

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

February 10, 2015

1:07 p.m.

MEMBERS PRESENT

Representative Bob Herron, Chair
Representative Jim Colver
Representative Shelley Hughes
Representative Gabrielle LeDoux
Representative Bob Lynn
Representative Max Gruenberg
Representative Chris Tuck

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE JOINT RESOLUTION NO. 13

Urging the United States Department of the Army to maintain the current level of its combat-capable structure in the state and not to take structural realignment actions with regard to Fort Wainwright and Joint Base Elmendorf-Richardson.

- MOVED CSHJR 13(MLV) OUT OF COMMITTEE

HOUSE BILL NO. 61

"An Act relating to special motor vehicle registration plates for recipients of the Bronze Star, Silver Star, or other meritorious service awards; and providing for an effective date."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: HJR 13

SHORT TITLE: RETAIN ARMY FORCES IN ALASKA

SPONSOR(S): REPRESENTATIVE(S) REINBOLD

02/06/15	(H)	READ THE FIRST TIME - REFERRALS
02/06/15	(H)	MLV
02/10/15	(H)	MLV AT 1:00 PM CAPITOL 120

BILL: HB 61

SHORT TITLE: MILITARY MERITORIOUS AWARD LICENSE PLATES

SPONSOR(S): REPRESENTATIVE(S) GARA, GRUENBERG, VAZQUEZ, LYNN,
LEDOUX

01/21/15	(H)	PREFILE RELEASED 1/16/15
01/21/15	(H)	READ THE FIRST TIME - REFERRALS
01/21/15	(H)	MLV, STA, FIN
02/10/15	(H)	MLV AT 1:00 PM CAPITOL 120

WITNESS REGISTER

REPRESENTATIVE LORA REINBOLD
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Speaking as the sponsor, introduced HJR 13.

ELIJAH VERHAGEN, Staff
Representative Lora Reinbold
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Commented on the conceptual amendments to HJR 13 on behalf of Representative Reinbold, sponsor.

REPRESENTATIVE LES GARA
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Speaking as the sponsor, introduced HB 61.

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

POSITION STATEMENT: Answered questions during the hearing on HB 61.

LARRY GORDAOFF, Founder
Alaska Native Veterans Association
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 61.

ACTION NARRATIVE

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CHAIR BOB HERRON called the House Special Committee on Military and Veterans' Affairs meeting to order at 1:07 p.m. Representatives LeDoux, Colver, Gruenberg, and Herron were present at the call to order. Representatives Hughes, Tuck, and Lynn arrived as the meeting was in progress.

HJR 13-RETAIN ARMY FORCES IN ALASKA

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CHAIR HERRON announced that the first order of business would be HOUSE JOINT RESOLUTION NO. 13, Urging the United States Department of the Army to maintain the current level of its combat-capable structure in the state and not to take structural realignment actions with regard to Fort Wainwright and Joint Base Elmendorf-Richardson.

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REPRESENTATIVE LORA REINBOLD, Alaska State Legislature, speaking as the sponsor of HJR 13, stated that the U.S. Army plays a role important to Alaska, the nation, and the world. As co-chair of the Joint Armed Services Committee, she sponsored HJR 13 because 30 military installations are being considered for reductions nationwide. It is critical to maintain the number of Army personnel in Alaska at its current level due to the fact that Alaska is in a unique situation, and she highlighted three important roles for Alaska. She directed attention to the bill on page 2, lines 17-19, which read:

WHEREAS the geographic location of Alaska, including its access to polar air routes, provides a vital strategic advantage for current and future Department of the Army missions, force mobilizations, offensive operations, and defensive operations; and

REPRESENTATIVE REINBOLD said Alaska's geographic location is one facet of its very unique role. Also, on page 2, lines [26-28], which read:

WHEREAS, the six major military installations, more than 23,000 active duty service members, and more than 37,000 family members of active duty service members in Alaska make the military presence in the state economically important to Alaska; and

REPRESENTATIVE REINBOLD directed attention to another point, on page 3, lines [17-20] which read:

WHEREAS Alaska has demonstrated its strong commitment to the United States Army by investing more than \$88,000,000 in transportation infrastructure to provide the United States Army with access throughout the year to training areas for maneuvers in the Joint Pacific Alaska Range Complex; and

REPRESENTATIVE REINBOLD stated that Alaska is the only state with direct access to the Arctic thus Alaskan military members are experts in extreme cold weather operations. She concluded that these three unique factors are very important. About 5,000 positions at Fort Wainwright and another 5,000 military positions in Anchorage are at risk. She read a quote from Major General Mitchell, and urged support for HJR 13, for national security and for Alaska. In response to Chair Herron, Representative Reinbold said she would be attending [listening sessions on this matter scheduled for 2/23-24/15 in Anchorage].

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CHAIR HERRON noted that the committee and the House Judiciary Standing Committee would also be represented in order to send a clear message from the legislature in support of the resolution.

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REPRESENTATIVE LYNN said these are hazardous times in which to live and expressed his surprise that there are proposed cuts to the military. He expressed his support for the bill.

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REPRESENTATIVE GRUENBERG said he noted several minor grammatical problems with the bill and directed attention to page 1, line 1, and page 4, line 1, which read respectively in part:

Urging the United States Department of the Army to maintain the current level of its

Department of the Army to maintain the current level of its combat-capable structure in

REPRESENTATIVE GRUENBERG then proposed a conceptual amendment that after the word "maintain" in both sentences add "and

strengthen." He asked whether the chair wanted his conceptual amendments to be numbered consecutively or to be included in one conceptual amendment.

CHAIR HERRON said "we will take note of them and then we will make a motion at the end ... so, just so the committee signs off on each one as we go." He restated that the conceptual amendment was to read "maintain and strengthen" to line 1, page 1, and to line 1, page 4, of the bill. In response to Representative Gruenberg, Chair Herron said the proposed change was approved by the bill's sponsor and asked the committee for comments. [There were no comments made by committee members.]

[The committee treated the conceptual amendment as accepted by the chair.]

[All of the following conceptual amendments that were accepted by the chair were incorporated into Conceptual Amendment 1 moved by Representative Gruenberg at the conclusion of the hearing of HJR 13.]

REPRESENTATIVE GRUENBERG turned to page 1, lines 1-3, which read:

Urging the United States Department of the Army to maintain the current level of its combat-capable structure in the state and not to take structural realignment actions with regard to Fort Wainwright and Joint Base Elmendorf-Richardson.

REPRESENTATIVE GRUENBERG proposed a conceptual amendment to specify "structural realignment actions that reduce" the force and noted that this term appears elsewhere in the bill on page 1, line 7, and on page 4, line 4.

REPRESENTATIVE COLVER suggested that on page 1, line 3, the conceptual amendment replace "with regard to" with "that reduce."

CHAIR HERRON remarked:

This is a conceptual amendment, we'll just talk about the potential of a full amendment at the end and I understand, in those three places, it's: We don't want it to reduce. Is that correct?"

REPRESENTATIVE GRUENBERG said yes. He then proposed that on page 1, line 3, the committee replace "with regard to" with "at."

CHAIR HERRON said, "So we have "at" we're at ... page 1, line 3, and then in those three other locations, there will be an adjective that talks about reductions. ... You and my staff and the sponsor, we will make sure that [legislative] legal understands the intent."

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ELIJAH VERHAGEN, Staff, Representative Lora Reinbold, Alaska State Legislature, expressed concurrence with the first change to add "and strengthen." However, he said the sponsor would not accept the deletion of "with regard to," or an amendment to page 1, line 2; even though these are minor changes, the intent of the resolution is clear that a reduction in the number of troops is unwanted.

REPRESENTATIVE GRUENBERG questioned whether the sponsor did not wish to say "reduce or decrease."

MR. VERHAGEN responded that the intent is clear as the bill is written.

REPRESENTATIVE REINBOLD remarked:

It's always the will of the committee. So if you guys believe that this is ... what needs to be done in the title, then we obviously are yielding to the committee, so, in regards to that.

CHAIR HERRON noted that the sponsor does not want to use the word "reduce."

REPRESENTATIVE GRUENBERG asked whether the sponsor did not want to make the foregoing change just in the title, or anywhere in the bill.

REPRESENTATIVE REINBOLD pointed out the term is written throughout the bill, and she was "open to the option;" however, she also wanted to ensure there is time to advance the resolution to the other body.

CHAIR HERRON recommended that the committee not add a "reduce adjective" because the intent of attending the listening

sessions is to speak against reductions. In response to Representative LeDoux, he said the committee can approve a committee substitute (CS) with conceptual amendments, and "we're not going to hold it up."

CHAIR HERRON, in response to Representative Gruenberg's proposed change on page 1, line 3, to "at", said, "The chair will make a ruling on that ... sometimes we disagree with [legislative] legal, but it survived their review, so ... Representative Gruenberg, I'm fine with it staying that way."

[The committee treated the foregoing conceptual amendment as not accepted by the chair.]

REPRESENTATIVE GRUENBERG turned to page 2, line 3, and proposed a conceptual amendment replacing "chairman" with "Chair;" and on page 2, lines 8-9, change "members of an affected community" to "members of affected communities;."

CHAIR HERRON said he accepted the foregoing technical changes made by the conceptual amendment.

REPRESENTATIVE GRUENBERG continued to page 2, line 11, and proposed a conceptual amendment replacing "WHEREAS Anchorage" with "WHEREAS Joint Base Elmendorf-Richardson."

REPRESENTATIVE COLVER said the conceptual amendment is redundant.

REPRESENTATIVE GRUENBERG clarified the proposed change.

MR. VERHAGEN stated the sponsor's wish to retain the original language on this point.

[The committee treated the foregoing conceptual amendment as not accepted by the chair.]

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REPRESENTATIVE GRUENBERG continued to page 2, line 18, and proposed a conceptual amendment replacing "Department of the" with "United States."

CHAIR HERRON said he accepted the foregoing technical change made by the conceptual amendment.

REPRESENTATIVE GRUENBERG continued to page 2, line 24, and proposed a conceptual amendment adding ", Asia," preceding "and Europe."

CHAIR HERRON stated there was no objection and said he accepted the foregoing addition made by the conceptual amendment.

REPRESENTATIVE GRUENBERG continued to page 2, line 28, and proposed a conceptual amendment replacing "important" with "vital."

CHAIR HERRON stated there was no objection and said he accepted the foregoing conceptual amendment.

REPRESENTATIVE GRUENBERG continued to page 3, line 3, and proposed a conceptual amendment replacing "distance delivery" with "off campus communications."

CHAIR HERRON noted there was an objection, and said he did not accept the aforementioned conceptual amendment.

REPRESENTATIVE GRUENBERG continued to page 3, line 14, and proposed a conceptual amendment replacing "the United States Army and the United States Air Force" with "United States Army and United States Air Force facilities."

CHAIR HERRON stated there was no objection, and said he accepted the foregoing conceptual amendment.

There followed discussion about the use of the term "co-located" or "located together."

CHAIR HERRON ruled to retain "located together" as currently found in the bill.

REPRESENTATIVE GRUENBERG continued to page 3, line 15, and proposed a conceptual amendment replacing "providing a unique and efficient" with "providing an ideal."

REPRESENTATIVE REINBOLD indicated her objection.

REPRESENTATIVE GRUENBERG withdrew the foregoing conceptual amendment.

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REPRESENTATIVE GRUENBERG proposed a conceptual amendment replacing "with regard to both" with "at" on line 4, page 4.

REPRESENTATIVE REINBOLD said this conceptual amendment had already been discussed earlier in the meeting and was not acceptable to the sponsor.

{The committee treated the foregoing conceptual amendment as not accepted by the chair.}

REPRESENTATIVE GRUENBERG then proposed a conceptual amendment that the resolution should be sent to General Dempsey, Chairman of the Joint Chiefs of Staff, and to the Army Chief of Staff.

CHAIR HERRON stated there was no objection, said he accepted the conceptual amendment, and directed staff and [legislative] legal to add the foregoing names.

REPRESENTATIVE REINBOLD returned attention to page 2, line 11, and proposed a conceptual amendment adding "and vicinity" following "Anchorage."

CHAIR HERRON stated there was no objection and said he accepted the foregoing conceptual amendment.

REPRESENTATIVE LEDOUX [proposed a conceptual amendment] expanding the distribution list to include the President and Vice-President of the U.S.

REPRESENTATIVE REINBOLD agreed.

CHAIR HERRON said he accepted the conceptual amendment to the distribution list.

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REPRESENTATIVE GRUENBERG moved to adopt [Conceptual Amendment 1]. [The committee treated Conceptual Amendment 1 as incorporating all of the conceptual amendments that Chair Herron stated were accepted.] There being no objection, Conceptual Amendment 1 was adopted. Before the committee was HJR 13, as amended.

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CHAIR HERRON [opened public testimony on HJR 13. After ascertaining that no one wished to testify, Chair Herron closed public testimony.]

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REPRESENTATIVE COLVER moved to report HJR 13, as amended, with individual recommendations and [zero] fiscal note. There being no objection, CSHJR 13(MLV) was reported from the House Special Committee on Military and Veterans' Affairs.

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The committee took an at ease from 1:34 p.m. to 1:37 p.m.

HB 61-MILITARY MERITORIOUS AWARD LICENSE PLATES

[1:37:24 PM](#)

CHAIR HERRON announced that the final order of business would be HOUSE BILL NO. 61, "An Act relating to special motor vehicle registration plates for recipients of the Bronze Star, Silver Star, or other meritorious service awards; and providing for an effective date."

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REPRESENTATIVE LES GARA, Alaska State Legislature, speaking as the sponsor, informed the committee HB 61 adds the honor of license plates for those who have demonstrated bravery while serving the U.S. Armed Forces in combat. There are a number of military license plates - for example, recipients of the Medal of Honor are recognized - but two that are missing are for those who receive honors for fighting in the armed forces in operations that involve hostile or enemy forces, and receive the Silver Star Medal or the Bronze Star Medal. Representative Gara said he was contacted by a veteran in this regard, and observed that there are few ways for the public to appreciate veterans who have served in the military. For those who want to have a license plate, it is a dignified and state-sanctioned recognition of a veteran's sacrifice. The bill adds two categories of license plates issued by the Division of Motor Vehicles (DMV), Department of Administration (DOA). The first category is the Silver and Bronze Star, which would be designed by DMV and sold for \$35; the bill has a fiscal note [Identifier: HB061-DOA-DMV-02-06-15] of \$8,000 to pay for the initial design and press of the license plate. Also, the bill eliminates the

need for repeated appeals for license plate recognition; the committee substitute gives DMV the authority to add other recognition license plates for medals that demonstrate both bravery and merit. For example, a Bronze Star V Medal can be received for valor in combat, and the Bronze Star M Medal can be received for merit in military operations. He described a situation in which a Bronze Star M Medal may be awarded.

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REPRESENTATIVE GARA pointed out that currently license plates are unavailable for those who have received the second highest ranking awards, the Distinguished Service Cross, the Navy Cross, and the Air Force Cross, and he urged that these designations should also be added by DMV. He characterized the present relevant legislation as a "patchwork," and opined DMV should have the authority to add appropriate license plates without further legislative involvement. Referring to the committee substitute, he said a change was made to correct a mistake in the original bill by replacing "shall" with "may" regarding the issuing of lower ranking awards.

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REPRESENTATIVE COLVER moved to adopt the proposed committee substitute (CS) for HB 61, labeled 29-LS0287\H, Martin, 2/6/15, as the working document.

[There being no objection, Version H was before the committee.]

REPRESENTATIVE LYNN declared a conflict of interest as he is a Bronze Star Medal recipient.

REPRESENTATIVE TUCK asked whether U.S. Marines are eligible for the Navy Cross or a separate medal.

REPRESENTATIVE GRUENBERG inquired as to the current regulations regarding a license plate for a recipient of the Medal of Honor.

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AMY ERICKSON, Director, Division of Motor Vehicles (DMV), Department of Administration (DOA), verified that a Medal of Honor license plate is authorized by statute; however, one has never been requested, and thus has never been designed. In further response to Representative Gruenberg, she provided the following citation: AS 28.10.181(1).

REPRESENTATIVE LYNN urged that the Medal of Honor license plate be provided at no cost to the recipient.

CHAIR HERRON suggested that the committee ask the director to design the license plate, possibly under a subsequent fiscal note. He surmised fiscal note [Identifier: HB061-DOA-DMV-02-06-15] does not apply to Version H.

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MS. ERICKSON said correct. In further response to Chair Herron, she clarified that the bill would now limit DMV to issuing license plates for the Bronze Star, Silver Star, and meritorious crosses.

CHAIR HERRON assured Ms. Erickson that the sponsor and committee staff will work with her to ensure "that the numbers to push out a fiscal note are accurate." He noted the large deficit the state is facing, and suggested finding a private sector sponsor to pay the expense identified in the fiscal note.

REPRESENTATIVE GARA pointed out this was a one-time \$8,000 cost, followed by fees that make the program self-sustaining. Although the state is in fiscal dire straits, "at \$8,000 this didn't seem to be the kind of amount of money that's ... really concerning us in this building," he said.

CHAIR HERRON offered to ask his Veterans of Foreign Wars (VFW) post for a contribution.

REPRESENTATIVE GARA expressed concern that contributors may seek changes to the bill.

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MS. ERICKSON, in response to Chair Herron, expressed her belief that DMV cannot accept private sector funds for the design of license plates.

REPRESENTATIVE LYNN observed there are many varieties of awards for meritorious service; he asked for clarification on DMV's authorization of license plates issued in recognition of awards or decorations.

CHAIR HERRON expressed his intent to hold the bill over and attempt to obtain a zero fiscal note.

REPRESENTATIVE GARA, in response to Representative Tuck's earlier question, said members of the Marine Corps qualify for the Navy Cross.

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CHAIR HERRON opened public testimony on HB 61.

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LARRY GORDAOFF, Founder, Alaska Native Veterans Association, informed the committee he is not a recipient of a Bronze Star, but is representing a member of the Alaska Native Veterans Association who is a Bronze Star recipient from service in Afghanistan. In answer to the earlier question about soliciting private donations for the license plate program, he cautioned that according to the American Legion, Department of Alaska, national approval is required to request funds and takes "a long drawn-out process." Mr. Gordaoff said the mission statement of the Alaska Native Veterans Association is: To give a helping hand up - not a handout - to Alaska Native veterans; to answer concerns of the veterans and their needs; to help the community give respect to all veterans and stay non-political. He relayed the story of a veteran named Christopher Thomas who requested a Bronze Star license plate from DMV and was told the license plates are not available in Alaska. After research showed that many other states have the plates available, Mr. Gordaoff contacted Representative Gara for assistance in getting the special plates for Alaska Bronze Star recipients. He explained the heroic circumstances that led to the Bronze Star award, and pointed out the great honor of having a Bronze Star license plate to show the respect that recipients deserve. Mr. Gordaoff concluded that the Bronze Star license plate should be afforded to all Bronze Star recipients who live in Alaska, and Mr. Thomas should receive the first one issued. He expressed his support for the bill.

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REPRESENTATIVE GRUENBERG discussed various levels of medals awarded for valor in combat; he asked whether the sponsor would support including other awards in the bill.

REPRESENTATIVE GARA said the intention of the bill was to grant DMV the authority to allow someone to apply for additional license plates. He opined others who have served in combat

would qualify for valor and merit, and - if they desired - could apply to DMV.

MR. GORDAOFF expressed his belief that currently available is a license plate from DMV that indicates a branch of service.

MS. ERICKSON confirmed that DMV offers license plates with unit designators, but not specifically for bravery or honor.

REPRESENTATIVE GRUENBERG supported giving "an added measure for these people who've been in hostile combat and have actually been under fire."

REPRESENTATIVE LYNN asked what happens to the license plate when one sells the car.

MS. ERICKSON responded that registration plates stay with a vehicle except for special plates that go with the applicant.

REPRESENTATIVE TUCK asked for the sponsor's intent regarding the Distinguished Cross awards.

REPRESENTATIVE GARA expressed his belief that the Distinguished Cross, the Navy Cross, and the Air Force Cross should be part of the bill.

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CHAIR HERRON supported directing DMV to design the Medal of Honor license plate in anticipation of an application from a recipient.

REPRESENTATIVE GRUENBERG surmised an amendment was required to make the Medal of Honor license plate available at no cost.

MS. ERICKSON stated AS 28.10.421 (11) directs that the Medal of Honor license plate was to be issued at no cost.

REPRESENTATIVE TUCK questioned whether the license plates created by the bill would not be designed unless requested by an applicant.

MS. ERICKSON said that is correct.

CHAIR HERRON said:

It is a key question, so if one is not requested, then it should, in theory, then we could have literally, zero fiscal note, because none have been requested yet.

REPRESENTATIVE TUCK expressed his understanding that the committee was discussing adding to the bill's fiscal note the cost of designing the Medal of Honor license plate.

CHAIR HERRON said additional research is needed before voting on the bill.

REPRESENTATIVE TUCK surmised that unless one requests one of the license plates in the bill, "a design is not necessary."

CHAIR HERRON stated his desire to see the Medal of Honor license plate designed and "ready to go, when the first Medal of Honor winner shows up to apply for one."

REPRESENTATIVE LEDOUX questioned whether, if no one applies, the fiscal note would be indeterminate, rather than a zero fiscal note.

REPRESENTATIVE GARA advised that at the time of the Medal of Honor legislation, there must have been a fiscal note because the state was picking up the cost of the license plates. He noted that unit awards already qualify for a special designated license plate, and asked for clarification on which unit awards are currently covered by statute.

MS. ERICKSON offered to provide a list.

HB 61 was held over.

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ADJOURNMENT

There being no further business before the committee, the House Special Committee on Military and Veterans' Affairs meeting was adjourned at 2:08 p.m.