

ALASKA STATE LEGISLATURE
HOUSE COMMUNITY AND REGIONAL AFFAIRS STANDING COMMITTEE

April 12, 2011

8:35 a.m.

MEMBERS PRESENT

Representative Cathy Engstrom Munoz, Chair
Representative Neal Foster, Vice Chair
Representative Alan Austerman
Representative Alan Dick
Representative Dan Saddler
Representative Sharon Cissna
Representative Berta Gardner

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

SENATE BILL NO. 94

"An Act adding a second verse to the official Alaska state song."

- MOVED SB 94 OUT OF COMMITTEE

HOUSE BILL NO. 170

"An Act relating to municipal property tax exemptions on residences of certain volunteer emergency services personnel and the widows and widowers of volunteer emergency services personnel; and providing for an effective date."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: SB 94

SHORT TITLE: SECOND VERSE OF ALASKA'S STATE SONG

SPONSOR(s): SENATOR(s) DAVIS

02/25/11	(S)	READ THE FIRST TIME - REFERRALS
02/25/11	(S)	CRA, STA
03/08/11	(S)	CRA AT 3:30 PM BELTZ 105 (TSBldg)
03/08/11	(S)	Moved SB 94 Out of Committee
03/08/11	(S)	MINUTE(CRA)
03/09/11	(S)	CRA RPT 5DP

03/09/11 (S) DP: OLSON, KOOKESH, WAGONER, ELLIS,
MENARD

03/09/11 (S) FIN REFERRAL ADDED AFTER STA

03/17/11 (S) STA AT 9:00 AM BUTROVICH 205

03/17/11 (S) Heard & Held

03/17/11 (S) MINUTE(STA)

03/22/11 (S) STA AT 9:00 AM BUTROVICH 205

03/22/11 (S) Moved SB 94 Out of Committee

03/22/11 (S) MINUTE(STA)

03/23/11 (S) STA RPT 4DP 1NR

03/23/11 (S) LETTER OF INTENT WITH STA REPORT

03/23/11 (S) DP: WIELECHOWSKI, MEYER, PASKVAN,
KOOKESH

03/23/11 (S) NR: GIESSEL

03/23/11 (S) FIN REFERRAL REMOVED

03/25/11 (S) FIN REFERRAL ADDED

03/30/11 (S) FIN AT 9:00 AM SENATE FINANCE 532

03/30/11 (S) Heard & Held

03/30/11 (S) MINUTE(FIN)

04/01/11 (S) FIN RPT 7DP

04/01/11 (S) DP: HOFFMAN, STEDMAN, THOMAS, EGAN,
MCGUIRE, OLSON, ELLIS

04/01/11 (S) FIN AT 9:00 AM SENATE FINANCE 532

04/01/11 (S) Moved SB 94 Out of Committee

04/01/11 (S) MINUTE(FIN)

04/08/11 (S) TRANSMITTED TO (H)

04/08/11 (S) VERSION: SB 94

04/09/11 (H) READ THE FIRST TIME - REFERRALS

04/09/11 (H) CRA, STA

04/12/11 (H) CRA AT 8:30 AM BARNES 124

BILL: HB 170

SHORT TITLE: MUNI TAX EXEMPTION FOR CERTAIN VOLUNTEERS

SPONSOR(S): REPRESENTATIVE(S) FEIGE

02/23/11 (H) READ THE FIRST TIME - REFERRALS

02/23/11 (H) CRA, FIN

03/24/11 (H) CRA AT 8:00 AM BARNES 124

03/24/11 (H) Heard & Held

03/24/11 (H) MINUTE(CRA)

04/12/11 (H) CRA AT 8:30 AM BARNES 124

WITNESS REGISTER

SENATOR BETTYE DAVIS
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Spoke as the sponsor of SB 94.

SENATOR ALBERT KOOKESH
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Testified in support of SB 94.

PAMELA MARSH, Staff
Senator Bettye Davis
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented SB 94.

SELINA EVERSON, Elder
Alaska Native Sisterhood, Camp 70
Juneau, Alaska

POSITION STATEMENT: During hearing of SB 94, testified in support of adding a second verse to Alaska's state song.

CONNIE DAVIS
Juneau, Alaska

POSITION STATEMENT: Testified that she would appreciate the committee's full consideration of SB 94.

REPRESENTATIVE ERIC FEIGE
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Spoke as the sponsor of HB 170.

MICHAEL PASCHALL, Staff
Representative Eric Feige
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: During hearing of HB 170, answered questions.

ACTION NARRATIVE

[8:35:09 AM](#)

CHAIR CATHY ENGSTROM MUNOZ called the House Community and Regional Affairs Standing Committee meeting to order at 8:35 a.m. Representatives Austerman, Saddler, Cissna, Gardner, and Munoz were present at the call to order. Representatives Foster and Dick arrived as the meeting was in progress.

SB 94-SECOND VERSE OF ALASKA'S STATE SONG

[8:35:47 AM](#)

CHAIR MUNOZ announced that the first order of business would be SENATE BILL NO. 94, "An Act adding a second verse to the official Alaska state song."

[8:36:04 AM](#)

SENATOR BETTYE DAVIS, Alaska State Legislature, speaking as the sponsor of SB 94, reminded the committee that legislation proposing adding a second verse to Alaska's state song has been before the committee in the past. She recalled that such legislation passed a couple of times in the House, but it didn't make it through the process last year.

[8:37:14 AM](#)

SENATOR ALBERT KOOKESH, Alaska State Legislature, began by informing the committee that last year when this legislation went through the process, he purposefully didn't attend any of the committee meetings in order to avoid the perception that he was being self-serving. However, that legislation didn't go anywhere. Therefore, he decided that this year he was going to attend all committee meetings on this legislation. Senator Kookesh told the committee that for most of his adult life he has served and worked in the Alaska Native community, and thus he considers himself an Alaska Native leader. He related that he is the co-chair of the Alaska Federation of Natives (AFN), an Alaskan Native and State Senator, and a former Grand President of the Alaska Native Brotherhood. Senator Kookesh highlighted that he grew up in the Village of Angoon where he still lives today. Senator Kookesh then related his disappointment that prior legislation to add the second verse to the Alaska state song hasn't been brought to the House or Senate floor for a vote. In fact, some of the comments last year were of concern, particularly comments expressing concern that the second verse of the Alaska state song would lead [Alaska Natives] to sovereignty in the state. He also recalled comments regarding the second verse of the Alaska state song providing [Alaska Natives] the ability to develop leadership in the state. The only reference to the Alaska Native community was the term "native lad", which refers to Benny Benson, the Native boy who designed the flag. He questioned what is wrong with mentioning that Benny Benson is an Alaska Native. He also questioned why one wouldn't support the language "there be no bars among our

cultures." With regard to those who charge that the second verse can't be sung, he disagreed and recalled hearing a beautiful rendition of it in the Senate's opening ceremony this year. The second verse won't provide the Alaska Native community a step up in terms of politics, although it will in terms of saving face and recognizing the Alaska Native contribution to the state. This would be in contrast to the state seal, which has no depiction of the Alaska Native community. He questioned how unfair not having a depiction of Alaska Natives on the state seal when, at one point, Alaska Natives constituted 40 percent of the state's population. In conclusion, Senator Kookesh emphasized his support for SB 94 and for this legislation to be before the full House for a vote. Therefore, he urged the committee to forward SB 94 from committee and eventually help it get to the House floor for a vote. Senator Kookesh closed by stressing that he views the second verse of the state song with pride in terms of appreciating the contributions from Alaska Natives in the state.

[8:42:02 AM](#)

REPRESENTATIVE CISSNA related that her reason for staying in the state was a total fascination and admiration for the first Alaskans. The second verse of the Alaska state song seems to allude to the wisdom and knowledge of Alaska Natives. She then related her embarrassment that Representative Kookesh had to say what he said because Alaska Natives need to have more [recognition] than the second verse of the Alaska state song.

SENATOR KOOKESH noted his appreciation for Representative Cissna's words. He then highlighted that the Alaska Native community has worked hard. In fact, the Alaska Native community, through its corporations, brings \$4 billion to the bottom line of the state. Furthermore, an Alaska Native won the Iditarod and the Iron Man this year. Moreover, two Alaska Native girls were paramount in Wasilla winning the Girls 4A Basketball State Championship. Alaska Natives, he stressed, make contributions to the state daily and the second verse in the Alaska state song would be a small recognition. He related that the Alaska Native community has a saying that when one does "good" he/she lifts up the face of his/her people.

[8:44:33 AM](#)

REPRESENTATIVE AUSTERMAN told the committee that he has the honor of calling Benny Benson his friend. The reference to him in the second verse is very appropriate, he opined.

[8:45:10 AM](#)

REPRESENTATIVE FOSTER inquired as to AFN's stance on SB 94.

SENATOR KOOKESH relayed that [AFN] believed the legislation adding the second verse to the Alaska state song was going to pass last year and the AFN convention was going to be dedicated to the second verse and recognize Benny Benson and his family. However, that didn't happen and the theme had to be changed. The AFN does plan to have a celebration if and win legislation adding the second verse to the Alaska state song passes.

[8:45:49 AM](#)

CHAIR MUNOZ recalled that Carol Beery Davis was her music teacher and that she discussed how important it was to recognize the [Alaska] Native culture in song as well as other ways. Much later, at age 95, she wrote the second verse.

[8:46:52 AM](#)

SENATOR KOOKESH remarked that people come to Alaska to see the Alaska Native culture and their art, not cement, and the state's diversity. Actions by the legislature should celebrate that diversity, which this legislation achieves.

[8:47:57 AM](#)

PAMELA MARSH, Staff, Senator Bettye Davis, Alaska State Legislature, paraphrased from the following sponsor statement:

Senate Bill 94 would add a second verse to The Alaska's Flag Song. The late Carol Beery Davis wrote a beautiful second verse, which gives recognition to Alaska Natives and to Benny Benson, who designed the Alaskan flag.

Similar bills have been introduced in the past. Last year The Alaska's Flag Song was performed with both verses as the Senate gaveled in on the first day of session. Also last year, the Senator from District G introduced Senate Bill 43. It passed the Senate, but stalled in the House.

This year is the year to join me in supporting a long overdue addition of the second verse to the Alaska

Flag Song. By passing this bill you will be recognizing history, our progress as a state and our first people.

[8:49:03 AM](#)

SELINA EVERSON, Elder, Alaska Native Sisterhood, Camp 70, began by relating her support for the idea of adding a second verse to Alaska's state song. She opined that it would be an honor to honor and recognize Alaska's Native people for what they have contributed to the state rather than feel like second citizens. Alaska Native school children would be so proud to know the second verse was added. Ms. Everson expressed hope that she will be able to announce that the second verse legislation is moving through the Alaska House of Representatives. Upon request of Chair Munoz, Ms. Everson spoke in Tlingit to the committee, saying: "Thank you for listening to me and for having the opportunity to come before you in support of this song."

[8:52:46 AM](#)

CONNIE DAVIS, speaking as one of the daughters of Carol Beery Davis, highlighted that 1927 was an exciting and historic year for the Territory of Alaska. In March, the design for the flag was selected. She noted that her father was a member of the final awards committee. Her father related to her mother that they chose a design representing all of Alaska. In May, the flag was made official by the legislature and the first verse of Alaska's state song was written by her mother's good friend, Marie Drake. During those eventful months, Carol Beery Davis interviewed Alaskans involved in making it all happen, which ultimately became a booklet called, "Alaska's Flag". Among those interviewed was young Benny Benson, creator of the flag design. She recalled that her mother never forgot Mr. Benson's depth of thought and feeling for his years. She opined that those thoughts inspired Marie Drake in the first verse and is continued in the second, adding recognition of the designer and hope for his future state. The verses complement each other. Although some are concerned that this is a change, the second verse is merely an addition and complements the first verse. In conclusion, Ms. Davis said she would appreciate the committee's full consideration of SB 94.

[8:55:52 AM](#)

CHAIR MUNOZ, upon determining no one else wished to testify, closed public testimony.

[8:56:10 AM](#)

REPRESENTATIVE GARDNER moved to report SB 94 out of committee with individual recommendations and the accompanying zero fiscal note. There being no objection, it was so ordered.

[8:57:07 AM](#)

MS. DAVIS interjected that there were verses with mistakes on the Internet that have been corrected.

[8:58:24 AM](#)

The committee sang the proposed second verse to Alaska's state song.

[8:59:54 AM](#)

The committee took an at-ease from 8:59 a.m. to 9:03 a.m.

HB 170-MUNI TAX EXEMPTION FOR CERTAIN VOLUNTEERS

[9:03:28 AM](#)

CHAIR MUNOZ announced that the final order of business would be HOUSE BILL NO. 170, "An Act relating to municipal property tax exemptions on residences of certain volunteer emergency services personnel and the widows and widowers of volunteer emergency services personnel; and providing for an effective date."

[9:03:39 AM](#)

CHAIR MUNOZ informed the committee that the committee substitute (CS), labeled 27-LS0562\I, Bullard, 4/6/11, includes changes discussed at the prior meeting.

[9:04:15 AM](#)

REPRESENTATIVE ERIC FEIGE, Alaska State Legislature, speaking as the sponsor of HB 170, directed attention to page 1, line 12, which changes the language to read: "may by ordinance". The aforementioned language change implies that municipalities would have to opt in rather than opt out of the proposed exemption. The next change is on page 1, lines 12-13, which reduces the

exemption to "the first \$150,000 of assessed value". With regard to the questions concerning what constitutes an "active volunteer", the language on page 2, lines 7-15, was reworded to specify what qualifies as a volunteer. The language specifies that a volunteer is someone who has been a volunteer for at least two years and meets the standards determined jointly by the local fire department and the municipality.

[9:07:16 AM](#)

REPRESENTATIVE GARDNER asked whether passage of [Version I] would require an annual application from the volunteer firefighter or would the individual be grandfathered in after the initial application. She asked if the application would require verification of "active" status by a fire department, emergency medical services, or rescue services entity.

REPRESENTATIVE FEIGE, in response to the first question, confirmed that a volunteer firefighter would have to apply for the exemption each year. In further response to Representative Gardner, Representative Feige related his understanding that the widow/widower of a volunteer firefighter would have to apply each year as well.

REPRESENTATIVE GARDNER clarified that she's trying to determine if a widow would qualify in perpetuity or only for the year following the change in status to a widow.

REPRESENTATIVE FEIGE related his understanding that a widow/widower of an individual who was a volunteer firefighter at the time of his/her death would be eligible for the exemption.

[9:09:13 AM](#)

REPRESENTATIVE GARDNER inquired as to the location of the language specifying that it's an annual application.

REPRESENTATIVE FEIGE answered page 2, lines 22-23. Furthermore, the municipality sets terms of the application, and thus the municipality could require an annual application or an application that applies indefinitely.

REPRESENTATIVE GARDNER surmised then that there is the potential for an individual to be a volunteer firefighter for two years, retire, and have the benefit for 20-30 years.

REPRESENTATIVE FEIGE answered yes, if that's the rule of the municipality.

[9:11:21 AM](#)

REPRESENTATIVE AUSTERMAN told the committee that seniors in Kodiak have to apply for the senior exemption annually.

[9:11:39 AM](#)

REPRESENTATIVE SADDLER asked if the sponsor intends for the widow/widower to receive the proposed exemption even if he/she remarries.

REPRESENTATIVE FEIGE said that he hadn't considered that.

REPRESENTATIVE SADDLER asked if the sponsor would entertain a conceptual amendment such that a widow/widower would receive the proposed exemption while he/she remains unmarried.

REPRESENTATIVE FEIGE replied that he wouldn't object to such an amendment.

REPRESENTATIVE SADDLER then clarified that such a change would mean that the widow/widower of an individual who qualified for this proposed exemption would no longer qualify for the exemption if he/she remarried.

REPRESENTATIVE FEIGE remarked that he wasn't sure if one loses their widow/widower status when one remarries.

[9:13:00 AM](#)

REPRESENTATIVE CISSNA, drawing from her experience, commented that a widow/widower's situation changes once he/she remarries and the widow/widower has knowledge of the impending change. She opined that the municipalities should have something to say about exemptions that result in one party bringing a benefit to the marriage.

REPRESENTATIVE FEIGE said that he didn't disagree, adding that the language in Version I is flexible enough to allow municipalities to address such situations.

[9:14:03 AM](#)

REPRESENTATIVE GARDNER asked if [volunteer firefighters] who receive a stipend per call or a pension benefit are considered volunteers under the definition in Version I.

REPRESENTATIVE FEIGE explained that in the fire service [volunteer firefighters who receive compensation] are referred to as paid on-call volunteers. Again, the municipality would determine the definition of an "active volunteer."

[9:14:49 AM](#)

REPRESENTATIVE GARDNER recalled being told that there are 2,000 volunteer firefighters statewide. However, the definition of "volunteer" per AS 18.15.250(d)(1) would seem to increase the number of eligible individuals. The definition of "volunteer" per AS 18.15.250(d)(1) specifies:

(4) "volunteer" means that the person is an active volunteer of a first responder service, a rescue service, an ambulance service, or a fire department that provides emergency medical or rescue services as part of its duties.

[9:15:36 AM](#)

MICHAEL PASCHALL, Staff, Representative Eric Feige, Alaska State Legislature, explained that in Alaska the majority of emergency medical services are part of a fire department. Therefore, the numbers used during discussions of this legislation would include most of the active emergency service medical service providers. Although [the definition of volunteer includes individuals besides firefighters] there is no way to obtain a good number, it would be a relatively small increase in the number of individuals eligible for the proposed exemption.

[9:16:20 AM](#)

REPRESENTATIVE AUSTERMAN inquired as to how many property tax exemptions the state pays for, other than the senior property tax exemption.

REPRESENTATIVE FEIGE said that he isn't aware of the exact number. However, he related his belief that in recent years the state hasn't funded those property tax exemptions.

REPRESENTATIVE AUSTERMAN asked if this legislation prohibits double dipping, such that an individual wouldn't be allowed to

receive say both the senior property tax exemption and this proposed volunteer emergency services personnel exemption.

REPRESENTATIVE FEIGE opined that that the legislation doesn't allow such as the language refers to "on the first \$150,000 of the assessed value of the real property" for both exemptions.

[9:17:33 AM](#)

REPRESENTATIVE SADDLER recalled at the last hearing that the Alaska Municipal League (AML) was not excited about HB 170. He expressed interest in AML's reaction to Version I.

REPRESENTATIVE FEIGE pointed out that the change in Version I that makes the exemption one that the municipality would have to opt-in would place it at the will and discretion of the municipalities.

[9:18:24 AM](#)

REPRESENTATIVE DICK related his understanding that an eligible volunteer would have to file an annual application for the proposed exemption.

REPRESENTATIVE FEIGE clarified that the municipality would determine how often a volunteer seeking this proposed exemption would have to apply.

REPRESENTATIVE DICK posed a scenario in which a volunteer dies in the line of duty or not, and asked if the widow/widower would have to apply for the proposed exemption every year or would the widow/widower be continuously eligible.

REPRESENTATIVE FEIGE stated that the legislation doesn't distinguish between death in the line of duty or not. Whether the widow/widower would have to apply every year is left to the municipality to decide.

[9:20:12 AM](#)

CHAIR MUNOZ announced that since there are additional questions regarding various aspects of this legislation, particularly in terms of the widow/widower provision and the desire to hear from AML, additional input is necessary.

[9:20:56 AM](#)

REPRESENTATIVE AUSTERMAN lauded the idea proposed by the sponsor, but expressed concern with unfunded mandates. Although [Version I] proposes an opt-in situation, he said he remains nervous, particularly when one reviews the permanent fund and the exemptions for the military, mariners, etcetera. Representative Austerman questioned where one would stop with these unfunded mandates. Furthermore, firefighters aren't the only volunteers and thus it also becomes an issue in terms of where to draw the line. He said that were HB 170 to reach the floor, he suspected he would have to vote against it.

[9:23:17 AM](#)

CHAIR MUNOZ announced that HB 170 needs more work and will be held over.

[9:24:07 AM](#)

CHAIR MUNOZ discussed the interim schedule and the desire to visit communities along the Yukon River.

[9:25:48 AM](#)

ADJOURNMENT

There being no further business before the committee, the House Community and Regional Affairs Standing Committee meeting was adjourned at 9:25 a.m.