into committee deliberations. When the committee is deliberating they can call an at-ease and then take questions to other people. A conflicted member leaves the room and cannot be part of the deliberation process.

[9:33:54 AM](#)

SENATOR MCGUIRE noted Senator Green's concern and asked if there is another step that can be added to allay her concerns.

JIM MARCOTTE, Executive Director, Board of Fisheries, said the board could change the steps in the meeting. It is not dictated by statute. There are three opportunities for public comment, including during sign-up.

SENATOR GREEN asked if the sign-up is directed at the agenda or does it "bring forth a fact that someone might not know?"

MR. MARCOTTE said it's open for all of the items that are before the board. During the committee process there is ample time for public involvement because there are public panel members and two or three board members in the committees. It may spend up to a day going through a list of a couple of dozen proposals. So each proposal gets a thorough review at that time. They explore compromises and amendments.

[9:36:16 AM](#)

SENATOR GREEN asked if non-members of the panel can testify.

MR. MARCOTTE replied it's primarily through the panel members, but the format is town-hall style, so members are liberal about including any discussion if someone has a burning issue or if they have expertise. It is very open at that point. Then the final public input is responding to the written committee report. The reports are presented and then there is a period of about a day or two when the public can respond. It is a common practice to catch board members in the hallways and during breaks. There is lots of opportunity for public input, but not once the board begins its final deliberations.

[9:38:03 AM](#)

SENATOR GREEN asked if the department [of fish and game] can answer questions at that time.

MR. MARCOTTE said the department is at table as staff to the board. The department, as a whole, is available to field questions. Enforcement representatives and the Department of Law are there too.

SENATOR STEVENS said he attended meetings for about five years, and it seems that everyone knew everyone else's business, including everyone's personal investments. Is it dangerous to pass this bill and give a member of the board too much power?

MR. MARCOTTE said neither the department nor the board has taken a position, but generally the board is comfortable with this. Members feel that their ability to participate has been infringed in certain instances. He doesn't think the bill is potentially harmful. This isn't a sweeping change because a conflicted member still can't vote. Allowing discussion is seen as a positive step, as is narrowing the definition of family. There are checks and balances to keep board members from being self serving. The chair can rule someone out of line, and there is the risk of getting crosswise with the public.

9:41:41 AM

SENATOR GREEN said she appreciates his comments but since neither the board nor the department has taken a stand, she considers them to be personal.

RICKY GEASE, Executive Director, Kenai River Sport Fishing Association, Soldotna, said HB 15 "does a good job in terms of the legislative stuff, because it actually lasers it in if you personally have the financial interest. I think that's a very good portion of this bill and I think that should go forward." He is concerned about allowing participation after public testimony. There is plenty of opportunity for board members who are conflicted out to talk to other board members. "But when you're in a public process and you're asking for the public to trust an unbiased opinion on a decision, and you have somebody up there with a financial interest - a personal financial interest - and you may say we're just getting information - but you can direct department staff through questioning and through the absence of questioning on certain issues - you ... make sure that your side of the argument is better represented." Board members may not see that as a problem at this point, but it will diminish the trust from user groups. Now all user groups are on equal standing - "you can say your share and you're in front of unbiased board members, and if somebody had a direct financial conflict, they're not part of that deliberation." There is trust in the process now and all the information gets out there prior to deliberation. When there isn't information, the board is good about taking a break and getting it. The goal is to ensure that when the public leaves a meeting, they feel that the process is good and unbiased, whether they like the decision or not. "But I do think you're tainting the process by putting a person in deliberation with a direct financial interest."

9:45:30 AM

SENATOR MCGUIRE held HB 15 in committee.

## SB 278-VETERAN INFO ON PFD APPLICATIONS

CHAIR MCGUIRE announced the consideration of SB 278.

[9:45:58 AM](#)

SENATOR BILL WIELECHOWSKI, Alaska State Legislature, said SB 278 helps the state and veterans groups find help for Alaska veterans. It asks applicants to the permanent fund dividend (PFD) if they are American military veterans. This will help Alaska help its veterans to access federal programs and benefits that they have earned. The bill stems from these services being underutilized. Alaska has the highest per capita number of veterans in the nation, and retirement checks and benefits contribute more than \$1 billion to the economy. The benefits include health care, burial rights, disability compensation, survivor benefits, housing loans, spousal assistance, college assistance, and vocational assistance. Only one in five veterans receives the benefits that are available. By increasing this, it will help families and it will create a significant economic boost to communities across the state. SB 278 will bring in millions of dollars from the federal government. The intent of the bill is to create a list of known veterans in the state for use by veterans groups to inform people of their entitlements.

[9:48:02 AM](#)

SENATOR GREEN noted that it is not mandatory. She asked if other states have a similar program.

KATHERINE PUSTAY, Staff to Senator Wielechowski, said she will find out.

SENATOR BUNDE asked if he is using the PFD since everyone applies for one, but wouldn't the driver's license work as well?

SENATOR WIELECHOWSKI said that's another option, but not everyone has a driver's license.

[9:49:25 AM](#)

SENATOR BUNDE said SB 278 is well-intentioned, but it could expand into a burden for the department. Will there be other expectations for mining data from the PFD application, like people who need housing assistance or health care?

JERRY BURNETT, Director, Administrative Services, Department of Revenue (DOR), explained that the PFD Division provides information to any state or federal agency on request. The difference here is that more information is requested on the

application. There is a small fiscal note for redesigning it and a little extra work. "It's not a great amount of work. I don't see that this would create any issues of the type that you're concerned about."

SENATOR BUNDE asked if a veteran's group would query the division to find the information.

[9:51:42 AM](#)

MR. BURNETT said his understanding is that the information would be provided to the Department of Military and Veterans Affairs (DMVA) in a usable format. The bill allows the PFD division to provide the information directly to veteran groups, but it will be more efficient to give it to the DMVA. The information collected will include the years of service and the branch. "It's fairly simple once it's in there."

SENATOR BUNDE asked if that information is available from the federal government.

MR. BURNETT said this bill was not his idea, but his understanding is that there is no way to know when people move to Alaska or where they are.

SENATOR BUNDE asked if a veteran's group could get that information from the federal government and this will just cut out a step for them.

MR. BURNETT said the federal government may not know addresses, because veterans are not tracked for any particular purpose.

SENATOR GREEN asked if the bill needs an effective date.

MR. BURNETT said it will go into effect 90 days after passage and be on the 2009 application for the 2008 dividend.

SENATOR STEVENS asked if the DMVA communicates with veterans. He is one but has never heard from the DMVA. Does it send out information on available benefits?

[9:54:46 AM](#)

MR. BURNETT said he isn't from DMVA so he can't answer that.

SENATOR BUNDE said some people are concerned about privacy, so would the form indicate that the check-off is optional?

MR. BURNETT said absolutely. Veteran status will not be used, in any way, for eligibility.

[9:55:53 AM](#)

DAVID GLENN, Vietnam Veterans of America 903, Wasilla, said he was sent to Vietnam 43 years ago; he spent a year in the jungle watching fellow soldiers sustain grievous injuries and death. Some still suffer today from physical and mental injuries. It's now reported that those veterans have a ten-year shorter lifespan and are five times more likely to be sick. He demands that this bill pass because thousands of these veterans have been ignored by the federal government for decades. The collected information will help locate veterans, "and we can guide them through the process of collecting the benefits promised during their military service." He expressed the view that the Department of Revenue fiscal note is ridiculously high. It is a blatant attempt to kill the bill, and he is insulted that "some bureaucrat thinks we're so dumb that we don't know what's happening." He has watched as Alaska's political process has sunk to an all-time low with bribes and felonies. He hopes the committee has the guts to start the healing process and provide encouragement to the citizens by doing the right thing for veterans. "Failure on your part to attain passage of this bill will be a tremendous mistake on your part, and will only contribute to the overall conception of what a poor job our Alaska government is doing."

[9:58:16 AM](#)

CHAIR MCGUIRE thanked him and noted his interesting style.

SENATOR BUNDE thanked him for his service and said he hopes he can disagree with him without being un-American.

MR. GLENN said he didn't accuse him of being un-American, "I accused my Alaska government of making me feel poorly about my Alaska government." He used harsh words to encourage the committee to get on the stick and get things done. It's time Alaska does something for its veterans.

CHAIR MCGUIRE clarified that the only fiscal note is from the Department of Revenue, and it is \$16,000, which is nominal. It will change the online database and application form.

The committee took a brief at-ease at [9:59:32 AM](#).

[9:59:57 AM](#)

MAURICE BAILEY, President, Veterans Aviation Outreach, Wasilla, said he was a founder of VAO and it has four airplanes and pilots for the express purpose to find veterans in villages scattered throughout Alaska who may not be aware of the available benefits. By not doing what is right for veterans, the country will end up with substandard armed forces. "We are scraping the bottom of the barrel to get recruits for our all-volunteer forces [because] of the way we treat our vets." Passing this bill is the right thing to do. Veterans aren't tracked once they leave the military. He has been flying around Alaska for the last 45 years, and many people don't know what is available and what they have coming.

[10:01:42 AM](#)

RUSSELL KELL, Vietnam Veterans of America Chapter 904, Anchorage, said allocation of money from the Veteran's Administration (VA) to Alaska is based on the number of veterans based on the census. He once worked for the VA and questioned the way veterans were counted. Many veterans won't be captured. The funding goes for medical care and preventative medical care. If someone isn't noted as a veteran and doesn't get the care, it will cost the state more. If veterans aren't identified shortly after getting out of the service, the education benefit will be of less use to them. Without preventative medical care and education, homelessness will increase. It has increased, and it will continue to do so unless the veterans are reached more quickly and effectively. It will be very difficult to obtain addresses of veterans without their signatures.

[10:04:49 AM](#)

MR. KELL said, "With what's happening with state and federal budgets, I suspect that the VA in the future is going to attempt to share this expense with the state ... and the sharing with the state is going to depend upon how many veterans are in the state." This information will be valuable to the state even if it is not released. He recommends it being on the application but said to be cautious about releasing the information. It needs to be explained to the veterans on the application. The information should be made available to all nationally chartered veterans organizations.

[10:06:25 AM](#)

SENATOR MCGUIRE noted the problem of defining who is a veteran. The bill mandates a place for an applicant to voluntarily indicate veteran status. Will there be the same problem of people not knowing if they are a veteran?

MR. KELL said a veteran is someone who is separated from active duty, but it is also a person who is on active duty but served honorably for a certain amount of time. The question could ask if someone has served honorably for a specified length of time.

SENATOR MCGUIRE asked if that would be 180 days.

MR. KELL said he believes so.

SENATOR STEVENS asked if this will impact the census.

MR. KELL said no, it will be tool to gauge the validity of the census and if the state is getting its fair due from the VA. He said some have said that the DMVA may want to minimize the impact of the numbers because it evaluates based on the total population. The total population is very important in determining how well it is doing its job and how much money comes to the state.

[10:10:11 AM](#)

SENATOR BUNDE said he's troubled by a definition that includes someone who is currently serving. How can you be a veteran and continue to serve?

MR. KELL said it is in Title 38 of the U.S. Code. Section 101 has the federal definition.

SENATOR FRENCH asked if state benefits are involved or only federal benefits. Will it cost Alaska to identify more veterans?

SENATOR WIELECHOWSKI replied that the vast majority of benefits are federal. There may be some state benefits.

CHAIR FRENCH said if there are state benefits they will be few compared to the federal benefits.

[10:12:28 AM](#)

SENATOR WIELECHOWSKI said he believes there is a tuition benefit, and there is legislation under consideration for lowering the cost of hunting licenses for active members.

SENATOR BUNDE said identifying more veterans would be win-win: veterans get services and the state gets the money. But he asked where the money will go and if there will be fights about it.

SENATOR WIELECHOWSKI said it depends on the benefit. Burial money would go to the mortuary. Education money would go to the university. VA money goes to the state.

SENATOR GREEN noted that DMVA issued a zero fiscal note.

[10:14:31 AM](#)

SENATOR STEVENS noted a state VA housing loan program that is widely used.

CHAIR MCGUIRE noted the state's definitions of a veteran. The Alaska Housing Finance Corporation defines veteran differently than Mr. Kell. Each benefit defines a veteran differently.

SENATOR BUNDE said the PFD division will need to define it. He explained that his vote on the bill won't be based on the low fiscal note nor based on obnoxious testimony.

CHAIR MCGUIRE suggested the sponsor review the inconsistent definitions of veteran. One definition includes a spouse, widow, or widower, and another is linked to war times.

SENATOR WIELECHOWSKI agreed. He doesn't want to get wrapped up on that because the legislature is acting as a conduit. If a person deems him or herself to be a veteran, they may be eligible for benefits, and the bill doesn't assess eligibility. It will just forward the names on to organizations that are out there. But he is willing to look at a definition.

[10:17:33 AM](#)

CHAIR MCGUIRE noted there is confusion as to who is a veteran.

SENATOR STEVENS said there is no connection with the amount of funds the state gets via the census.

SENATOR WIELECHOWSKI said a census decision by the federal government can be challenged. It may help to get more federal funds if a larger number of veterans were identified.

RON SIEBELS, Military Order of the Purple Heart, Anchorage, said this bill would make it possible to reach out to veterans in remote areas. His order supports SB 278. The problem in attaining benefits is at the federal level; the legislature is doing a good job at helping veterans. In his opinion a veteran status begins once his or her military contract was honored.

SENATOR MCGUIRE said his testimony is the kind that motivates.

[10:20:16 AM](#)

TIM WHEELER, Secretary, Alaska Veterans Business Alliance, Anchorage, said he makes contact with veterans throughout the state, and "you would not believe how many veterans out there don't know what benefits or information that they need to know." SB 278 will create one database so they can get updates and links to websites, a necessity to keep veterans informed.

[10:20:55 AM](#)

KEVIN MCGEE, President, AFGE Local 3028, Anchorage, said he represents bargaining unit employees who work at the VA. SB 278 will help identify Alaska's precious resource of its veterans. AFGE Local 3028 is in complete support.

RAYMOND REYNOLDS, American Legion Post 29, Anchorage, expressed support for SB 278 and anything that makes the process easier for veterans. Many people don't get identified by a census.

JOHN YOUMANS, Alaska Services to Disabled Veterans Business Alliance, Anchorage, said he worked for the VA in Anchorage for 24 years, and he knows there are many veterans who aren't aware of the benefits they're entitled to. He spoke of Vietnam veterans hiding out in the woods and not knowing what they were entitled to. A new VA hospital is being built, and he suggested using veterans as employees.

[10:24:24 AM](#)

SENATOR BUNDE asked if a veteran will be defined as being honorably discharged from the U.S. armed forces.

SENATOR WIELECHOWSKI said he won't object to that.

SENATOR BUNDE said foreign nationals serve, so you can't use the term American. He doesn't want to make an amendment on the fly, so it should be considered in its next committee.

SENATOR GREEN said the definition should coincide with the federal definition since this is for federal purposes.

SENATOR MCGUIRE ascertained that the committee was comfortable leaving the definition up to the Finance Committee.

[10:26:10 AM](#)

SENATOR FRENCH moved to report SB 278 from committee with individual recommendations and attached fiscal note(s). Hearing no objection, SB 278 moved out of committee.

**HB 284-PFD ALLOWABLE ABSENCE: FELLOWSHIPS**

[10:26:52 AM](#)

CHAIR MCGUIRE announced the consideration of HB 284. [Before the committee was CSHB 284(FIN).]

REPRESENTATIVE MIKE HAWKER, Alaska State Legislature, presented HB 284. He said it corrects a regulatory problem on allowable absences for qualifying for Alaska's permanent fund dividend (PFD). He has resisted adding allowable absences in statute, but in this case a constituent pointed out that he was denied his dividend. He was in Italy on a Fulbright Fellowship. The current exemption requires a student to be enrolled, but fellowships are endowed chairs so the enrollment process is avoided. So he wasn't "enrolled," he was occupying a fellowship chair, so he didn't qualify for a PFD. The legislative intent was for a student receiving secondary or postsecondary education on a full time basis. He took up the issue with the Department of Revenue, and it was sympathetic and asked for a fix. He suggests adding "in a student fellowship sponsored by the United States Department of Education or Department of State. That is how the Fulbright Fellowship works, he explained.

[10:30:18 AM](#)

SENATOR GREEN asked if there are other comparable programs, like the Rhodes Scholar program.

REPRESENTATIVE HAWKER said those programs do qualify now, and the Fulbright is the only program that has this problem.

SENATOR BUNDE said endowed chairs often get a salary. He asked if these are both teachers and students.

[10:32:06 AM](#)

REPRESENTATIVE HAWKER said testimony from the students indicated they were just students and were not compensated.

SENATOR GREEN asked if it is three months - "most of them were full time or 15 hours representing a nine-month stay."

REPRESENTATIVE HAWKER said the duration of fellowships can be from three months and to a year.

SENATOR GREEN noted the mention of education on a full-time basis and if that countermands Reference 16.

CHAIR MCGUIRE said she thinks it gets around "that whole web of qualification and enrollment, and simply makes a specific allowance for the fellowship."

REPRESENTATIVE HAWKER said Fulbright students are full time.

SENATOR BUNDE said if it's less than three months a person isn't disqualified for the PFD anyway.

SENATOR GREEN said she is having trouble comportsing what is in statute with the regulation that requires a student to be enrolled. She suggested a review of the language.

[10:34:54 AM](#)

SENATOR FRENCH said he wants to distribute an amendment for consideration at the next hearing.

SENATOR BUNDE asked if fellowships are assumed to be full time.

REPRESENTATIVE HAWKER said he isn't aware of any that involve part-time activity.

SENATOR FRENCH moved Amendment 1, labeled 25-LS1142\C.2, as follows:

Page 1, line 1:

Delete "**as an allowable absence**"

Insert "**and AmeriCorps programs as allowable absences**"

Page 2, line 25:

Delete "[OR](16) or (17)"

Insert "or (16) - (18)"

Page 3, line 2, following "(17)":

Insert "**servicing as a volunteer under the National and Community Service Trust Act of 1993 (AmeriCorps): (18)**"

SENATOR GREEN objected.

SENATOR FRENCH said Amendment 1 corrects an inequity in exception 14 that allows a Peace Corp volunteer to collect a PFD but not an AmeriCorps volunteer. For example, a Peace Corps volunteer could be across the river in Mexico from an AmeriCorps volunteer in Texas, and only the one in Mexico would get a PFD.

[10:37:10 AM](#)

SENATOR MCGUIRE asked for the number of people involved.

REPRESENTATIVE HAWKER said that amendment was introduced on the House floor, and there was no information on the program so it wasn't adopted. It is now a separate bill in the House.

SENATOR BUNDE asked to hear from the PFD division.

SENATOR STEVENS said he has no idea what AmeriCorps is.

SENATOR FRENCH asked the sponsor if he supports it.

REPRESENTATIVE HAWKER said he doesn't have enough information, but it should be addressed on its own merit. The public and students would be best served without the amendment at this time.

[10:39:34 AM](#)

SENATOR MCGUIRE said she will allow HB 284 to carry over to the next hearing on Thursday.

SENATOR FRENCH said he means no disrespect to the sponsor but it's a natural outgrowth of a 90-day session that requires such efficiency.

There being no further business to come before the committee, Chair McGuire adjourned the meeting at [10:40:44 AM](#).