

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

February 4, 2014

1:07 p.m.

MEMBERS PRESENT

Representative Neal Foster, Co-Chair
Representative Gabrielle LeDoux, Co-Chair
Representative Pete Higgins
Representative Shelley Hughes
Representative Lora Reinbold
Representative Dan Saddler
Representative Max Gruenberg

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE JOINT RESOLUTION NO. 19

Urging the Secretary of the United States Air Force, the Chief of Staff of the United States Air Force, and the Commander of the Pacific Air Forces to base F-35 aircraft assigned to the Pacific Air Forces at Eielson Air Force Base.

- MOVED CSHJR 19(MLV) OUT OF COMMITTEE

HOUSE BILL NO. 212

"An Act relating to an exemption from driver licensing requirements for spouses of members of the armed forces of the United States."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: HJR 19

SHORT TITLE: BASE F-35 AIRCRAFT AT EIELSON AFB

SPONSOR(S): REPRESENTATIVE(S) ISAACSON

01/21/14	(H)	READ THE FIRST TIME - REFERRALS
01/21/14	(H)	MLV
02/04/14	(H)	MLV AT 1:00 PM CAPITOL 120

BILL: HB 212

SHORT TITLE: DRIVER'S LICENSING EXEMPTION: MILITARY
SPONSOR(s): REPRESENTATIVE(s) ISAACSON, HUGHES, LEDOUX

01/21/14	(H)	PREFILE RELEASED 1/10/14
01/21/14	(H)	READ THE FIRST TIME - REFERRALS
01/21/14	(H)	MLV, STA
02/04/14	(H)	MLV AT 1:00 PM CAPITOL 120

WITNESS REGISTER

REPRESENTATIVE DOUG ISAACSON
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: As prime sponsor of HJR 19, introduced the resolution; as co-chair of the House Special Committee on Military and Veterans' Affairs, sponsor of HB 212, introduced the bill.

JIM DODSON, President/CEO
Fairbanks Economic Development Corporation;
Member, Alaska Military Force Advocacy and Structure Team
(AMFAST)
Fairbanks, Alaska

POSITION STATEMENT: During the hearing on HJR 19, testified in support; during the hearing on HB 212, testified in support.

LUKE HOPKINS, Mayor
Fairbanks North Star Borough
Fairbanks, Alaska

POSITION STATEMENT: During the hearing on HJR 19, testified in support.

TIM JONES, Chairman
Military Affairs Committee
Greater Fairbanks Chamber of Commerce
Fairbanks, Alaska

POSITION STATEMENT: During the hearing on HJR 19, testified in support; during the hearing on HB 212, testified in support.

AMY ERICKSON, Director
Division of Motor Vehicles
Department of Administration
Anchorage, Alaska

POSITION STATEMENT: During the hearing on HB 212, answered a question regarding the requirements of obtaining an Alaska driver's license.

DAN DEBARTOLO, Director
Permanent Fund Dividend Division
Department of Revenue (DOR)
Juneau, Alaska

POSITION STATEMENT: During the hearing on HB 212, answered a question regarding permanent fund dividend eligibility.

NATHAN SOLORIO, Intern
Representative Doug Isaacson
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: During the hearing on HB 212, testified as the preparer of a document found in the committee packet.

ERLING JOHANSEN, Assistant Attorney General
Labor and State Affairs Section
Civil Division (Anchorage)
Department of Law
Anchorage, Alaska

POSITION STATEMENT: During the hearing on HB 212, provided testimony regarding same-sex domestic partners.

ACTION NARRATIVE

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CO-CHAIR NEAL FOSTER called the House Special Committee on Military and Veterans' Affairs meeting to order at 1:07 p.m. Representatives Higgins, Hughes, Reinbold, LeDoux, and Foster were present at the call to order. Representatives Saddler and Gruenberg arrived as the meeting was in progress.

HJR 19-BASE F-35 AIRCRAFT AT EIELSON AFB

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CO-CHAIR FOSTER announced the first order of business would be HOUSE JOINT RESOLUTION NO. 19, Urging the Secretary of the United States Air Force, the Chief of Staff of the United States Air Force, and the Commander of the Pacific Air Forces to base F-35 aircraft assigned to the Pacific Air Forces at Eielson Air Force Base.

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REPRESENTATIVE DOUG ISAACSON, Alaska State Legislature, prime sponsor, introduced HJR 19. Representative Isaacson began his

introduction with the words of then Secretary of State, William Seward's message to Congress over 100 years ago:

"If we would provide an adequate defense for the United States we must have Alaska to dominate the North Pacific."

REPRESENTATIVE ISAACSON stated that Mr. Seward's words are still true today, as Alaska has been very strategic for military activity, and an important part of the country's national security. In addition, military activity has been a large part of the economic growth of Alaska. He urged the committee to keep Alaska at the forefront of our nation's economic and military sectors by passing HJR 19. The Pacific Air Forces (PACAF) are looking to station F-35 aircraft somewhere in the Asia-Pacific Theater and Eielson Air Force Base (Eielson) faces tough competition with international bases to become the home for the new aircraft; the siting decision team will be coming to Eielson in February, 2014. The resolution is another effort by the legislature to strongly encourage the military to expand the mission of Eielson. In fact, the state was very strategic last year in the decision by the military to reverse changing where the F-16s are located, and statewide support is needed for basing the F-35s. It has been suggested that the F-35s could be based at Joint Base Elmendorf-Richardson (JBER); however, the use of Eielson will support the mission at JBER since F-22s are at JBER, and it makes it very viable to have F-35s at Eielson to facilitate joint exercise operations. Representative Isaacson advised he would provide specific information on the aircraft at the conclusion of his introduction. The three most recent military sites that have been awarded F-35 squadrons are Hill Air Force Base in Utah, Burlington Air National Guard Base in Vermont, and Luke Air Force Base in Arizona, and all of these bases received tremendous support from both government and citizens.

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REPRESENTATIVE ISAACSON continued with Eielson's strengths: recognized on a consistent basis by our armed forces; minimal air space congestion; proximity to the Asia-Pacific Theater and to the F-22s at JBER; free access to a training environment including the Joint Pacific Alaska Range Complex (JPARC), which is the nation's largest restricted training air space; runway with year-round handling for any type of aircraft; and storage capacity for over 20 million gallons of gas with a direct pipeline to our refineries in North Pole. Eielson is also more

cost-effective to maintain than overseas Pacific installations, and is a big component to the local and regional economies. In conclusion, Representative Isaacson asked the committee to join Alaskans and military members with support for HJR 19.

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REPRESENTATIVE HIGGINS spoke of his experience serving in the military at Eielson, and described the numbering of the F series aircraft. In response to Co-Chair LeDoux, he said some of the aircraft in the series are "just on paper."

A video introducing fifth generation F-35 aircraft was shown from 1:17 p.m. to 1:28 p.m.

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CO-CHAIR LEDOUX commented that the F-35 was a spectacular airplane.

REPRESENTATIVE HUGHES found the video exciting and exhilarating. She inquired as to the other locations that are being considered for the placement of the F-35s.

REPRESENTATIVE ISAACSON advised that according to General Carlisle, Commander, Pacific Air Forces (PACAF), PACAF site survey teams are looking at nine bases including Kadena Air Base and Misawa Air Base in Japan, Kunsan Air Base and Osan Air Base in South Korea, and Andersen Air Force Base in Guam.

REPRESENTATIVE HUGHES expressed her support for Eielson. She asked whether the sponsor's intent is to pass HJR 19 prior to the site selection meeting.

REPRESENTATIVE ISAACSON indicated yes. A similar resolution was heard by the Senate today; the main goal is for the PACAF site selection team to be aware - before its arrival - that the state is firmly behind placing the F-35 aircraft at Eielson.

REPRESENTATIVE ISAACSON, in further response to Representative Hughes, stated there is no other aircraft like the F-35 in the world; there are three models, one each for the Air Force, the Navy and the Marines. Although other countries have participated in its manufacture and thus will receive a "version" he said, "... from what I'm told ... this [aircraft] would be a high advantage to the United States."

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CO-CHAIR LEDOUX referred to the resolution on page 2, lines 13-14, which read:

WHEREAS F-35 aircraft are planned to replace A-10 aircraft in providing air-to-ground mission support for ground forces;

CO-CHAIR LEDOUX then asked where the A-10 aircraft are located.

REPRESENTATIVE ISAACSON explained A-10 aircraft were transferred from Eielson in 2005 and have been phased out of the Air Force inventory. The F-35 can fly supersonic, hypersonic, and subsonic because it can hover; in fact, this aircraft provides all the support functions of the A-10 and the F-16, and is expected to fulfill its design as a fighter aircraft for a long time.

CO-CHAIR LEDOUX surmised any base where A-10 aircraft are located would also seek F-35s to replace A-10s.

REPRESENTATIVE SADDLER was unsure where A-10 aircraft are based.

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CO-CHAIR LEDOUX restated her question.

REPRESENTATIVE SADDLER expressed his belief that if there is currently an A-10 squadron based, it has its mission and equipment; Eielson has a "higher claim on new aircraft coming off the line" because it has a mission, but no equipment.

REPRESENTATIVE ISAACSON added that Eielson has the former A-10 hangar space in which the F-35s could fit with minimal modification. He stressed that because the A-10 aircraft were transferred from Eielson, and the F-35 aircraft are the replacement for the A-10, Eielson is the logical base to house the F-35. He offered to provide the committee with information on the present location of A-10 aircraft, or suggested that the committee hear from a knowledgeable party online.

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JIM DODSON, President, Fairbanks Economic Development Corporation, and member of the Alaska Military Force Advocacy and Structure Team (AMFAST), Department of Military & Veterans'

Affairs, advised that the two squadrons of F-35s under discussion will be an overseas (OCONUS) stationing. Because the Asia-Pacific Theater has been designated as the prime military area of interest by the Department of Defense (DoD), only bases within the Asia-Pacific Theater, such as the aforementioned nine installations, will be considered.

REPRESENTATIVE HUGHES heard a report from the Alaska Arctic Policy Commission (AAPC) on 1/4/14 and one of its focus areas is security. She suggested that documentation accompanying HJR 19 should include information on the international security aspect of the increased activity in the Arctic. Currently, there is a lot of focus on the Asia-Pacific Theater, but the coming decades will bring new activity to the Arctic, thus the Eielson location should be selected.

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REPRESENTATIVE HIGGINS relayed the process through which bases are selected. The site selection team looks at economics and the community, and he pointed out that Eielson has the largest air training space for this type of aircraft. He expressed his belief that the deciding factor is how badly Alaska wants the F-35s, and that is the point of the resolution; in fact, HJR 19 could be "the deciding factor." He reviewed the merits of Eielson Air Force Base: closest Pacific Rim base that can house F-35s fairly easily; not subject to closure by foreign governments; unsurpassed training area. Representative Higgins concluded that Alaska needs to let the Air Force know the F-35s are wanted.

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CO-CHAIR FOSTER opened public testimony on HJR 19.

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MR. DODSON informed the committee in 2005, he managed the effort to retain the mission of Eielson on behalf of the governor and the mayor of the Fairbanks North Star Borough, thus has experience in military issues. In reviewing the military industry and the related stationing of equipment and manpower in Alaska, he urged the committee to understand that there is a lot of competition with other states and communities due to the favorable economic impact a base brings; in fact, in Alaska the military industry comprises 16 percent of its gross state product, and 17 percent of the payroll paid in the state.

Alaska and its legislators should support the sustainability and the growth of the military industry. Mr. Dodson supported previous testimony on the merits and the opportunity of stationing the F-35s in Alaska due to its available airspace and its strategic position in the world. Alaska's 168th Air Tanker Group stationed at Eielson with its 24 million gallons of fuel storage serves as a northern fuel station at the top of the world for the United States Air Force. He closed by urging the committee to support the resolution as that is the right thing to do for our state, our economy, and our nation.

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LUKE HOPKINS, Mayor, Fairbanks North Star Borough, agreed with the previous testimony in support of HJR 19. Those at Eielson know the importance of the base - as in 2005 - and now, regarding the placement of the F-35s; as a matter of fact, the base commanders make it known that from Eielson they can reach any place in the northern hemisphere in about nine hours. He restated the value of the aircraft to the economy and to the efforts of the military in the Asia-Pacific "realignment." It is very important for both the state legislature and local communities to send resolutions to the commanders in the Air Force, and to the Secretary of the United States Air Force. Mayor Hopkins expressed his hope that HJR 19 would pass out of the committee.

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TIM JONES, Army Colonel Ret., informed the committee he is a former Garrison Commander at Fort Wainwright, is currently the chairman of the Military Affairs Committee, Greater Fairbanks Chamber of Commerce (Fairbanks Chamber), and the Interior representative to the legislature's Joint Armed Services Committee. He agreed with previous testimony in support for HJR 19, and added that basing the aircraft at Eielson is not only beneficial to the community, but is the right thing to do for the Air Force. Eielson's strategic location alone justifies the basing decision as it allows for a rapid response to military requirements throughout the Pacific, Europe, the Middle East, and Asia. Furthermore, the air-to-air and air-to-ground training through the Joint Pacific Alaska Range Complex (JPARC) is "world class," and gains additional strategic importance when combined with the 168th refueling wing. He observed that service members and their families stationed at Eielson enjoy a superior quality of life, as well as tremendous support provided by the community and the state. Mr. Jones expressed his

personal support, and that of the Fairbanks Chamber Military Affairs Committee, for HJR 19.

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CO-CHAIR FOSTER, after ascertaining no one else wished to testify, closed public testimony.

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REPRESENTATIVE GRUENBERG moved to adopt Amendment 1, as follows:

Page 3, line 13, following "members" insert:
"on all bases in Alaska"

CO-CHAIR LEDOUX objected for the purpose of discussion.

REPRESENTATIVE GRUENBERG suggested the resolution should indicate that Alaskans support - not just Eielson - but all the military bases in Alaska. He read the language of the amendment and advised that the sponsor of the resolution participated in preparing the amendment.

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REPRESENTATIVE SADDLER questioned whether the amendment is intended to read "on all bases in Alaska," or "and all bases in Alaska."

REPRESENTATIVE ISAACSON stated "and all bases in Alaska" is the intended language.

REPRESENTATIVE GRUENBERG asked unanimous consent that the amendment be amended accordingly.

REPRESENTATIVE HUGHES supported the amendment to the amendment.

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CO-CHAIR LEDOUX moved to adopt an amendment to the amendment as follows:

[Page 3, line 14, following "all military service members" insert:]

[all military service members] "and all bases in Alaska"

REPRESENTATIVE ISAACSON opined the amendment to the amendment may be redundant because it is previously stated; however, if the intent is that Alaskans have, and currently, salute military members, he said, "that's fine."

REPRESENTATIVE GRUENBERG expressed his support for the amendment to the amendment.

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CO-CHAIR FOSTER asked whether there was any objection to the adoption of the amendment to the amendment. Hearing none, it was so ordered.

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CO-CHAIR LEDOUX removed her objection to Amendment 1. There being no further objection, Amendment 1, as amended, was adopted.

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REPRESENTATIVE SADDLER [moved to adopt Conceptual Amendment 2] which would add Lt. General Russell Handy, Commander, Alaskan Command, U.S. Pacific Command; Commander, 11th Air Force, Pacific Air Forces; Commander, Alaskan North American Aerospace Defense Command Region, JBER, to the list of those to whom the resolution is addressed.

REPRESENTATIVE ISAACSON agreed to a wide distribution of the resolution.

REPRESENTATIVE SADDLER preferred to limit distribution to the addition of Lt. General Handy.

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CO-CHAIR FOSTER objected to Conceptual Amendment 2 for the purpose of discussion.

REPRESENTATIVE SADDLER, in response to Representative Gruenberg, said he would not add the Alaska Delegation to Conceptual Amendment 2.

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CO-CHAIR FOSTER removed his objection to Conceptual Amendment 2. There being no further objection, Conceptual Amendment 2 was adopted.

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CO-CHAIR LEDOUX moved to report HJR 19, as amended, out of committee with individual recommendations and no accompanying fiscal note. There being no objection, CSHJR 19 (MLV) was reported from the House Special Committee on Military and Veterans' Affairs.

The committee took an at-ease from 1:55 p.m. to 2:04 p.m.

HB 212-DRIVER'S LICENSING EXEMPTION: MILITARY

[2:04:42 PM](#)

CO-CHAIR FOSTER announced the final order of business would be HOUSE BILL NO. 212, "An Act relating to an exemption from driver licensing requirements for spouses of members of the armed forces of the United States."

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REPRESENTATIVE DOUG ISAACSON, Alaska State Legislature, informed the committee HB 212 is an affirmation of Alaska's concern for its military. He explained that every year hundreds of military members come to Alaska as part of their honorable service to our country, and many of these brave men and women are accompanied by their spouses. While living in Alaska, many spouses would like to retain their address in their home state. By law, any new individual moving to Alaska must surrender their residence in another state within 90 days of arrival in order to obtain an Alaska driver's license; although members of the military are exempt from this requirement, their spouses are not exempt. Alaska is a military-friendly state and it values not only military members, but also their families, thus it should be of great importance to Alaskans to make the military members' transition away from home as easy as possible. Thirty-nine other states already exempt the military member and their spouses from this requirement. Included in the committee packet were at least four messages of support from military spouses living in Alaska. Representative Isaacson said the bill is not a free driver's license in that the spouse must have a valid driver's license issued by another state. He stressed that the bill does not cover dependents of military members; dependents would still be required to obtain an Alaska driver's license

from the Division of Motor Vehicles, Department of Administration. Furthermore, the bill does not request a change to the Alaska State Constitution, or make an amendment to the constitution related to the definition of spouse. Representative Isaacson paraphrased from the sectional analysis as follows:

or, if a member spouse is 18 years of age or older, the spouse of a member of the armed forces of the United States who has a valid driver's license issued by another jurisdiction

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REPRESENTATIVE ISAACSON told two stories of how spouses of deployed military members were greatly inconvenienced by the circumstances that HB 212 seeks to change. Alaska does not want to convey a negative message to members of the military stationed here; in fact, the committee sponsoring the bill wants to ensure that - following the lead of thirty-nine other states - if a spouse is in Alaska due to a military member they are entitled to the same privilege as the member. He urged for full support of the bill.

CO-CHAIR LEDOUX inquired as to why a spouse who is 16 years of age, and who has a valid license in another state, is not subject to the same rule as a spouse who is 18 years of age.

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AMY ERICKSON, Director, Division of Motor Vehicles, Department of Administration, explained that an individual 16 years of age could get a provisional license. In further response to Co-Chair LeDoux, she said a provisional license is issued to a 16-year-old, which they hold until they are 18 years old, and have obtained the required 40 hours of driving experience that allows them to graduate to the next level of license.

REPRESENTATIVE ISAACSON added that a spouse must have a fully certified driver's license from another state. At 18 years of age, Alaska would remove the provisional basis from the license and grant the same privilege of accepting another state's license.

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MS. ERICKSON, in response to Co-Chair LeDoux's question, advised that other states do have provisional licenses, but she was uncertain whether all states do so.

CO-CHAIR LEDOUX posed a theoretical question about the possibility of giving the 16-year-old, who has a provisional license from his or her home state, the same kind of license, or letting him/her drive under the same circumstances as they could drive in their home state.

MS. ERICKSON stated the division's intent is to stay consistent with Alaska driving laws, because it does not necessarily know the laws of other states.

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REPRESENTATIVE HUGHES clarified that there are rules associated with provisional licenses that might not be true, or transferable, in other states with provisional licenses.

REPRESENTATIVE ISAACSON emphasized the bill does not include dependents as it is the sponsors' intention for individuals with a fully accredited driver's license from another state to be able to transfer that license to Alaska. He opined the best procedure is for the bill to apply to individuals who are fully certified by their state, and that did not include dependents.

CO-CHAIR LEDOUX said her question applied to a military spouse who is 16 years old. She expressed her belief that if there were a feasible way to include these - relatively few - individuals, "it would be nice to do so."

REPRESENTATIVE ISAACSON acknowledged that "whenever we make something that's a benefit for some, we won't make it a benefit for all." He stressed that the bill would help the vast majority of spouses, but not all in every situation such as those 16 years of age, or those in a homosexual relationship who are recognized as a spouse in another state. The intent is to create equal protection and equal coverage according to the laws in Alaska, and to make the coverage as broad and applicable as possible, within certain parameters. Representative Isaacson concluded that HB 212 will give the greatest number of spouses the same benefit as their family member.

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REPRESENTATIVE HUGHES thanked the sponsor for bringing this forward as she has children who have served in the military; in fact, her daughter experienced similar challenges while serving overseas. She also expressed her belief that commanders will view this change as an example that Alaska continues to be military-friendly, and she stated her support for the bill.

CO-CHAIR LEDOUX agreed with the previous speaker. She then pointed out that supporting documents in the committee packet indicate that other states have the same rule applying to family members and asked, "... have you considered making this available to dependents also who are over the age of 18 years old?"

REPRESENTATIVE ISAACSON said yes. However, he received sufficient [negative] feedback due to the more difficult driving conditions in Alaska, and thus limited the bill to spouses.

REPRESENTATIVE SADDLER questioned whether testimony has been heard from the Permanent Fund Dividend Division, Department of Revenue, on the bill's effect on dividend eligibility for spouses of military members.

REPRESENTATIVE ISAACSON expressed his understanding that "one of the proofs of ... residency is that you show intent to stay and that is demonstrated by getting an Alaska driver's license"

MS. ERICKSON deferred to the Permanent Fund Dividend Division.

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DAN DEBARTOLO, Director, Permanent Fund Dividend Division, Department of Revenue (DOR), responded that eligibility for the permanent fund dividend (PFD) is "highly situational, and all depends on an individual's residency situation." If it is the intent of a military spouse to become a permanent resident of Alaska and receive the PFD, the division considers obtaining an Alaska driver's license to be very important. If an individual makes a conscious choice not to receive an Alaska driver's license that choice will certainly make it more difficult for the division to prove the applicant's intent to become an Alaskan and receive the PFD. Moreover, in the case of a military spouse, the division often finds that the applicant's primary residence, automobiles, and possessions are in the military member's name, thus one of the few "ties" for the spouse is the Alaska driver's license. Without an Alaska

driver's license, he remarked, "The burden of proof would certainly increase on the military spouse."

REPRESENTATIVE SADDLER cautioned that the bill carries a benefit for military families in certain circumstances, but it puts the PFD at some risk.

REPRESENTATIVE ISAACSON disagreed, noting that if an individual intends to stay in Alaska, he or she would get their Alaska driver's license. He cited his personal experience while serving in the military, and remarked, "So, if someone, again, is volunteering to do this program they have to recognize that what they're saying is that their home of record is not Alaska."

REPRESENTATIVE HUGHES inquired whether there was any type of orientation available to military families to provide information related to the PFD and other issues.

MR. DEBARTOLO stated that the division and DOR seek to educate military families specifically about permanent fund dividend and child support issues. In fact, the division has been making efforts throughout the state to share information regarding its programs and, if the bill passes, the division would ensure those affected are aware.

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TIM JONES, Chairman, Military Affairs Committee, Greater Fairbanks Chamber of Commerce, speaking as a former Garrison Commander, informed the committee he was not aware of any formal training targeted at the PFD, however, it is understood among military members that receiving the PFD proves one's intent to remain in Alaska; in fact, general knowledge among the military is that if an individual wants to request a PFD it is necessary to become an Alaska resident, and to do that an Alaska driver's license is required. Mr. Jones opined a military service member and spouse would not make different choices in this regard.

CO-CHAIR LEDOUX asked who prepared the supporting document found in the committee packet entitled, "Driver's License Information Page for Active Duty Members."

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NATHAN SOLORIO, Intern, Representative Doug Isaacson, Alaska State Legislature, in response to Co-Chair LeDoux, stated he researched online to determine what driver's license laws are in

other states, and prepared the Driver's License Information Page.

CO-CHAIR LEDOUX described a scenario where an individual arrives in Alaska and establishes residency to qualify for the PFD by registering to vote. She asked whether an individual could register to vote in one state and continue to have a driver's license from another state.

MR. DEBARTOLO related that the division is often presented with inconsistent actions; however, inconsistencies work against applicants as the division gathers information. The division weighs a myriad of factors such as benefits and exemptions from another state, or moving expenses. In response to Co-Chair LeDoux, he said the dividend application form does not ask whether an applicant has a driver's license in another state.

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REPRESENTATIVE HUGHES expressed her belief that for a citizen to vote in a presidential election one does not need to be registered to vote, but only to show proof of citizenship. She asked the bill's sponsor whether possession of a driver's license from another state is sufficient in Alaska to vote for president and vice-president.

REPRESENTATIVE ISAACSON said his understanding is that the individual would get an absentee ballot from their state, or submit a questioned ballot at any location with the appropriate proof.

REPRESENTATIVE HUGHES requested confirmation.

REPRESENTATIVE ISAACSON offered to provide a definitive answer; however, one in that situation would not be affected by the bill because their voting ability would be determined by the Division of Elections, Office of the Lieutenant Governor. He stressed that HB 212 would only allow [the spouse of a military member] to retain their home of record elsewhere. Conversely, if the spouse prefers to become an Alaska resident and the military member does not, the spouse is still free to obtain an Alaska driver's license within 90 days. In response to Representative Hughes, Representative Isaacson said all members of the military in Alaska can vote for president.

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REPRESENTATIVE GRUENBERG questioned whether the state government - by paper or online - provides a way of advising individuals of the potential consequences of their actions; for example, when applying for a PFD. He warned that these actions may have serious legal and financial ramifications for an uninformed family.

MR. DEBARTOLO, speaking on behalf of his division, informed the committee the division uses its web site as an information portal to determine the most complicated eligibility decisions. However, "the cause and effect relationship ... mechanism" is not on the web site. He said the division has been increasing its military outreach through a new form entitled "Military Information Form," which is provided when an applicant declares a military absence and explains how far back they must retain their records. He cautioned that the effects of House Bill 52, passed in the Twenty-Eighth Legislature, and related to allowable absences, "can hit military the hardest, if they're not aware"

REPRESENTATIVE GRUENBERG offered to explore the need for legislation directing a department to [develop a program] guiding residents on their eligibility for the PFD. He observed that providing such information may alert an applicant to possible consequences.

REPRESENTATIVE ISAACSON responded positively to Representative Gruenberg's proposal.

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REPRESENTATIVE SADDLER referred to the supporting document entitled, "Driver's License Information" found in the committee packet. He pointed out that in Alaska the home state driver's license is honored until 90 days after an active duty military member is discharged, and asked Ms. Erickson whether the proposed legislation directs that the exemption for family members would also expire after said discharge.

MS. ERICKSON responded that applies to a military member who was out-of-state.

REPRESENTATIVE SADDLER asked Ms. Erickson if she could cite the relevant statute and there was no response.

REPRESENTATIVE ISAACSON said the sectional analysis found in the committee packet identifies the relevant statute. He then

clarified that if a spouse remains in Alaska after the military member is discharged the exemption no longer applies, and state law requires that a driver must apply for an Alaska driver's license after 90 days.

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CO-CHAIR FOSTER opened public testimony on HB 212.

[2:42:25 PM](#)

TIM JONES, Army Colonel Ret., informed the committee he is a former Garrison Commander at Fort Wainwright, and is currently the chairman of the Military Affairs Committee, Greater Fairbanks Chamber of Commerce (Fairbanks Chamber). He expressed his support of HB 212, saying this legislation is long overdue. The Soldiers' and Sailors' Civil Relief Act (SSCRA) has provided this protection for active duty military but, as pointed out, the spouses have not received that coverage. He relayed his and his wife's personal experiences while he was serving in the Army for 27 years. Regarding concerns about military members or spouses losing PFD money, in his experience service members do not have an expectation they will receive the PFD because to qualify, a commitment and intent to become a resident must be demonstrated. However, military members understand that one can only be a resident of one state, although he acknowledged he has seen instances of individuals trying to avoid paying state income tax or vehicle taxes. Military legal services make clear the following: military members can only be a resident of one state; military members must pay state income taxes; military members will purchase vehicle tags; and the state's driver's license rules apply. Mr. Jones opined individuals who want the PFD will become state citizens, and thus should have to get a state driver's license. He concluded that HB 212 shows military families that the sacrifices they make in service to our nation are appreciated by the people and leaders of Alaska.

[2:46:07 PM](#)

ERLING JOHANSEN, Assistant Attorney General, Labor and State Affairs Section, Civil Division (Anchorage), Department of Law (DOL), advised if the legislature wanted to avoid a possible constitutional challenge, the bill should accommodate same-sex domestic partners because DOL has cases from 2005 and 2011 in which the spousal exemption was subject to an equal protection challenge.

[2:47:12 PM](#)

JIM DODSON, President/CEO, Fairbanks Economic Development Corporation, testified in support of HB 212. The bill demonstrates to a service member and to a service member's spouse the true appreciation Alaskans feel for military members, and it thanks them for their service. He urged the committee to support the bill.

[2:48:10 PM](#)

CO-CHAIR FOSTER, after ascertaining that no one else wished to testify, closed public testimony.

REPRESENTATIVE SADDLER stated he was proud to serve in a legislature and state that are so welcoming to their service members. The bill is evidence of Alaskans' desire to extend a welcoming hand to lower the burden of military service and life in Alaska, and he said he supports the bill.

[2:48:54 PM](#)

CO-CHAIR FOSTER said an amendment was forthcoming thus HB 212 was held over.

[There followed discussion related to the forthcoming amendment.]

[2:50:34 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Military & Veterans' Affairs Committee meeting was adjourned at 2:50 p.m.