

ALASKA STATE LEGISLATURE
SENATE STATE AFFAIRS STANDING COMMITTEE

February 10, 2009

9:08 a.m.

MEMBERS PRESENT

Senator Linda Menard, Chair
Senator Kevin Meyer, Vice Chair
Senator Hollis French
Senator Albert Kookesh
Senator Joe Paskvan

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

SENATE BILL NO. 45

"An Act relating to state employment preferences for veterans, former prisoners of war, and members of the Alaska National Guard; authorizing the Department of Military and Veterans' Affairs to establish and maintain Alaska veterans' cemeteries; establishing the Alaska veterans' cemetery fund in the general fund; and authorizing the legislature to appropriate income from fees collected for commemorative veterans' plates to the Alaska veterans' cemetery fund."

Moved CSSB 45(STA)

CONFIRMATION

Faith Peters -- State Commission for Human Rights
CONFIRMATION ADVANCED

PREVIOUS COMMITTEE ACTION

BILL: SB 45

SHORT TITLE: VETERANS' CEMETERIES/FUND/LICENSE PLATES

SPONSOR(S): SENATOR(S) HUGGINS, THERRIAULT

01/21/09	(S)	PREFILE RELEASED 1/9/09
01/21/09	(S)	READ THE FIRST TIME - REFERRALS
01/21/09	(S)	STA, L&C, FIN
02/10/09	(S)	STA AT 9:00 AM BELTZ 211

WITNESS REGISTER

CHARLIE HUGGINS, Senator
Alaska State Legislature
Juneau AK

POSITION STATEMENT: Presented SB 45 as sponsor.

GENE THERRIAULT, Senator
Alaska State Legislature
Juneau AK

POSITION STATEMENT: Presented SB 45 as sponsor.

MCHUGH PIERRE, Legislative Liaison
Department of Military and Veterans Affairs
Juneau AK

POSITION STATEMENT: Answered questions regarding SB 45.

FAITH PETERS, Nominee
Human Rights Commission
Tanana AK

POSITION STATEMENT: Spoke to her confirmation.

NICKI NEAL, Director
Personnel and Labor Relations
Department of Administration
Juneau AK

POSITION STATEMENT: Answered questions regarding SB 45.

PAT LUBY, Advocacy Director
AARP
Anchorage AK

POSITION STATEMENT: Spoke in favor of SB 45.

JOE FIELDS, Vice Chair
Alaska Veterans Advisory Council
Fairbanks AK

POSITION STATEMENT: Spoke in favor of SB 45.

ACTION NARRATIVE

CHAIR LINDA MENARD called the Senate State Affairs Committee meeting to order at 9:08 a.m. Senators French, Paskvan, Menard, Meyer, and Kookesh were present at the call to order.

[9:08:02 AM](#)

SB 45-VETERANS' CEMETERIES/FUND/LICENSE PLATES

CHAIR MENARD announced the consideration of SB 45.

SENATOR MEYER moved to adopt the committee substitute (CS) for SB 45, labeled 26-LS0277\S as a working document. Hearing no objection, version S was before the committee.

[9:10:10 AM](#)

CHARLIE HUGGINS, Senator, Alaska State Legislature, pointed out a photo of Grant Frasier, who served as a Marine in Iraq and was killed in action. His mother, Sharon Long, was present. Senator Huggins also introduced Joe Fields, an airborne trooper who has discussed the issues included in SB 45 with Senator Huggins.

SENATOR HUGGINS said there are two national veteran cemeteries in Alaska. The one in Sitka can't be expanded for much more than 10 years. There is one in Fort Richardson that may have unlimited expansion. There are more cremations now, so perhaps both have a longer life. SB 45 deals with a state cemetery whereby the state supplies the land, the federal Veteran's Administration builds it, and the state operates it. The fiscal note is \$250,000 annually for operations starting in 2012. It may be a low estimate, he said.

[9:12:37 AM](#)

SENATOR HUGGINS said that in the budget for the Department of Military & Veterans Affairs (DMVA) there is \$750,000 for the cemetery application process to the federal government. SB 45 also allows a fund from veteran license plate sales, and it expands the state's veteran hiring preference to members of the National Guard. He noted that the community of Bethel got a grant to create a local cemetery with a veteran component. But SB 45 will have the federal government build one. "It is the wave of the future." Florida, for example, is building state cemeteries at a rapid rate and can't stay ahead of the mortality rate of veterans.

[9:14:41 AM](#)

SENATOR KOOKESH asked the difference between a veteran and a prisoner of war (POW).

SENATOR HUGGINS said a person can be a prisoner of war without being in the military. In military culture, veterans who are POWs have higher stature.

[9:15:46 AM](#)

SENATOR KOOKESH asked if the bill defines a POW.

SENATOR HUGGINS said he doesn't know.

CHAIR MENARD asked if members of the National Guard can be buried in the national cemeteries.

SENATOR HUGGINS said, yes, if they are veterans.

[9:16:48 AM](#)

GENE THERRIAULT, Senator, Alaska State Legislature, said the bill doesn't define a POW, but he expects that it is defined in state regulations and in the U.S. code. In order to construct the cemetery, Section 9 requires the state to adhere to the U.S. codes with regard to who can be interred. Alaska has the highest number of veterans per capita in the nation. Of the 600,000 Alaska residents, 100,000 are veterans, and it is becoming difficult to obtain burial plots. The purpose of SB 45 is to have a veteran's cemetery in the Interior to avoid traveling 350 miles to Fort Richardson. Fairbanks has the second densest population of veterans in the state. It is centrally located and a hub for many villages. It is close to Fort Wainwright, Fort Greely, Clear Air Force Station, and Eielson Air Force Base.

[9:18:46 AM](#)

SENATOR THERRIAULT estimated that 15,000 veterans will pass away in the next 10 years in Interior Alaska. About 50 percent will seek to be buried in a veteran cemetery, and at least one family member for every two veterans will seek to be buried there as well. That means 1,125 people may be seeking burial in the next 10 years. The demand is growing across the nation.

SENATOR THERRIAULT said Section 1 of the CS allows funds from veteran license plates to be deposited yearly by the legislature into the veteran's cemetery fund. That is permissive language, and the legislature would have to make the appropriation each year. Section 2 allows the state to accept gifts to establish and maintain the cemetery. Section 3 creates the Alaska veteran cemetery fund as a subaccount in the general fund. Sections 4 through 8 deal with veteran hiring preference. The DMVA said there was an issue with the current hiring preference language that needed to be clarified. It is not an expansion of the hiring preference, but just a redrafting. Section 9 allows the DMVA to establish a veteran's cemetery according to U.S. code. The CS moved a reference to that code up to the beginning of the section. "We wanted to make it very clear that we are doing this in accordance with federal requirements" and following the federal regulations on where a veteran cemetery can be placed.

[9:22:31 AM](#)

CHAIR MENARD asked if it relates to the population.

SENATOR THERRIAULT said, yes, U.S. code speaks to how close the nearest other cemetery is and what the population is.

SENATOR KOOKESH asked if the fund will be available for the two national cemeteries and the Bethel cemetery.

[9:23:31 AM](#)

MCHUGH PIERRE, Legislative Liaison, Department of Military and Veterans Affairs, said the cemeteries in Sitka and Fort Richardson are national cemeteries with no state obligations. Both allow veterans to fully realize benefits that they have earned. The Bethel cemetery was built for veterans and nonveterans, and it does not meet the federal requirements, so veterans may not receive their full benefits if they are buried there. The Fairbanks cemetery will meet all requirements and will give veterans all of their burial benefits.

[9:25:01 AM](#)

SENATOR KOOKESH said the bill says cemeteries, not cemetery.

MR. PIERRE said there could be more in the future, but Fairbanks is the only area of the state that currently qualifies under federal rules -- and it barely qualifies. Veteran Affairs is almost making an exception for Alaska because the population is so small. But Fairbanks does exceed the 75 miles radius from any other cemetery. Veteran Affairs wants a cemetery within 75 miles of every major veteran's establishment, and Fairbanks meets that qualification, but the population is extremely low.

[9:25:51 AM](#)

CHAIR MENARD briefly set aside the bill until the end of the committee meeting.

Confirmation Hearing: Faith Peters - Human Rights Commission

[9:26:36 AM](#)

CHAIR MENARD announced the next order of business in a confirmation hearing for Faith Peters to the Human Rights Commission.

SENATOR FRENCH asked Ms. Peters to speak to what she does and why she is interested in being on the Human Rights Commission.

FAITH PETERS, Nominee, Human Rights Commission, Tanana, said she is Koyukon Athabascan and was born and raised in Tanana. She has

a 19-year-old son training for Doyon Drilling. She owns a quick-stop store. She works for the Tanana Native Council. She is the president of the Tanana City School District and the Tanana Gas Station. She is on the Tozitna Limited board. She does community activities and works with youth. She fishes in the summer and hunts moose. She was approached and asked to apply for the Human Rights Commission. She has not sat on this commission, but human rights is a big issue for many Alaska Natives.

[9:29:26 AM](#)

SENATOR FRENCH asked what she knew about the commission.

MS. PETERS said the commission meets in Anchorage this March, and there are seven board members.

SENATOR FRENCH asked who approached Ms. Peters to serve.

MS. PETERS said she forgot his name.

[9:30:39 AM](#)

SENATOR KOOKESH said he has known Ms. Peters for years. She is one of the most competent people he knows. She is honest and forthright. "If I had to pick somebody in rural Alaska to sit on the Human Rights Commission, she would be the one." He said he very rarely stands up in public to say this, but she is above reproach and will do a wonderful job for Natives and the state. And he doesn't think she is a republican.

MS. PETERS said she is honored and looks forward to working with the team. She thanked the committee.

[9:32:38 AM](#)

SENATOR MEYER moved to forward Faith Peters' name to the full body for confirmation. Hearing no objections, it was so ordered.

SB 45-VETERANS' CEMETERIES/FUND/LICENSE PLATES

[9:34:30 AM](#)

CHAIR MENARD returned attention to SB 45.

SENATOR FRENCH asked why improvements are necessary in the veteran's preference statutes.

MCHUGH PIERRE, Department of Military & Veterans Affairs, said it is not an improvement, but a clarification and a regrouping to put veteran hiring language together. There isn't one specific location in the statutes dealing with veteran hiring

preferences. It will make it more clear for personnel staff. The Alaska Veterans Advisory Council put forth this idea of consolidating "all of the issues that are on the books ... and what veterans do receive if they apply for state jobs."

[9:36:53 AM](#)

SENATOR FRENCH noted the lines being taken out on Page 6 of the bill. He asked if the language is reincorporated elsewhere.

MR. PIERRE said he can't give those details.

NICKI NEAL, Director, Personnel and Labor Relations, Department of Administration, said the way she reads the bill, it is simply clarifying the language. "Everything that's being deleted is just restated in a simpler form - more understandable."

[9:38:10 AM](#)

PAT LUBY, Advocacy Director, AARP, Anchorage, said that AARP has many veterans. One of the greatest honors given to a veteran is a final resting place in a veteran's cemetery, and families prefer one nearby. SB 45 will offer many veterans and their families that opportunity in the Interior. AARP strongly supports the bill. As a veteran himself, he personally encouraged passage of the bill.

[9:39:15 AM](#)

JOE FIELDS, Vice Chair, Alaska Veterans Advisory Council, Fairbanks, said he is speaking as a citizen. He is a Vietnam veteran. The cemetery is supported by every veteran that he has met in the past 40 years. "How it weighs against veteran services for living veterans may be a different story." Veterans have been seeking a cemetery in the Interior for a very long time. It has been a struggle to erect memorials there. "It's taken a long time to bring around a generation that generally looked fairly unfavorably on us from Vietnam." This is part of rectifying that, and it brings proper honor to veterans.

SENATOR PASKVAN said he's known Mr. Fields for 35 years, and he has worked on veteran issues that entire time. He commended him.

[9:40:58 AM](#)

SENATOR MEYER moved the committee substitute (CS) for SB 45, labeled 26-LS0277\S from committee with individual recommendations and the attached fiscal note. Hearing no objection, CSSB 45 (STA) moved out of committee.

[9:42:32 AM](#)

The committee took an at-ease.

9:43:41 AM

There being no further business to come before the committee, the Senate State Affairs meeting was adjourned at 9:43 a.m.