

ALASKA STATE LEGISLATURE
HOUSE MILITARY AND VETERANS' AFFAIRS SPECIAL COMMITTEE

January 31, 2017

1:06 p.m.

MEMBERS PRESENT

Representative Chris Tuck, Chair
Representative Gabrielle LeDoux, Vice Chair
Representative Justin Parish
Representative George Rauscher
Representative Dan Saddler
Representative Lora Reinbold

MEMBERS ABSENT

Representative Ivy Spohnholz

OTHER MEMBERS PRESENT

Representative Louise Stutes

COMMITTEE CALENDAR

HOUSE BILL NO. 2

"An Act relating to a voluntary preference for veterans by private employers."

- MOVED CSHB 2(MLV) OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 2

SHORT TITLE: PRIV EMPLOYER VOLUNTARY VET PREFERENCE

SPONSOR(S): REPRESENTATIVE(S) TUCK

01/18/17	(H)	PREFILE RELEASED 1/9/17
01/18/17	(H)	READ THE FIRST TIME - REFERRALS
01/18/17	(H)	MLV, L&C
01/24/17	(H)	MLV AT 1:00 PM GRUENBERG 120
01/24/17	(H)	Heard & Held
01/24/17	(H)	MINUTE(MLV)
01/31/17	(H)	MLV AT 1:00 PM GRUENBERG 120

WITNESS REGISTER

VERDIE BOWEN, Director of Veterans Affairs

Office of Veteran Affairs
Department of Military & Veterans' Affairs (DMVA)
Anchorage, Alaska

POSITION STATEMENT: Answered questions about HB 2.

ACTION NARRATIVE

[1:06:42 PM](#)

CHAIR CHRIS TUCK called the House Military and Veterans' Affairs Special Committee meeting to order at 1:06 p.m. Representatives Parish, Rauscher, Saddler, Reinbold, and Tuck were present at the call to order. Representative LeDoux arrived as the meeting was in progress. Representative Stutes was also in attendance.

HB 2-PRIV EMPLOYER VOLUNTARY VET PREFERENCE

[1:07:32 PM](#)

CHAIR TUCK announced that the only order of business would be HOUSE BILL NO. 2, "An Act relating to a voluntary preference for veterans by private employers."

CHAIR TUCK reviewed that HB 2 would extend a veteran employer preference opportunity to private employers, which is already in place for public employers. The bill uses the exemption under the Civil Rights Act. It is not a mandate, but would provide an option for employers wishing to extend this preference.

[1:08:35 PM](#)

REPRESENTATIVE RAUSCHER moved to adopt Amendment 1, labeled 30-LS0071\A.3, Martin, 1/27/17, which read as follows:

Page 1, line 6:

Delete "honorably discharged"

Insert "discharged under honorable conditions"

Page 2, line 2:

Delete "honorably discharged"

Insert "discharged under honorable conditions"

[1:09:05 PM](#)

CHAIR TUCK objected for discussion purposes.

REPRESENTATIVE RAUSCHER described that Amendment 1 would add "discharged under honorable conditions", which would cover general discharge.

[1:09:58 PM](#)

REPRESENTATIVE SADDLER asked if the amendment concords with the sponsor's goal.

CHAIR TUCK, as sponsor of HB 2, answered that it does. He added that he just wanted to ensure it didn't include dishonorable discharges.

REPRESENTATIVE SADDLER stated that in the statute regarding veteran preference for public employees, the condition states "other than dishonorable". He asked if the sponsor was comfortable with the difference.

CHAIR TUCK stated that he is okay with that.

[1:10:56 PM](#)

VERDIE BOWEN, Director of Veterans Affairs, Office of Veteran Affairs, Department of Military & Veterans' Affairs (DMVA), responded to Representative Saddler's question, stating the language in Amendment 1 covers all the benefits offered by the U.S. Department of Veterans Affairs (VA) through general and honorable discharge.

REPRESENTATIVE SADDLER asked Mr. Bowen if he is okay with the slight differing definitions of discharge for public and private employees.

MR. BOWEN answered yes.

[1:12:07 PM](#)

The committee took a brief at-ease at 1:12 p.m.

[1:12:20 PM](#)

CHAIR TUCK removed his objection to the motion to adopt Amendment 1. There being no further objection, Amendment 1 was adopted.

[1:12:36 PM](#)

REPRESENTATIVE PARISH moved to adopt Amendment 2, labeled 30-LS0071\A.4, Wayne, 1/30/17, which read as follows:

Page 1, line 1, following "**for**":

Insert "**members of the national guard and**"

Page 1, line 5, following "a":

Insert "member of the national guard or a"

Page 1, line 6, following "subsection,":

Insert "(1) "member of the national guard" means a person presently serving as a member in good standing in the national guard;

(2)"

Page 1, line 7:

Delete "(1)"

Insert "(A)"

Page 1, line 8:

Delete "(2)"

Insert "(B)"

Page 1, line 9:

Delete "(3)"

Insert "(C)"

Page 1, line 10:

Delete "(4)"

Insert "(D)"

Page 1, line 11:

Delete "(5)"

Insert "(E)"

Page 1, line 12:

Delete "(6)"

Insert "(F)"

Page 1, line 14, following "**of**":

Insert "**Members of the National Guard and**"

Page 1, line 15:

Delete "**Veteran**"

Insert "**National guard member and veteran**"

Page 2, line 1:

Following "a":

Insert "member of the national guard or a"

Following "section,":

Insert "(1) "member of the national guard" means a person presently serving as a member in good standing in the national guard;

(2)"

Page 2, line 3:

Delete "(1)"

Insert "(A)"

Page 2, line 4:

Delete "(2)"

Insert "(B)"

Page 2, line 5:

Delete "(3)"

Insert "(C)"

Page 2, line 6:

Delete "(4)"

Insert "(D)"

Page 2, line 7:

Delete "(5)"

Insert "(E)"

Page 2, line 8:

Delete "(6)"

Insert "(F)"

Page 2, following line 8:

Insert a new bill section to read:

*** Sec. 3.** AS 39.25.159(f)(3) is amended to read:

(3) "member of the national guard" means a person who

(A) is presently serving as a member in good standing in [OF] the national guard; or

(B) was released from service in the national guard under honorable conditions [ALASKA NATIONAL GUARD AND WHO HAS AT LEAST EIGHT YEARS OF SERVICE IN THE ALASKA NATIONAL GUARD];"

[1:13:11 PM](#)

REPRESENTATIVE PARISH stated that Amendment 2 is a suggestion of DMVA and would extend the private employee preference option to include active duty National Guard and remove the eight-year service requirement for the National Guard for the public employee preference currently in statute. He stated that the changes would ensure that Alaskan hiring pools would have important individuals already trained by the government to be focused, flexible, and results oriented.

[1:14:00 PM](#)

REPRESENTATIVE SADDLER asked if Mr. Bowen thinks Amendment 2 is good policy.

[1:14:07 PM](#)

CHAIR TUCK objected to the motion to adopt Amendment 2.

[1:14:13 PM](#)

MR. BOWEN stated his belief that this is a great change to statute to bring equity to National Guard members.

REPRESENTATIVE SADDLER asked what percentage of Alaskan National Guard or Air Force members is in the first eight years of service.

MR. BOWEN responded that about 30 percent of the force is in its first enlistment.

REPRESENTATIVE SADDLER asked for clarification as to whether a first enlistment is no more than five years.

MR. BOWEN stated that the first enlistment is six years.

[1:15:29 PM](#)

REPRESENTATIVE PARISH asked if, under current statute, someone who transferred to the Alaska National Guard with six years of previous service in a different state would qualify for the preference.

MR. BOWEN stated that [current statute] does not stipulate which state the National Guard member serves in for the preference. He stated that the aforementioned eight-year requirement is applicable to all guardsmen.

REPRESENTATIVE PARISH opined it is in the best interest of Alaska to broaden the language to be more inclusive. He referred to AS 39.25.159(f)(3), which gives a definition of a member of the National Guard as follows:

(3) "member of the national guard" means a person who is presently serving as a member of the Alaska National Guard and who has at least eight years of service in the Alaska National Guard;

REPRESENTATIVE PARISH clarified that under Amendment 2, "Alaska National Guard" would be deleted.

MR. BOWEN confirmed that is correct. The way [statute] is presently written is discriminatory.

[1:18:09 PM](#)

CHAIR TUCK highlighted the aforementioned language of AS 39.25.159(f)(3).

[1:18:44 PM](#)

REPRESENTATIVE SADDLER asked if the amendment eliminates the eight-year requirement, and if there is any other place in statute that lists where the eight-year requirement.

CHAIR TUCK observed that Amendment 2 would not only remove the language regarding the eight-year requirement, but also would add language regarding release under honorable conditions.

REPRESENTATIVE SADDLER stated the proposed amendment accomplishes the goal, and he believes the language in Amendment 2 is a good compromise.

[1:20:02 PM](#)

CHAIR TUCK removed his objection to the motion to adopt Amendment 2. There being no further objection, Amendment 2 was adopted.

REPRESENTATIVE SADDLER opined that the bill is a good opportunity for private employers who want to "do the right thing by our veterans" to do so without an equal rights challenge. He stated his belief that veterans deserve extra consideration due to their service on behalf of the country, and

that it is good to be able to offer them extra consideration in the private sector.

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CHAIR TUCK stated his belief that the bill will help in recruitment for the National Guard, as it eliminates a hesitancy of balancing private employment with National Guard service.

[1:21:45 PM](#)

REPRESENTATIVE LEDOUX moved to report HB 2, as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 2(MLV) was moved from House Military and Veterans' Affairs Special Committee.

[1:22:12 PM](#)

The committee took an at-ease from 1:22 p.m. to 1:25 p.m.

[1:25:39 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Military and Veterans' Affairs Special Committee meeting was adjourned at 1:25 p.m.