

**ALASKA STATE LEGISLATURE
HOUSE STATE AFFAIRS STANDING COMMITTEE**

March 21, 2017

3:08 p.m.

MEMBERS PRESENT

Representative Jonathan Kreiss-Tomkins, Chair
Representative Gabrielle LeDoux, Vice Chair
Representative Chris Tuck
Representative Adam Wool
Representative Chris Birch
Representative DeLena Johnson
Representative Gary Knopp

MEMBERS ABSENT

Representative Andy Josephson (alternate)
Representative Chuck Kopp (alternate)

COMMITTEE CALENDAR

HOUSE BILL NO. 94

"An Act establishing October 25 of each year as African American Soldiers' Contribution to Building the Alaska Highway Day."

- HEARD & HELD

SENATE BILL NO. 46

"An Act establishing October 25 of each year as African American Soldiers' Contribution to Building the Alaska Highway Day."

- MOVED SB 46 OUT OF COMMITTEE

HOUSE BILL NO. 163

"An Act authorizing the Department of Public Safety to enter into agreements with nonprofit regional corporations and federal, tribal, and local government agencies to provide law enforcement services; authorizing the Department of Public Safety to collect fees for certain law enforcement services; and providing for an effective date."

- HEARD & HELD

HOUSE BILL NO. 1

"An Act relating to absentee voting, voting, and voter registration; relating to early voting locations at which

persons may vote absentee ballots; and providing for an effective date."

- MOVED CSHB 1(STA) OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 94

SHORT TITLE: AF AMER SOLDIERS CONT TO BUILD AK HWY DAY

SPONSOR(S): REPRESENTATIVE(S) TARR

02/01/17	(H)	READ THE FIRST TIME - REFERRALS
02/01/17	(H)	STA
03/14/17	(H)	STA AT 3:00 PM GRUENBERG 120
03/14/17	(H)	<Bill Hearing Canceled>
03/21/17	(H)	STA AT 3:00 PM GRUENBERG 120

BILL: SB 46

SHORT TITLE: OCT 25: AFR-AMER SOLDIERS AK HWY DAY

SPONSOR(S): SENATOR(S) WILSON

02/01/17	(S)	READ THE FIRST TIME - REFERRALS
02/01/17	(S)	TRA, STA
02/14/17	(S)	TRA AT 1:30 PM BUTROVICH 205
02/14/17	(S)	Heard & Held
02/14/17	(S)	MINUTE(TRA)
02/16/17	(S)	TRA AT 1:30 PM BUTROVICH 205
02/16/17	(S)	Moved SB 46 Out of Committee
02/16/17	(S)	MINUTE(TRA)
02/17/17	(S)	TRA RPT 4DP
02/17/17	(S)	DP: STEDMAN, BISHOP, WILSON, EGAN
02/28/17	(S)	STA AT 3:30 PM BUTROVICH 205
02/28/17	(S)	Moved SB 46 Out of Committee
02/28/17	(S)	MINUTE(STA)
03/01/17	(S)	STA RPT 3DP 1NR
03/01/17	(S)	NR: DUNLEAVY
03/01/17	(S)	DP: EGAN, GIESSEL, WILSON
03/06/17	(S)	TRANSMITTED TO (H)
03/06/17	(S)	VERSION: SB 46
03/08/17	(H)	READ THE FIRST TIME - REFERRALS
03/08/17	(H)	STA
03/14/17	(H)	STA AT 3:00 PM GRUENBERG 120
03/14/17	(H)	<Bill Hearing Canceled>
03/21/17	(H)	STA AT 3:00 PM GRUENBERG 120

BILL: HB 163

SHORT TITLE: DPS LAW ENFORCE. SVCS: AGREEMENTS/FEES

SPONSOR(s) : RULES BY REQUEST OF THE GOVERNOR

03/08/17 (H) READ THE FIRST TIME - REFERRALS
03/08/17 (H) STA, FIN
03/16/17 (H) STA AT 3:00 PM GRUENBERG 120
03/16/17 (H) <Bill Hearing Canceled>
03/21/17 (H) STA AT 3:00 PM GRUENBERG 120

BILL: HB 1

SHORT TITLE: ELECTION REGISTRATION AND VOTING

SPONSOR(s) : TUCK

01/18/17 (H) PREFILE RELEASED 1/9/17
01/18/17 (H) READ THE FIRST TIME - REFERRALS
01/18/17 (H) STA, JUD
02/23/17 (H) STA AT 3:00 PM GRUENBERG 120
02/23/17 (H) Heard & Held
02/23/17 (H) MINUTE(STA)
02/28/17 (H) STA AT 3:00 PM GRUENBERG 120
02/28/17 (H) Heard & Held
02/28/17 (H) MINUTE(STA)
03/07/17 (H) STA AT 3:00 PM GRUENBERG 120
03/07/17 (H) Heard & Held
03/07/17 (H) MINUTE(STA)
03/09/17 (H) STA AT 3:00 PM GRUENBERG 120
03/09/17 (H) Heard & Held
03/09/17 (H) MINUTE(STA)
03/14/17 (H) STA AT 5:30 PM GRUENBERG 120
03/14/17 (H) -- MEETING CANCELED --
03/16/17 (H) STA AT 3:00 PM GRUENBERG 120
03/16/17 (H) Heard & Held
03/16/17 (H) MINUTE(STA)
03/21/17 (H) STA AT 3:00 PM GRUENBERG 120

WITNESS REGISTER

REPRESENTATIVE GERAN TARR

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: Presented HB 94, as prime sponsor.

GARY ZEPP, Staff

Senator David Wilson

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: Presented SB 46 on behalf of Senator Wilson, prime sponsor.

VERDIE BOWEN, Director
Office of Veterans Affairs (OVA)
Department of Military & Veterans' Affairs (DMVA)
Anchorage, Alaska
POSITION STATEMENT: Testified in support of SB 46.

MARK FISH
Big Lake, Alaska
POSITION STATEMENT: Testified in opposition to SB 46.

CLAUDIA ROLLINS
Richmond, Virginia
POSITION STATEMENT: Testified in support of SB 46.

REGINALD BEVERLY
Ruther Glen, Virginia
POSITION STATEMENT: Testified in support of SB 46.

LEONARD LARKIN
New Orleans, Louisiana
POSITION STATEMENT: Testified in support of SB 46.

BERT LARKIN
New Orleans, Louisiana
POSITION STATEMENT: Testified in support of SB 46.

JEAN POLLARD, Chair
Alaska Highway Project
Anchorage, Alaska
POSITION STATEMENT: Testified in support of SB 46.

ELLIOT ROSS
Fort Greely, Alaska
POSITION STATEMENT: Testified in support of SB 46.

CEYLON MITCHELL
Anchorage, Alaska
POSITION STATEMENT: Testified in support of SB 46.

LIONEL MAYBIN
Anchorage, Alaska
POSITION STATEMENT: Testified in support of SB 46.

SHALA DOBSON
Alaska Highway Memorial Project
Wasilla, Alaska

POSITION STATEMENT: Testified in support of SB 46.

COLONEL JAMES COCKRELL, Director
Alaska State Troopers (AST)
Department of Public Safety (DPS)
Juneau, Alaska

POSITION STATEMENT: Presented HB 163 on behalf of the House Rules Standing Committee, sponsor, by request of the governor.

LAURI WILSON, Elections Supervisor
Division of Elections (DOE)
Office of the Lieutenant Governor
Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on HB 1.

ACTION NARRATIVE

[3:08:06 PM](#)

CHAIR JONATHAN KREISS-TOMKINS called the House State Affairs Standing Committee meeting to order at 3:08 p.m. Representatives Tuck, Birch, Johnson, Knopp, and Kreiss-Tomkins were present at the call to order. Representatives LeDoux and Wool arrived as the meeting was in progress.

HB 94-AF AMER SOLDIERS CONT TO BUILD AK HWY DAY

[3:09:01 PM](#)

CHAIR KREISS-TOMKINS announced that the first order of business would be HOUSE BILL NO. 94, "An Act establishing October 25 of each year as African American Soldiers' Contribution to Building the Alaska Highway Day."

[3:09:32 PM](#)

REPRESENTATIVE GERAN TARR, Alaska State Legislature, presented HB 94, as prime sponsor. She stressed the importance of remembering important points in Alaska history. She asserted that the proposed legislation would recognize the contribution of the African American soldiers who helped build the Alaska Highway, and it would celebrate their service under difficult conditions. She reminded the committee that the U.S. Army was still segregated at this point in time, and there was great disparity between the two groups of soldiers regarding the supplies they received. She added that the [African American]

soldiers contributed to connecting Alaska to the Lower 48, which was an important and vital link for national security.

REPRESENTATIVE TARR stated that she began working on this effort as staff person with the Anchorage Park Foundation in 2012, which was prior to her being elected to the legislature. She relayed that at that time, community volunteers worked to bring to this "hidden history" the attention that it deserved. She related that the first effort involved dedicating memorial benches in Cuddy Park [in Anchorage] to the African American soldiers. She said that to do something more substantial before the "living" history is gone, many other activities are in progress including: a documentary; a school district curriculum for Black History Month; and a commemorative event to celebrate the 75th anniversary of the completion of the Alaska Highway on October 25th of this year. She concluded that the proposed legislation would memorialize that day and honor the contribution and commitment of these soldiers.

[3:13:05 PM](#)

CHAIR KREISS-TOMKINS announced that HB 94 would be held over.

SB 46-OCT 25: AFR-AMER SOLDIERS AK HWY DAY

[3:13:11 PM](#)

CHAIR KREISS-TOMKINS announced that the next order of business would be SENATE BILL NO. 46, "An Act establishing October 25 of each year as African American Soldiers' Contribution to Building the Alaska Highway Day."

[3:13:45 PM](#)

GARY ZEPP, Staff, Senator David Wilson, Alaska State Legislature, presented SB 46 on behalf of Senator Wilson, prime sponsor, with the use of a PowerPoint presentation. He began by saying that there is no disrespect intended in the use of the terms "blacks" or "African Americans" in discussing SB 46, as the terms are interchangeable.

MR. ZEPP paraphrased from his written testimony, which read as follows [original punctuation provided]:

Good afternoon Mr. Chairman and members of the committee. Thank you for hearing SB 46 - October 25th

- "African American Soldiers' Contribution to Building the Alaska Highway Day"

Also Mr. Chairman and members of the committee, I'd like to encourage all Alaskans and visitors to attend this summer's Alaska Highway 75th Anniversary celebration events taking place throughout the state.

The 75th anniversary celebrations are a tribute to all of the troops and civilians for their contributions to building the Alaska Highway. All of the troops are all deserving of recognition! This legislation is not meant to ignore nor disrespect any of the troops or civilians who worked on the Alaska Highway.

There are so many amazing stories related to Alaska's history yet to be discovered and shared, this is just one of them. We believe the African American Soldiers deserve to have their story told!

- Did you know that the all African American 97th Engineer Regiment was responsible for building the original Alaska Highway from the Alaska-Yukon border all the way to Delta? It's true! Not many people know that fact.
- African American Soldiers from the 97th Engineer Regiment worked on the entire portion of the Alaska Highway. The 93rd and 95th Engineer Regiments worked on various parts of the Alaska Highway within the Canadian border.
- It's about the historical context, during the Jim Crow area (which meant states and local laws enforced racial segregation up until 1965), the racist environment they endured and the segregation imposed upon them, they were poorly supplied and equipped because of their race, the US Army's own assessment at that time was that the African American troops' were substandard when compared to whites, and the many examples of the lack of press or mainstream media coverage of the African American troops' contributions to building the Alaska Highway until now.
- The African American Soldiers were asked to risk their lives for their country, yet the country didn't value them as equals to other races, at that time.

Army regulations at the time mandated that African Americans [sic] soldiers had to live in segregated camps, and eat separately from the whites. African American troops were not only segregated from white troops, they weren't allowed near any Alaskan or Canadian settlements and very few residents in Fairbanks or Delta Junction ever realized they were there. They were under orders not to talk or visit with white citizens as they entered Alaska.

[3:16:56 PM](#)

MR. ZEPP began a PowerPoint presentation. He referred to Slide 1, titled "Senate Bill 46 - 'October 25th - African American Soldiers' Contribution to Building the Alaska Highway Day'". He said three African American regiments were sent to Alaska and Canada to work on the highway: the 93rd Engineer Regiment, the 95th Engineer Regiment, and the 97th Engineer Regiment. The 97th Engineer Regiment worked exclusively on the Alaska section.

MR. ZEPP directed attention to Slide 2, titled "Why October 25th?" He relayed that on October 25, the 97th Engineer Regiment heading south met the white troops from the 18th Engineer Regiment heading north and completed the road's last link. He said that The New York Times reported what happened when the two regiments met head-on in the spruce forests of the Yukon Territory. The article read as follows [original punctuation provided in the PowerPoint slide]:

Corporal Refines Sims Jr., an African American from Philadelphia, who was driving south with a bulldozer when he saw trees starting to topple over on him, slamming his big vehicle into reverse, he backed out just as another bulldozer, driven by Private Alfred Jalufka of Kennedy, Texas, broke through the underbrush.

MR. ZEPP stated that an Engineering News-Record magazine photographer, Harold Richardson, captured the image of the African American soldier and the white soldier standing on their respective bulldozers. He relayed that this meeting occurred 20 miles east of the Alaska-Yukon border at Beaver Creek. He quoted an article in the Engineering News-Record describing the meeting as "two races working together to build a lifeline to Alaska's defenders amidst spectacularly rugged terrain and horrendous weather conditions."

MR. ZEPP referred to Slide 3 and related that the Alaska Highway is considered one of the biggest and most difficult construction projects ever completed by the U.S. Corps of Engineers. It stretches 1,422 miles from Dawson Creek, British Columbia, to Delta Junction, Alaska, at a cost of \$138 million dollars, which would be \$2.1 billion today.

MR. ZEPP said to add perspective, on March 30, 1867, Secretary of State William Seward reached agreement with Russia to purchase Alaska for \$7.2 million, which would be \$112.2 million in 2017.

[3:19:10 PM](#)

[MR. ZEPP turned to Slide 4 of the PowerPoint, titled "Alaska Highway - 'The Road to Civil Rights,'" and played a National Park Service video on the building of the Alaskan Highway.]

[3:23:41 PM](#)

MR. ZEPP expressed his appreciation to the National Park Service, U.S. Department of Interior, for the video.

MR. ZEPP referred to Slide 5 and relayed that the African American Army regiments that built the Alaska Highway established a reputation for excellence, especially in the field of bridge building; however, their accomplishments were ignored by the press and mainstream media. He said it took decades for these soldiers to receive proper recognition for their achievements. He added that some say they were as legendary as the Tuskegee Airmen and the Buffalo Soldiers.

MR. ZEPP mentioned that the Sikanni Chief River Bridge building project, shown in the video, was amazing because the African American soldiers worked with hand tools - saws and axes - to drive pilings into the riverbed, to fell spruce trees, and to sawmill the trees into planks, boards, and pilings. He added that the project was finished in record time.

[3:24:38 PM](#)

MR. ZEPP turned to Slide 6, titled "Why the recognition of the African American Soldiers?" and said, "It's about the historical context." He stated that race relations in America were very different in 1942. Opportunities for African Americans were rare, and expectations were low. He said that racial segregation existed in housing, medical care, education,

employment, and transportation, and social segregation existed regarding restaurants, drinking fountains, and bathrooms.

MR. ZEPP related that the documentary, titled Alaska at War, describes Alaska's role in World War II, including the opening of oil fields, the Japanese bombing of Dutch Harbor, the struggle to recapture the Aleutians Islands, and the construction of the highway. He mentioned that Eugene Long, who was enlisted in the 95th Engineer Regiment deployed to Alaska to assist in building the Alaska Highway, said, "Not one African American soldier was shown in the movie."

MR. ZEPP relayed that the bestselling book on the building of the Alaska Highway, titled The Trail of 1942, has three photos, taken at a distance, of African American Soldiers out of 178 photos, or 1.6 percent, even though the African American soldiers represented one-third of the troops.

[3:25:42 PM](#)

MR. ZEPP referred to Slide 7, also titled "Why the recognition of the African American Soldiers?" and relayed the timeline for the safeguards of civil rights as follows:

In 1865, the 13th Amendment to the U.S. Constitution abolished slavery and involuntary servitude. In 1868, the 14th Amendment to the U.S. Constitution granted U.S. citizenship to former slaves. In 1870, the 15th Amendment to the U.S. Constitution provided African American [men] the right to vote. In 1875, the Civil Rights Act of 1875 was passed, which forbid racial segregation in accommodations.

However in 1896, the U.S. Supreme Court sustained the constitutionality of Louisiana's requirement that railroad companies provide "separate but equal" accommodations for white and black passengers. Over the next 25-35 years, equality in racial relations progress was lost, particularly in the South. By 1910, segregation was firmly established across the South and most of the border region.

In 1954, legal segregation in schools was banned in the U.S. after a series of rulings in the U.S. Supreme Court. And in 1964, all legally enforced public segregation was abolished by the Civil Rights Act.

The U.S. War Department's tradition and policy mandated the segregation of African American troops into separate units led by white officers. During the construction of the Alaska Highway, African American troops were ordered not to leave camp and not mingle with the locals, while the whites were allowed to mingle. They were treated unequally, and yet defied expectations in many situations with even fewer resources.

[3:27:19 PM](#)

MR. ZEPP reiterated, "It's about the historical context." He referred to Slide 8, again titled "Why the recognition of the African American Soldiers?" He said that little press or mainstream media has been given to the African American soldiers for these efforts. He relayed examples of the lack of press coverage of the African American troops as follows:

The National Archives contains only a few dozen photos among the hundreds taken of the Alaska Highway construction. African Americans were edited out of a 1991 National Geographic feature on the highway, despite the fact that the magazine obtained interviews of seven men who served building the Alaska Highway. A souvenir booklet, the Alaska Highway, Armed Service Forces published in 1944 includes 100 photos but only one of an African American soldier. The official 759-page U.S. Army history of [the] Corp covers African American troop involvement with a one sentence footnote.

MR. ZEPP maintained that the African American soldiers not only helped build the Alaska Highway, but their performance and efforts helped change the course of discrimination in America. He referred to Slide 9, also titled "Why the recognition of the African American Soldiers?" He said that the African American soldiers' contributions during World War II influenced American leaders, and this point in history was considered a turning point in race relations in America. He relayed that by 1948, President Harry Truman signed into law a desegregation plan for the armed services.

MR. ZEPP mentioned that after seeing Ms. Lael Morgan's exhibit in Fairbanks in 1992, Colin Powell, Chairman of the Joint Chiefs of Staff, stated, "I had no idea black men had done anything like this. They are deserving of recognition." Mr. Zepp added

that Douglas Brinley, a Rice University historian, stated, "The Alaska Highway was not only the greatest feat of World War II, it was a triumph over racism." Mr. Zepp quoted General James O'Connor speaking at the Alaska Highway dedication, "Someday the accomplishments of the African American troops, achievements accomplished far from home, will occupy a major place in the lore of the North country." Mr. Zepp added, "And this happened in Alaska."

[3:29:16 PM](#)

[MR. ZEPP played from slide 9 of the PowerPoint a video of Mr. Reginald Beverly briefly describing his experience as a soldier in the 95th Engineer Regiment working on the Alaska Highway.]

[3:30:23 PM](#)

MR. ZEPP relayed that the U.S. Army's official assessment at this time in history was that African American soldiers were substandard in performance and literacy; they were usually delegated to labor projects and not sent to the battle front. He related a few examples of how African American soldiers were treated, as follows:

General Clarence Sturdevant, who was apologetic to General Simon Bolivar Buckner, Jr., who was the head of the US Army in Alaska at that time when he stated, "I have heard that you object to having colored troops in Alaska, and we have attempted to avoid sending them; however, we have been forced to use colored regiments and it seems unwise for diplomatic reasons to use them in Canada, since the Canadians also prefer whites." To placate Gen. Buckner Jr, it was agreed that black troops would not be allowed near any Alaskan or Canadian settlements.

There was also a concern about African Americans settling after the war, and they would interbreed with Indians and Eskimos and produce an astonishingly objectionable race of mongrels.

A military study from the Army War College stated, "The Negro is careless, shiftless, irresponsible, secretive, he is best handled with praise and by ridicule. He is unmoved and untruthful, and his sense of right-doing is relatively inferior."

A field inspection noted during 63 degree below zero weather indicated that the Big Delta's black regiment was found to be living in wretched conditions and poorly supplied. But things started to change after the original construction of the Alaska Highway. It is believed that the achievements and the performance of the African American troops and white troops working together were considered a turning point in America's race relations. And this happened in Alaska.

MR. ZEPP asked for the committee's support for SB 46.

[3:32:30 PM](#)

REPRESENTATIVE BIRCH expressed his appreciation for the presentation and said he was happy to support the proposed legislation.

[3:33:15 PM](#)

CHAIR KREISS-TOMKINS opened public testimony on SB 46.

[3:33:34 PM](#)

VERDIE BOWEN, Director, Office of Veterans Affairs (OVA), Department of Military & Veterans' Affairs (DMVA), testified in support of SB 46. He said that the first time he learned of the African American soldiers who built the [Alaska] Highway was as a young man in Cape Pole, Alaska. He relayed that his construction boss was one of the soldiers who had constructed the highway. Mr. Bowen mentioned that he assumed this was part of Alaskan history education. He said that later in life, he read an article in which General Colin Powell said he did not realize that any African American soldiers worked on the highway to Alaska. Mr. Bowen offered that he was surprised that General Powell was not aware of this, since one-third of the soldiers constructing the highway were African Americans.

MR. BOWEN went on to say that in considering the accomplishments of the African American soldiers, he thought about the conditions that they lived under. He said that during the time they built the road, they were not allowed to leave, not allowed into the communities, and not allowed time to relax. He asserted that they had great adversities to overcome. They did not have mechanized equipment. He said that what they accomplished with what they had proved to those in authority

that not only were they equal to the soldiers who had all the equipment, they were much better. He said that he can't imagine building a bridge over a river with just hand tools and not having the ability to plane planks or use a pile driver to put holding beams into the water.

MR. BOWEN concluded that naming October 25th after those soldiers, who went through that adversity, would ensure that youth would be aware of this history. He offered that this event was a huge factor in the execution of the Executive Order [Executive Order 9981: Desegregation of the Armed Forces] of 1948.

[3:37:22 PM](#)

MARK FISH testified in opposition to SB 46. He relayed that his grandfather, James D. Fish, worked on the construction of the Alaska Highway. He said that the story of the Alaska Highway is how a divided and segregated nation, in a time of great stress and danger, worked together under extreme conditions to accomplish a great thing in a short period of time. He stated that in the proposed legislation, the contributions of other workers including his grandfather are being ignored because of the color of their skin. He asserted, "We cannot make up for past injustice by creating a future injustice." He emphasized that segregation was not right then, and it is not right to segregate workers now by way of the proposed legislation. He maintained that all workers' contributions should be commemorated. He quoted from the PBS website on the Alaska Highway construction, which read, "Regardless of race issues, the War Department's plan required enormous efforts from everyone who worked on the highway. The grueling schedule and extreme conditions were a tremendous challenge."

MR. FISH said that from his grandfather's stories, the equipment was not new but was second and third rate, and some was from the '20s. He said that everyone who worked on the highway shared in the conditions; the mosquitos didn't know the color of the person whose blood they were sucking. He relayed that there was very little sanitation. He added there was not much time off for anyone to go into town after a 16-hour shift, as they were in the middle of the Yukon wilderness. He maintained that all veterans who worked on the highway have a lot for which to be proud. He said, "Instead of celebrating segregation and division, we should celebrate a day without division and call it the Alaska Highway Day." He maintained that doing so would focus on all who participated and not prevent anyone from

observing their own people's contributions. He asked that the proposed legislation be amended to read "Alaska Highway Day" and that corresponding changes be made to the bill language.

[3:40:51 PM](#)

CLAUDIA ROLLINS paraphrased from her written testimony, which read as follows [original punctuation provided]:

My name is Claudia Beverly Rollins and I am the daughter of Mr. Reginald Beverly who lives in Ruther Glen, Virginia. My dad is one of over 4,000 black soldiers who built the Alaska Highway in 1942. He is now 102 years old. Throughout my lifetime, he has shared many of his experiences with my sisters and me.

When he went to build the Alaska Highway, he was a rarity because he was a black recruit with a university degree. He said, "I was drafted December 5, 1941, two days before Pearl Harbor. I was a high school math teacher. Once drafted, I only had time to report to school the next morning, call the class roll and bid my students and administration goodbye. From there, I traveled two miles to Bowling Green, Virginia to catch the bus to go to Fort Meade, Maryland. I was twenty-six years old."

My Dad, Mr. Beverly had received a Bachelor of Science Degree from Virginia State University, one of the first fully state-supported four-year institutions of higher learning for blacks in America. He was assigned to the 95th Regiment.

[3:42:57 PM](#)

While serving in Alaska as a regimental surveyor building the Alcan Highway, Mr. Beverly had to endure the treacherous weather while living in substandard conditions such as living in tents with ice approximately one inch thick on the inside while white soldiers lived in actual buildings.

During this time, while instructing other soldiers using his surveying skills and sophisticated instruments, Mr. Beverly had no stripes while white soldiers that he was instructing wore strips [sic]. When a Colonel Thompson saw Sargent Beverly and

observed that he [sic] no stripes, he said, "Give that man some stripes!" Mr. Beverly said stripes were delivered to him on the very next morning!

I do approve Senate Bill 46. I support this Bill to recognize the contributions of African American Soldiers who worked extremely hard on the Alcan Highway and completed this task in record time! I also support making October 25th of each year the official "Alaska African American History Soldier Contribution Day." This day is befitting since this was the day that a Black Soldier and white soldier shook hands upon completion of such a tremendous project!

Thank you Gary Zepp and Legislators for giving me this opportunity to communicate with you in support of Senate Bill 46.

[3:45:02 PM](#)

REGINALD BEVERLY expressed his appreciation for the proposed legislation honoring the African American soldiers who worked on the Alcan Highway.

[3:46:08 PM](#)

LEONARD LARKIN testified that he entered military service on April 12, 1941, and enlisted for one year. He relayed that after [the bombing of] Pearl Harbor, he had to stay in the service. He said he was sent to serve in the 93rd Engineer Regiment in Alaska to work on the ALCAN Highway, which lasted about one year. He related that the soldiers did not have enough tools - picks, shovels, and bulldozers; much of the work had to be done by hand. He said the weather was cold and "sloppy," and there were mosquitos. He added that the men had a difficult time working. He stated that they were mostly black men, and the few officers in charge of them were white men.

[3:48:03 PM](#)

BERT LARKIN testified that Leonard Larkin is his father. He said he heard many stories over the years from his father about his experiences on the Alcan Highway. He relayed that he always tried to research what his father told him, but he never found anything written about it. He said, "That's what makes this all so important; that the story be told about these soldiers who overcame adversity, racism, and hard work." He reiterated that

he and his father both support establishing a day of recognition and the passage of SB 46.

[3:49:29 PM](#)

JEAN POLLARD, Chair, Alaska Highway Project, testified that the intent of the Alaska Highway Project is not to change history but to acknowledge history. She maintained that there were no white soldiers building the highway; there were white officers supervising the black soldiers; and there were civilians, not military, who came to Alaska to pave the highway. She related that as an educator, she will be teaching a class with two other teachers, which will be put into the Alaska Studies curriculum so that this history will not be forgotten. The class will be a required course and shared in other Alaskan communities. She maintained that many people have not heard this story; she has talked with many educators who have not heard this story; she herself has a minor in history from the University of Alaska Anchorage (UAA) and had not heard it. She asserted that it is important to ensure that the next generation will hear it. She said she supports SB 46 and mentioned that there will be celebration events all over the state.

REPRESENTATIVE LEDOUX thanked Ms. Pollard for her tireless advocacy for SB 46.

[3:53:54 PM](#)

ELLIOT ROSS testified that he has recently been appointed as Fort Greely's chair in the efforts to celebrate the 75th anniversary of the completion of the Alaska-Canadian Highway as well as the Lend-Lease Policy ["An Act to promote the Defense of the United States"] for Allen Army Airfield. He stated that the proposed legislation and related events are a tremendous opportunity for Alaska to recognize significant accomplishments of African Americans in connecting Alaska with the Lower 48 and Canada. He relayed that he, as a young African American living in Delta Junction, had no idea of this history, and as chairperson, has learned so much more of the contribution [of the African American soldiers]. He said he is a strong supporter of SB 46 and believes that everyone, no matter their demographic, will benefit from the education that will come because of the proposed legislation.

[3:56:31 PM](#)

CEYLON MITCHELL paraphrased from his written testimony, which read as follows [original punctuation provided]:

Hello Mr. Zepp, my name is Ceylon Mitchell. I am a retired veteran of the United States Air Force and with my family we have lived in Anchorage since September 1992. I am calling in as a proud Alaskan because my Father was one of the 4,000 Patriot [sic] Black Soldiers that helped build the Alaska Highway. My Father was Tec 5 James A. Mitchell. He was from Suffolk, Virginia and arrived and worked on the Canadian sector of the Highway in 1942. He was assigned to the 93rd General Services Reg. which worked from the Canadian sector going North to the Regiments that connected the Alaska Sector. After the 93rd completed their work on the Highway they were assigned to the Aleutian Islands to help remove the Japanese that had taken over part of the islands.

I am proud of SB 46 because it is one way that the Soldiers may be honored for their work that they performed in the War affords [sic]. There is very little written in the history books about their work in Alaska because the military was segregated, they were not allowed in the villages and they were not wanted here, but their labor was needed. Because of their work they are [a part of] America (sic) History, Black History and Alaska History. The building of the Highway was not only a major contribution to the war affords [sic], but also a major factor in the defense of Alaska and its future. This is a new day and there is enough positive history of Alaska to share. Just think if it were not for the Highway we all maybe speaking Japanese at this time. Have a good day and God Bless your work.

[3:59:21 PM](#)

LIONEL MAYBIN testified that he is retired from the U.S. Air Force after having served 24 years. He stated that he is an educator and a community leader helping children be successful. He stressed the importance of public awareness of the major contribution of the African American in helping to build the Alaska Highway. He maintained that this knowledge contributes to the pride and respect of being American and being part of building America. He said that as an educator, if you don't give African Americans respect for what their ancestors have

done - being a major contributor to building this country - you lessen their self-worth. He maintained that when he teaches, he gives credit where it is due through the truth being told.

MR. MAYBIN referred to the three African American women portrayed in the movie, Hidden Figures, and the significant role they played in sending a man [into space], a contribution which was largely unknown. He asserted that the more we share these truths and the more we give credit, the more people feel self-worth and the better we become as a society. He said that he believes that his ancestors deserve respect for what they have contributed, just as he deserves respect for having served in the military for 24 years. He stated that he supports SB 46 and believes October 25 will be a great day of celebration for Alaskans and Americans.

[4:03:01 PM](#)

SHALA DOBSON, Alaska Highway Memorial Project, testified that he wholeheartedly supported SB 46, which would celebrate always Alaska Highway Day on October 25. He stated that the proposed legislation would give honored recognition both to the Black Army Engineers who built the Alaska section of the Alaska Highway and to the meeting of the black troops with the white troops at Contact Creek on October 25. He said that as a member of the Alaska Highway Project, he believed that SB 46 would help bring this important story of our Alaska history to the forefront. He maintained that the complete story of the building of the Alaska Highway needs to be publicized.

[4:04:02 PM](#)

CHAIR KREISS-TOMKINS closed public testimony on SB 46.

REPRESENTATIVE BIRCH referred to the recognition of the contributions of the African American community to Alaska, submitted by U.S. Senator Dan Sullivan and included in the committee packet.

REPRESENTATIVE JOHNSON stated that she supports SB 46 and believes that it is a great story of Alaska that deserves to be told.

REPRESENTATIVE LEDOUX concurred with Representative Johnson's remarks and thanked all who have worked on the proposed legislation.

REPRESENTATIVE TUCK expressed his support for highlighting and recognizing the "heroes left behind" in history so that their contributions will never be forgotten.

[4:06:51 PM](#)

REPRESENTATIVE LEDOUX moved to report SB 46 out of committee with individual recommendations and the accompanying fiscal notes. There being no objection SB 46 was reported from House State Affairs Standing Committee.

HB 163-DPS LAW ENFORCE. SVCS: AGREEMENTS/FEES

[4:08:06 PM](#)

CHAIR KREISS-TOMKINS announced that the next order of business would be HOUSE BILL NO. 163, "An Act authorizing the Department of Public Safety to enter into agreements with nonprofit regional corporations and federal, tribal, and local government agencies to provide law enforcement services; authorizing the Department of Public Safety to collect fees for certain law enforcement services; and providing for an effective date."

[4:09:04 PM](#)

COLONEL JAMES COCKRELL, Director, Alaska State Troopers (AST), Department of Public Safety (DPS), presented HB 163 on behalf of the House Rules Standing Committee, sponsor, by request of the governor. He stated that through the years, AST has been impacted by the boom and bust of the economy and has looked for ways to provide professional services to underserved areas. He said that recently the communities of Nikiski and Big Lake asked if they could "contract out" with AST. He mentioned that AST's "battle" with the Municipality of Anchorage is what prompted AST to take "ownership" of areas inside the Municipality of Anchorage and Girdwood. He relayed that DPS offered a potential contract to the community of Girdwood. He asserted that since payments under such a contract would be made to the State of Alaska and not AST, such an arrangement would not help AST's budget or accomplish what was needed - keeping troopers "on the road" or providing services to Girdwood. Girdwood chose another option, which was contracting with the Whittier Police Department.

COLONEL COCKRELL provided a summary and a sectional analysis of HB 163, which read as follows [original punctuation provided]:

Summary: This bill allows the Department of Public Safety to enter into agreements with nonprofit regional corporations and government agencies to provide law enforcement services and to collect reasonable fees for the law enforcement services provides. It provides the Department receipt authority for the funds collected and limits applicability to entities that do not have a police force of public safety coverage as of the effective date of the Act.

Section 1: Amends 37.05.146 (c) by adding a new subsection: (90) fees collected by the Department of Public Safety for law enforcement services under AS 44.41.020 (g)

Section 2: Amends AS 44.41.020 by adding a new subsection (g); this additional subsection gives the Department the authority to enter into agreements with nonprofit regional corporations, or federal, tribal, or local governments and to collect reasonable fees to cover the costs of providing services;

Section 3: Amends the uncodified law by adding a new section that limits the applicability of AS 44.41.020 (g) to nonprofit regional corporations or federal, tribal, and local government agencies that do not have an organized police force or contracted public safety coverage as of the effective date of the Act.

Section 4: Provides for an effective day of July 1, 2017.

[4:13:06 PM](#)

REPRESENTATIVE LEDOUX asked why the proposed legislation is limited to areas without an organized police force or contracted public safety agreements as of the effective date of the Act. She suggested that after the effective date of the Act, a community might be in the same situation as was Girdwood. She mentioned as an example the unincorporated area of Chiniak near Kodiak.

COLONEL COCKRELL responded that in the situation of Kodiak and Chiniak, the proposed legislation would allow DPS to contract with a government entity or the Kodiak Island Borough to provide police services to Chiniak to augment the services that DPS is currently providing to Kodiak.

REPRESENTATIVE LEDOUX relayed that Girdwood is part of the Municipality of Anchorage. She said that if a community was in a situation exactly like the Girdwood situation, and the situation occurred after the effective date of the act, then there would be an organized police force for that community. She asked why the proposed legislation is not written such that the Department of Public Safety (DPS) could enter into an agreement with such a community.

COLONEL COCKRELL replied that Girdwood has contracted with the Whittier Police Department instead of the Anchorage Police Department. He stated that the fear is that those cities with bigger police departments, such as Bethel or Kotzebue, would decide to no longer have police departments, and the State of Alaska then would be responsible [for public safety]. He said DPS does not want to take on that responsibility or to be in competition with established local police departments. He said the people of Girdwood have chosen the Whittier Police Department and he does not know if DPS could contract with Girdwood under the proposed legislation.

REPRESENTATIVE LEDOUX referred to the North Slope Borough (NSB), which includes the City of Barrow and the outlying areas. She said that if the NSB Police Department does not wish to provide services to the outlying areas, then she does not see anything wrong with Barrow paying for AST to provide services.

[4:17:02 PM](#)

COLONEL COCKRELL responded that the intent of HB 163 is to allow areas with limited police protection to pay for AST to augment the coverage it already provides to the area. He gave the example of Soldotna and Nikiski: AST has a substantial post in Soldotna, but there are still not enough troopers to cover the area. Nikiski wanted to contract [with DPS] for troopers to augment what is being provided by the post in Soldotna. He suggested that in the Yukon-Kuskokwim Delta, several villages might wish to contract for extra trooper coverage to augment what the Bethel troopers are providing to the area. He reiterated that AST does not want to compete with the boroughs or municipalities for providing police services.

REPRESENTATIVE LEDOUX mentioned that in the Hillside area of Anchorage, the coverage is relatively sparse. She offered that if Hillside, through a non-profit corporation, decided that it

wanted to contract for more trooper service, why not allow that option?

COLONEL COCKRELL answered that he thought that DPS would be flexible in adopting that type of approach as long as it had the flexibility to say "no." He stated that DPS's fear is that it would be forced to enter into a contractual arrangement with an area. He asserted that the intent of the proposed legislation is to help the smaller communities that have very limited law enforcement resources. He added that he believes the more flexibility DPS has, the better off it is. He said that this is an experiment - something which hasn't been done in Alaska. He offered that the Royal Canadian Mounted Police ("Mounties") provide police for Whitehorse and several of the territories.

REPRESENTATIVE LEDOUX offered that the proposed legislation would not give DPS the flexibility it wants, because it precludes contracts with any entity in which there is an organized police force.

COLONEL COCKRELL replied that DPS would be open to looking at changing the language in the proposed legislation to address Representative LeDoux's concern.

[4:20:50 PM](#)

REPRESENTATIVE BIRCH asked what the mission was of DPS geographically and objectively with respect to the services it delivers.

COLONEL COCKRELL responded that AST has enforcement powers throughout the state including municipalities. It has posts from Prince of Wales Island to the most northern post of Kotzebue. He said that DPS has statewide authority over all "search and rescues" in the state, which average over 500 per year. It provides special investigative services to the Anchorage Police Department (APD) and all the smaller departments. It is the only statewide drug enforcement agency in the state. He added that the wildlife troopers enforce all the fish and game laws in the state. He offered that its scope and mission are endless considering its responsibilities.

REPRESENTATIVE BIRCH gave as an example the Fairbanks North Star Borough (FNSB), which includes about 100,000 people in the borough, 30,000 in Fairbanks, and a few thousand in North Pole. He asked if DPS provides law enforcement outside the corporate city limits of North Pole and Fairbanks but within the borough.

COLONEL COCKRELL replied, "Correct." He added that AST provides services for more residents than do the Fairbanks and North Pole police departments. He mentioned that the Matanuska-Susitna ("Mat-Su") Valley has two police departments, but AST serves over 85,000 residents of the Mat-Su Valley with 34 patrol troopers. He said that in the Kenai Peninsula, there are city police departments in Homer, Kenai, Soldotna, and Seward, but these departments have minimal "footprints" on the entire Kenai Peninsula. He asserted that AST covers much more territory and residents than the city [police departments] combined.

REPRESENTATIVE BIRCH stated that Girdwood is outside of the construct of the APD, "so it basically is no different than the greater FNSB." He said his expectation is that AST would provide services to those areas in the greater Municipality of Anchorage that are outside the police service area.

COLONEL COCKRELL responded that it has been the state's position that all the areas within the Municipality of Anchorage are under the APD, not AST.

[4:24:50 PM](#)

REPRESENTATIVE BIRCH asked if AST still has officers stationed in Fort Yukon or Holy Cross.

COLONEL COCKRELL answered no. He said that officers have not been stationed in Holy Cross for the last 20 years and in Fort Yukon, not since 1987.

REPRESENTATIVE BIRCH stated that the committee learned that there are 76 funded Village Public Safety Officer (VPSO) positions and 52 filled. He said that they also learned that the money not spent on the unfilled positions does not go back to the state, but is kept by the contractors. He asked if AST has an opportunity to compete for those contracted positions.

COLONEL COCKRELL said that AST depends greatly on the VPSOs across the state. He mentioned that they struggle with the same challenges as does AST - recruitment and retention. He added that their turnover rate is about thirty-three percent annually. He stated that they live in very difficult areas of the state regarding lack of infrastructure, housing, offices, and plumbing. He added that sometimes they must perform court arraignments over the telephone, because there is a prisoner in the other holding cell. He asserted that VPSOs are the "eyes

and ears" of AST when the troopers go to the villages. He said that the VPSOs certainly suffer when there are that many vacancies, especially in the Yukon-Kuskokwim Delta, where there are 11 vacancies out 15 or 18 positions. He said that the proposed legislation is not designed to create competition with the VPSO program. He added that the hope is that AST would augment the VPSO program. Studies show that communities are safer with either a VPSO in the village or both a VPSO and a state trooper in the village. He cited Emmonak, Hooper Bay, and Togiak as communities with both VPSOs and troopers. He added that the villages in Western Alaska are struggling with crime and sexual assaults. He said that his focus has been to provide more troopers to Western Alaska, but in accomplishing that, troopers were taken out of the urban areas.

[4:28:35 PM](#)

REPRESENTATIVE KNOPP mentioned that Title 29 [of the Alaska Statutes] controls the powers granted to the boroughs. He stated that as a second-class borough, Nikiski did not create a law enforcement service area or adopt police powers. He asked if Nikiski would have had to vote to create a law enforcement service area for DPS to contract with the city.

REPRESENTATIVE KNOPP offered that a non-profit [organization] has no authority outside of what it owns, so he didn't see how it could contract for law enforcement services without the people voting for "that power." He asked if the residents of a rural community with a non-profit regional corporation would have to vote on the service area before contracting out for police services and if that would be an issue with the governing body of the community.

COLONEL COCKRELL, in answer to the first question, replied that his understanding is that in the '90s, Nikiski voted to tax themselves for police services and then voted again in 2013. He added that Nikiski was in close contact with DPS during that time. He said that the answer to Representative Knopp's question was yes, Nikiski would have to vote to tax themselves and the Kenai Peninsula Borough (KPB) would pay the troopers [through a contract with DPS] to provide services to augment the services out of Soldotna. He said that his greatest fear regarding HB 163 is a scenario in which Nikiski asked for five state troopers under a contract costing possibly \$1 million and the next administration or legislature would cut the AST budget by \$1 million or by five positions. He asserted that the intent

of the proposed legislation is for AST to improve services, not break even or even earn money.

COLONEL COCKRELL, in answer to the second question, said that the non-profit regional corporations own swaths of land in rural Alaska and, except for Northwest Arctic Borough (NAB), they manage the VPSO programs. He said they could apply for grants to hire troopers to provide services to the villages.

[4:32:17 PM](#)

REPRESENTATIVE KNOPP commented that the VPSO program has been a large source of controversy in the budget process this year. He said that in compensating the regional corporations for the VPSOs, two concerns have come forward: the money was not being used for its intended purpose, and the VPSOs do not have the same training as the police officers who attend the academy. He asked if there is a possibility that someday DPS would contract with the regional corporations and provide them with VPSOs who are employees of DPS, and VPSOs would be provided the same training and authority as is provided to state troopers.

COLONEL COCKRELL answered that he felt that some of the testimony related to VPSOs during a House Finance Committee meeting had been disrespectful of the VPSO program. He said that not one dollar of the funds spent on the VPSO program goes to anything but salaries, benefits, and support of the program. He said that DPS interacts with nine entities, eight non-profits and NAB, in areas that are like "third world." He asserted that DPS provides for some very basic provisions, such as phone, water, electricity, building a jail cell, and a side-by-side [vehicle] for safe arrests. He stated, "There are so many things that they are lacking, and when we do have some extra money, there's nothing out there that doesn't go to that program." He added that the money stays in rural Alaska and does not go to Anchorage or any other place. He said that DPS has a record for every item purchased with the funds, and he oversees the purchases. He offered that the testimony he heard [in the previously mentioned House Finance Committee meeting] was disheartening, and perhaps he needs to do a better job of providing information about the VPSO program.

COLONEL COCKRELL responded to Representative Knopp's other comment by saying that DPS is working with the regional non-profits, or contractors, to explore the idea of making VPSOs state employees under AST. He said he believes the idea has merit and cited the difficulty [currently] of interacting with

eight different agencies with their own bureaucracies. He stated that there are many positives to making VPSOs state employees. He offered that doing so would not cost DPS any more money, since it pays indirect money to the contractors. He said he believes that doing so would be a step in the right direction and would help them be better aligned with the state troopers. He asserted that AST has oversight only over the contractor-operated VPSO programs and is often held responsible for things over which it has no control. He said that if DPS owned the program completely, then it could be held responsible. He mentioned that interacting directly with the tribes would generate more trust and ownership in the program.

[4:38:25 PM](#)

REPRESENTATIVE WOOL asked if the legislation was proposed to address the "Girdwood situation" or a "rural situation" or both.

COLONEL COCKRELL replied that the Girdwood situation "brought it to the forefront." He said the proposed legislation was intended for areas outside of AST's normal focus of patrol to augment what is already being done in the areas. He said there is the potential for [contracted agreements with DPS under HB 163] to be utilized in rural Alaska. He said that he does not know if HB 163 will result in contracts. He commented that he believes there is interest in contracting with DPS, and HB 163 would allow the flexibility to enter into contracts to improve services. He said that he has a fear that only the wealthier communities would be able to afford such contracts, and DPS does not want to get into a situation where it is providing more services to the wealthier areas. He stated that he is not opposed to offering this opportunity to rural areas, but DPS does not want to compete with cities such as Bethel, Kotzebue, or Nome.

[4:41:57 PM](#)

REPRESENTATIVE WOOL asked if using troopers for the contract work proposed under HB 163 would create a shortage of troopers within AST.

COLONEL COCKRELL said that the intent is not to take from trooper positions but to bring on additional troopers under contracts. He recommended that a contract be approved for no less than five years. He added that if the contract ended, AST always has enough trooper vacancies to hire the trooper or have him/her work under another contract. He said AST also has

explored using retired state troopers or law enforcement officers hired into non-permanent ("non-perm") positions. He said that AST is looking at different options, and he can't answer that question definitively at this time until more is known regarding what will be needed. He reiterated that the goal is to provide more state troopers in Alaska.

REPRESENTATIVE WOOL said that in the Girdwood situation, the town was going to lose a trooper due to lack of funding.

COLONEL COCKRELL clarified that there were five state troopers assigned to Girdwood, and the Kenai Peninsula lost six or seven trooper positions at that time. He said that he made the decision to close the Girdwood station and move the positions back to the Kenai Peninsula, because having two troopers for the entire Kenai Peninsula on the "grave" shift was unacceptable.

REPRESENTATIVE WOOL concluded that there was not enough funding for troopers to be permanently stationed in Girdwood, and they were redistributed. He offered that when troopers are pulled out of a community, some communities may be able to afford contracting for troopers and some may not. He asked if rural communities could share a contract for a trooper.

COLONEL COCKRELL responded that he believes that potential exists, especially in the Yukon-Kuskokwim Delta, or in the areas surrounding Kotzebue or Nome. He mentioned that, for example, three villages in the Yukon-Kuskokwim Delta could contract with a trooper to extend the coverage provided by the Bethel troopers.

[4:46:33 PM](#)

REPRESENTATIVE JOHNSON stated that she appreciates the intent of HB 163 to fill a need for troopers. She gave as an example the Matanuska-Susitna Borough, which does not have police powers, and asked who would oversee the contracted trooper.

COLONEL COCKRELL said that in the Mat-Su Borough, the troopers serve over 85,000 people. He said that if Big Lake decides that it needs more coverage than it currently gets from Mat-Su West and contracts with four troopers, then AST would oversee the troopers, and possibly a community board would coordinate with the AST detachment commander to ensure the troopers meet the goals of the contract. He added that the primary patrol area would be Big Lake; however, AST would allow that trooper to

respond out of the Big Lake area if backup were needed elsewhere.

REPRESENTATIVE JOHNSON asked if the contracting agency would have to be a governmental agency or an entity with police powers.

COLONEL COCKRELL answered that as HB 163 is written, the contracting agency would have to be a government agency. He said that in the Mat-Su Borough scenario, DPS would contract with Mat-Su Borough and the borough would collect taxes from Big Lake to cover the cost. He said that in the case of Houston, which currently does not have a police department, either the City of Houston or the Mat-Su Borough could contract with [DPS] for troopers using Houston's funds. He added that HB 163 is designed for towns such as Houston or Willow.

[4:51:10 PM](#)

REPRESENTATIVE JOHNSON referred to two problems brought forward in a House floor discussion regarding VPSOs: not enough trained VPSOs or people willing to take the VPSO positions; and [because positions were unfilled] the money going to the villages for VPSOs could not be used for that purpose. She asked if that money could be used to fund a trooper position.

COLONEL COCKRELL said that AST could not use VPSO grant money to fund an Alaska State Trooper. He speculated that AST would have to get the Office of Management & Budget (OMB) and possibly legislative approval to use the money in that way, as it is strictly for the VPSO program. He mentioned that there are a few trooper positions that are funded through the VPSO program, but he said he didn't believe he could use the money to hire a trooper for a village. He said that recruitment for law enforcement officers across the county is difficult, and some of the large police departments in the Lower 48 are having the same issues as Alaska. He reiterated that VPSO programs have a huge turnover rate at thirty-three percent, and the most VPSOs Alaska has ever had was 101 VPSOs under Governor Sean Parnell's administration. Governor Parnell added 15 VPSO positions per year and one state trooper position to support the 15 VPSOs. He said that reductions in the budget brought the long-term number down to 70-80; the current number is in the 50s.

COLONEL COCKRELL stated that originally a VPSO was a community officer hired from within the village to be a first responder but not take much action. He asserted that currently much more

is required of VPSOs; they are essentially police officers; they attend the trooper academy and have the same training as Alaska State Troopers; they are now probation officers; and more VPSOs are hired from out-of-state and are not prepared for village life. He added that through the "rover" program, the VPSOs are kept more in the urban areas and are flown out to villages. He said there is not much willingness for troopers to live in the villages, and living in the urban area gives them a break from the village.

CHAIR KREISS-TOMKINS announced that HB 163 is held over.

HB 1-ELECTION REGISTRATION AND VOTING

[4:56:29 PM](#)

CHAIR KREISS-TOMKINS announced that the final order of business would be HOUSE BILL NO. 1, "An Act relating to absentee voting, voting, and voter registration; relating to early voting locations at which persons may vote absentee ballots; and providing for an effective date." [Before the committee, adopted as a work draft on 3/16/17, was the proposed committee substitute (CS) for HB 1, Version 30-LS0070\O, Bullard, 3/14/17, referred to as "Version O."]

[4:57:03 PM](#)

REPRESENTATIVE TUCK stated that the proposed legislation was designed to accomplish the following: provide for same day voter registration; to allow for electronic signature on voter registration documents; ensure that early voting locations are the same and available for every election up until the next redistricting; create an option for permanent absentee voting, which is voting by mail; and change terminology for "absentee in-person voting stations" to "early voting stations". He said that parts of AS 15 needed to be updated to ensure that the voting practices that are currently occurring are in statute. He relayed that currently a person may early vote in-person absentee within [15] days of an election, and on his/her ballot is a voter registration form allowing him/her to vote early and change his/her voter registration simultaneously. He added that Version O would "extend that all the way down to same-day voter registration."

REPRESENTATIVE TUCK paraphrased from the sectional analysis of the committee substitute (CS) for HB 1, which read as follows

[original punctuation provided with bolded type indicating new sections]:

Section 1: Removes language from AS 15.05.010 that requires a qualified voter to register under AS 15.07 before an election.

Section 2: Permits a person registering or reregistering as a voter to apply using an electronic signature.

Section 3: instructing the director of the division to determine the form of electronic signature to be used when registering to vote.

Section 4: Allows a qualified voter registering on the day of, or within 30 days of an election, to vote a questioned ballot at that election.

REPRESENTATIVE TUCK stated that there are only six locations at which a person can early vote and have it count as early voting. He added that there are 101 locations in the State of Alaska at which a person can vote in-person absentee early within [15] days of the election.

REPRESENTATIVE TUCK continued to paraphrase from the sectional analysis, which read as follows [original punctuation provided with bolded type indicating new sections]:

Section 5: Amends AS 15.07.070(h) the procedure for registration is amended to clarify the use of a special needs ballot and clarifies that on the voter's certificate on the ballot that registration includes a voters choice to declare a political party, non-partisan or undeclared.

NOTE: This is a practice the division of elections already carries out, this is just updating the statutes to reflect their current practice.

Section 6: stating that section 15.07.070 includes special needs ballot which is defined under 15.20.072. Special needs voting: A qualified voter with a disability who, because of that disability, is unable to go to a polling place to vote may vote a special needs ballot.

Section 7: If a persons voter registration is cancelled under 15.07.130 voter registration list maintenance, and they re-register they shall vote a questioned ballot.

Section 8: conforming language for same day voter registration. This amends AS 15.07.090(c) - voting after change of name, reregistration - to add language that states if a person moved from a new precinct they vote an questioned ballot.

Section 9: cleans up language about a voter who is not found on the voter registrar to vote a questioned ballot.

Section 10: definition expansion to include special needs ballot.

Section 11: Conforms AS 15.07.130(e) to changes made in section 18 of the bill.

[5:02:00 PM](#)

Section 12: Clarifies privileges of poll watchers in a general election or special election related to ballot propositions.

Section 13: adds a new section to AS 15.10.170 appointment and privileges of poll watchers to clarify poll watchers may be designated by prescient party chair, organized group, or candidate. This is the language that was removed in section 12 and made a new subsection. NOTE: this practice is currently being done by the division of elections.

Section 14 - 17: relate to questioned ballot procedure and adding a declaration that the voter must sign that the information provided is accurate.

Section 18: Renames absentee voting stations "early voting stations." Provides that a location designated as an early voting station will remain an early voting station for subsequent elections unless the location is no longer available for use or the director of the division of elections determines that the location is no longer appropriate. Requires the director to make a determination that a location is no longer appropriate

for use as an early voting station available to the public in writing.

Section 19-22: Conforms AS 15.20.050 to changes made in Section 18 related to early voting stations.

Section 23: allowing voter registration updates through electronic absentee ballot and fax.

[5:05:26 PM](#)

Section 24: Requires an absentee ballot application to include an option for a voter to choose to receive absentee ballots by mail for future regularly scheduled state elections. Provides conditions under which the director may require a voter to reapply to receive absentee ballots by mail.

Section 25: conforming changes for same day voter registration.

Section 26: definition of electronic signature

Section 27: conforming to section 18 of the bill related to early voting stations.

Section 28: conforming to same day voter registration.

Section 29: conforming to same day voter registration. Note: AS 29.26.050(a)(3): voter qualifications, is registered to vote in state elections at a resident address within a municipality at least 30 days before the municipal election at which the person seeks to vote.

Section 30: Provides authority to the director of the division of elections in uncodified law to adopt or amend regulations as necessary to implement the changes made by the Act.

Section 31: Provides an effective date for the bill's provisions.

[5:08:57 PM](#)

CHAIR KREISS-TOMKINS announced that the committee would recess until 5:30 p.m.

[5:36:32 PM](#)

REPRESENTATIVE TUCK asked for an explanation of the difference between the process for counting an absentee ballot and that of counting a questioned ballot, when a change in voter registration is made at the same time.

[5:38:47 PM](#)

LAURI WILSON, Elections Supervisor, Division of Elections (DOE), Office of the Lieutenant Governor, explained that questioned ballots are voted at the precinct only on Election Day; absentee in-person ballots can be voted 15 days before the election. She added that there are other types of absentee ballots - by facsimile ("fax"), by mail, and online. She stated that these ballots go through the review process. She said that once the voter has cast one of these ballots, DOE staff logs the ballot and completes an initial review of the voter's record comparing the information on the outside of the ballot envelope with the information in the database. They then assign a count code - full count, partial count, or reject. She said that the review report and the ballot envelope together go through a second review, which is performed by one of two independent boards: the "questioned" board for the questioned ballots and the "absentee" board for the absentee ballots.

REPRESENTATIVE KNOPP asked for confirmation that questioned ballots are voted on Election Day and absentee ballots are voted 15 days before the election.

MS. WILSON answered, "That is correct."

REPRESENTATIVE KNOPP asked for the length of the early voting period.

MS. WILSON responded that the early voting period is the 15 days before the election.

REPRESENTATIVE KNOPP asked if absentee and early voting are the same.

MS. WILSON replied that absentee voting and early voting are two separate processes.

[5:41:03 PM](#)

REPRESENTATIVE KNOPP asked for the proof of residency that is required to demonstrate that the person registering to vote has lived in the district for 30 days.

MS. WILSON answered that for the presidential election, Alaska currently has same day registration. She stated that when the voter applies for registration, DOE verifies all the voter's identifiers using the Division of Motor Vehicles (DMV) database and the Social Security Administration (SSA) database, both of which are accessed through DMV. She said that currently DOE can look up a voter's registration date in its database to determine if the voter has been registered for 30 days. She said that for someone newly registered, under Version 0 he/she would need to submit a signed declaration attesting that he/she has been a resident of the district for 30 days prior to the election. The identifiers for that person then would be verified through the DMV and SSA databases.

REPRESENTATIVE KNOPP said that his concern is the potential for voter fraud, not on the national level but on the local level. He mentioned that he is considering introducing an amendment to Version 0 that would require a person registering within 30 days of an election to provide DOE with some proof of being a resident of the district. The types of proof would be a paycheck stub, a current Alaska driver's license, a utility bill, or a bank statement with a current address.

[5:45:07 PM](#)

MS. WILSON said that some other states do require that type of proof. She added that since Alaska does not require that, an amendment would be needed for statute changes and subsequent changes in DOE processes.

[5:45:53 PM](#)

REPRESENTATIVE TUCK referred to Ms. Wilson's statement that an in-person absentee ballot is considered differently [by DOE] than early voting. He asked if she was referring to early voting in the six locations at which a person can actually early vote or to someone voting an in-person absentee ballot before the election.

MS. WILSON responded that at the six early voting stations, DOE offers what is referred to as "early voting" and also offers absentee in-person voting. She explained that early voting, as it is currently done, requires those stations to have "live"

access to the DOE voter registration database to confirm the eligibility of the voter at the time he/she is voting. Election workers check to ensure there are no changes in the voter record, verify the voter's identification (ID), and issue a voter certificate. The certificate is signed by the voter; he/she is issued a ballot; and the ballot goes "live" into the ballot box with no review.

MS. WILSON went on to say that if a voter wishing to early vote has had a change in his/her record, he/she would have to fill out the [questioned ballot] envelope at the absentee in-person table to change his/her registration, and his/her vote would be subject to the review process.

REPRESENTATIVE TUCK asked for confirmation that at the 181 early vote locations without live access verification, voters would vote an in-person absentee ballot.

MS. WILSON answered, "That is correct."

REPRESENTATIVE TUCK also asked for confirmation that currently someone could vote in-person absentee at one of the 181 locations and change or update his/her voter registration on the ballot envelope.

MS. WILSON replied, "That is correct."

REPRESENTATIVE TUCK asked if DOE can verify a change in residency before the ballot is counted or if DOE takes the signed affidavit.

MS. WILSON responded that DOE takes the voter's signed confirmation attesting to living at the resident address stated.

REPRESENTATIVE TUCK asked for confirmation that there is no way of verifying residence prior to the ballot being counted.

MS. WILSON answered that unless the voter's address matches the address in the DMV database, without any additional proof, that is correct.

[5:50:04 PM](#)

REPRESENTATIVE TUCK mentioned that [concurrent] verification is not currently possible for those voting same day or in-person, if he/she makes registration changes. He suggested that same day voting should be offered to someone voting a special needs

ballot, voting by fax, or voting at the 181 stations allowing in-person absentee early voting within [15] days of the election.

[5:50:35 PM](#)

REPRESENTATIVE KNOPP mentioned that often DMV records are not current when a person moves frequently.

[5:51:32 PM](#)

REPRESENTATIVE KNOPP moved adopt Conceptual Amendment 1, which read:

Page 3, line 6, following "election", add, " a person registering to vote within 30 days of the election must show proof of Alaskan residency prior to registering and sign an affidavit that they have resided in the district for the last 30 days prior to the election and shall exhibit to an election official on form of verification, including one of the following;

- (1) prior voter registration with last four year
- (2) pay stub proving Alaskan Employment
- (3) current Alaska Driver's License
- (4) utility bill receipts with current address
- (5) bank statements with current address

REPRESENTATIVE TUCK objected for the purpose of discussion. He said his only concern regarding the proposed amendment is that it is clear that the verification process is not necessary to change party affiliation.

REPRESENTATIVE KNOPP responded, "That is my intent."

REPRESENTATIVE LEDOUX asked if [CSHB 1, Version 0] would allow someone to change his/her party affiliation on the day of the election.

REPRESENTATIVE TUCK answered yes. He said it is currently allowed with a questioned ballot and an in-person absentee ballot.

REPRESENTATIVE LEDOUX offered that in a primary election, one can't change one's party registration on the day of the election and have it count. She added that it must be done 30 days prior.

[5:53:57 PM](#)

MS. WILSON said that Representative LeDoux is correct. She responded that currently a voter can make any registration changes on a questioned ballot form or an absentee in-person [ballot] envelope; however, for the primary election, a party affiliation change is not effective on the day of election under current statute.

REPRESENTATIVE LEDOUX asked if under either Version 0 or Conceptual Amendment 1 to Version 0, someone could change one's party affiliation on the day of the election and have it count, to vote in that election.

MS. WILSON expressed her understanding that the intent of Version 0 is to allow for same day registration, which would include a change in party affiliation the same day and allow the vote to be counted.

[5:55:27 PM](#)

REPRESENTATIVE KNOPP stated that Conceptual Amendment 1 would have no effect on that situation. [Conceptual Amendment 1 was treated as adopted.]

[5:56:06 PM](#)

The committee took a brief at-ease at 5:56 p.m.

[5:56:10 PM](#)

REPRESENTATIVE LEDOUX moved to report CSHB 1, Version 30-LS0070\0, Bullard, 3/14/17 out of committee, as amended, with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 1(STA) was reported from the House State Affairs Standing Committee.

[5:57:44 PM](#)

ADJOURNMENT

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at 5:58 p.m.