

ALASKA STATE LEGISLATURE
SENATE STATE AFFAIRS STANDING COMMITTEE

March 15, 2018

3:33 p.m.

MEMBERS PRESENT

Senator Kevin Meyer, Chair
Senator David Wilson
Senator John Coghill
Senator Dennis Egan

MEMBERS ABSENT

Senator Cathy Giessel

OTHER LEGISLATORS PRESENT

Senator Berta Gardner

COMMITTEE CALENDAR

HOUSE BILL NO. 150

"An Act relating to pay, allowances, and benefits for members of the organized militia."

- MOVED HB 150 OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 150

SHORT TITLE: PAY, ALLOWANCES, BENEFITS FOR MILITIA MEMBERS

SPONSOR(S): MILITARY & VETERANS' AFFAIRS

03/01/17	(H)	READ THE FIRST TIME - REFERRALS
03/01/17	(H)	MLV, FIN
03/07/17	(H)	MLV AT 1:00 PM GRUENBERG 120
03/07/17	(H)	Heard & Held
03/07/17	(H)	MINUTE(MLV)
03/09/17	(H)	MLV AT 1:00 PM GRUENBERG 120
03/09/17	(H)	Moved HB 150 Out of Committee
03/09/17	(H)	MINUTE(MLV)
03/10/17	(H)	MLV RPT 4DP 1NR
03/10/17	(H)	DP: LEDOUX, PARISH, SADDLER, TUCK
03/10/17	(H)	NR: RAUSCHER

04/19/17 (H) FIN AT 1:30 PM HOUSE FINANCE 519
04/19/17 (H) Heard & Held
04/19/17 (H) MINUTE(FIN)
05/09/17 (H) FIN AT 1:30 PM HOUSE FINANCE 519
05/09/17 (H) Moved HB 150 Out of Committee
05/09/17 (H) MINUTE(FIN)
05/10/17 (H) FIN RPT 11DP
05/10/17 (H) DP: WILSON, KAWASAKI, TILTON, ORTIZ,
THOMPSON, GRENN, PRUITT, STUTES, GARA,
05/10/17 (H) SEATON, FOSTER
05/17/17 (H) TRANSMITTED TO (S)
05/17/17 (H) VERSION: HB 150
01/18/18 (S) READ THE FIRST TIME - REFERRALS
01/18/18 (S) STA, FIN
03/15/18 (S) STA AT 3:30 PM BUTROVICH 205

WITNESS REGISTER

REPRESENTATIVE CHRIS TUCK
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Explained the intent of HB 150 on behalf of the House Military & Veterans' Affairs Committee, sponsor of the bill.

KENDRA KLOSTER, Staff
Representative Tuck
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Provided an overview of HB 150.

BRIAN DUFFY, Administrative Services Director
Alaska Department of Military and Veterans Affairs
Joint Base Elmendorf-Richardson, Alaska

POSITION STATEMENT: Answered questions regarding HB 150.

BOB DOEHL, Deputy Commissioner
Alaska Department of Military and Veterans Affairs
Joint Base Elmendorf-Richardson, Alaska

POSITION STATEMENT: Testified in support of HB 150.

JOHN JAMES, Colonel and Commander
Alaska State Defense Force
Alaska Department of Military and Veterans Affairs
Wasilla, Alaska

POSITION STATEMENT: Testified in support of HB 150.

ACTION NARRATIVE

[3:33:31 PM](#)

CHAIR KEVIN MEYER called the Senate State Affairs Standing Committee meeting to order at 3:33 p.m. Present at the call to order were Senators Wilson, Egan, Coghill, and Chair Meyer.

HB 150-PAY, ALLOWANCES, BENEFITS FOR MILITIA MEMBERS

[3:34:07 PM](#)

CHAIR MEYER announced the consideration of House Bill 150 (HB 150).

[3:34:58 PM](#)

REPRESENTATIVE CHRIS TUCK, Alaska State Legislature, Juneau, Alaska, explained that HB 150 is a committee bill from the House Special Committee on Military and Veterans' Affairs. He added that the administration asked for HB 150 to be moved forward.

[3:35:37 PM](#)

KENDRA KLOSTER, Staff, Representative Tuck, Alaska State Legislature, Juneau, Alaska, disclosed that the Department of Military and Veterans' Affairs brought HB 150 forward as part of a series of bills to clean up Title 26 of the Alaska Statutes. She specified that HB 150 will streamline the accounting system for the organized militia members' pay structure.

She explained that the current pay structure for organized militia members is difficult; for example, a member of the Alaska State Defense Force (ASDF) may have duties that pay different rates and accounting gets difficult when trying to keep track of hours. She said HB 150 would streamline the accounting where an individual gets paid a set amount that is dependent on their rank. She pointed out that state employees get paid based upon a range and HB 150 would do the same for organized militia members.

She noted that the fiscal note for HB 150 is indeterminate; however, the department believes that money will be saved because accounting will be reduced. She added that HB 150 also creates stability for soldiers where they will know what they are getting paid rather than activity-based payment. She noted that charts were provided to committee members and referenced a payment spreadsheet for the "Sockeye Fire" that compared the current system to the system proposed by HB 150. She conceded

that some people may be paid lower and some higher from the proposed legislation; however, ASDF is looking for stability.

[3:38:24 PM](#)

SENATOR COGHILL addressed section 2 in HB 150 and noted that the term "organized militia" is used for ASDF. He asked if using "organized militia" is more inclusive.

MS. KLOSTER detailed that "organized militia" consists of four entities: Alaska Air National Guard, Alaska National Guard, Alaska State Dense Force (ASDF), and Alaska Naval Militia. She detailed that Alaska Naval Militia and the ASDF are volunteer organizations; however, the state does pay members when they go on active duty. She added that the intent of the "clean up bills" is to use the same terminology to ensure everyone is included.

SENATOR WILSON addressed the Sockeye Fire and noted the comparison between old and new pay scales. He asked if ASDF has commented on the pay ranges where members will get paid less.

MS. KLOSTER noted that Commander John James with ASDF is available to address his question.

SENATOR COGHILL asked Ms. Kloster to address the bill's implementation process regarding retroactivity during the transition period.

MS. KLOSTER replied that representatives from ASDF will address Senator Coghill's question.

[3:41:11 PM](#)

SENATOR COGHILL asked if section 1 in the bill simplifies the present archaic accounting methodology.

MS. KLOSTER replied correct. She detailed that the section is repealed and reenacted with a system that pays members based on their grade and rank.

SENATOR COGHILL asked if volunteers would have to be creditable with assigned rank.

MS. KLOSTER answered yes.

CHAIR MEYER inquired how often the governor has called the state's militia into active duty. He conceded that his question may be better posed to representatives from DMVA.

[3:43:13 PM](#)

CHAIR MEYER opened public testimony.

[3:43:38 PM](#)

BRIAN DUFFY, Administrative Services Director, Alaska Department of Military and Veterans Affairs, Joint Base Elmendorf-Richardson, Alaska, deferred questions regarding HB 150 to other DMVA members.

[3:44:03 PM](#)

BOB DOEHL, Deputy Commissioner, Alaska Department of Military and Veterans Affairs, Joint Base Elmendorf-Richardson, Alaska, testified in support of HB 150. He stated that he would answer questions except for the one in terms of ASDF's perspective on HB 150. He commented as follows:

First, there would be no retroactive provisions that we envision; this would be from the point that this bill is signed going forward we would implement these changes, we are not going to go back and do the math for past events frankly because many of these events were federal disasters as well, it would wreak havoc with trying to adjust the billing we did with FEMA for reimbursement or other entities, so it would be just going forward.

Second, this is an issue for us, a pay simplification. Right now if we have people in uniform show up from the "Alaska organized militia," those four components Ms. Kloster talked about, they are subject to three different pay systems: those for which the federal government is authorized responding in a federal status or getting federal pay in allowances, those under the current system that are in state active duty from the National Guard or getting 200 percent of their basic military pay but no allowances, and those in the Alaska State Defense Force are looking task-by-task, hour-by-hour what it comes out to in the equivalent state system. Of note also for those Alaska State Defense members, they are not overtime exempt, so we incur overtime costs if there on duty more than 7.5 hours per day and that's frankly a luxury for a disaster we frequently have to work our staff longer than that.

We support this bill for simplifying things, easing reimbursement, and creating one understanding of what somebody is going to get paid when they come out there.

In terms of when the governor has called out the militia or the adjutant general, wildland fires are the most recent cases where the Alaska State Defense Force come forward to assist with shelter management and other tasks of that regard. The Alaska National Guard and the Alaska State Defense Force did deploy south to assist with the hurricanes; however, those costs incurred were 100 percent reimbursed by other states or the federal government.

[3:46:35 PM](#)

CHAIR MEYER noted that Mr. Doehl mentioned hurricane assistance and asked what locations the members were deployed.

MR. DOEHL answered that the hurricane deployment locations were: The Virgin Islands, Puerto Rico, Texas, and Florida.

CHAIR MEYER addressed a letter that Mr. Doehl sent to the committee pertaining to HB 150 and quoted, "We are confident that DMVA will end slightly on the good side of cost neutral." He assumed that Mr. Doehl meant that the state will come out ahead a little bit rather than costing the state more.

MR. DOEHL answered correct. He said the department's expectation is that the department will come out ahead; however, he noted that there is not a standing force for all disasters and detailed that each disaster is task-organized to meet specific needs. He added that the impact from the new compensation system was not addressed in his letter and asserted that the new legislation will lead to faster reimbursement from entities such as other states or the federal government.

[3:48:23 PM](#)

CHAIR MEYER continued to address Mr. Doehl's letter and noted that he mentioned an "automated approach" for issuing warrants. He asked for an explanation.

MR. DUFFY explained that the current process is a manual calculation of multiple pay scales that an individual member performs. He said the proposal will simplify the process and "automatically" offset the burden associated with multiple pay scales.

SENATOR COGHILL addressed section 4 regarding simplified pay and noted that the section stated, "The same benefits provided for state employees under Title 39." He asked if the benefit was primarily pay. He inquired if there were ways to start and stop other benefits.

MR. DOEHL replied that other than pay, the primary benefit would be workers' compensation coverage.

[3:51:09 PM](#)

JOHN JAMES, Colonel and Commander, Alaska State Defense Force, Alaska Department of Military and Veterans Affairs, Wasilla, Alaska, testified in support of HB 150 and commented as follows:

The Alaska State Defense Force is extremely supportive of House Bill 150; this proposal will provide equal pay for equal services when members of the Alaska State Defense Force are activated for state service. The current pay system is confusing, complex and multifarious; it requires arduous and tedious efforts by several employees which takes far too much time, it is not uncommon for it to take four to six weeks for a soldier to receive pay after the completion of one's services. The bill would simplify, streamline and hasten these efforts, and the end result will be better and more responsive care taken for our soldiers.

He addressed Senator Wilson's concern regarding the pay difference resulting from the legislation. He opined that the pay difference is slight and ASDF is not concerned.

[3:53:09 PM](#)

CHAIR MEYER recognized Senator Gardner.

CHAIR MEYER closed public testimony.

[3:53:14 PM](#)

At ease.

[3:53:58 PM](#)

CHAIR MEYER called the committee back to order.

SENATOR COGHILL asked Representative Tuck to verify that there are no bargaining units within the all-volunteer forces that will be affected by HB 150.

REPRESENTATIVE TUCK answered correct. He specified that organized militia members only get paid when called into active duty.

CHAIR MEYER noted that the fiscal note for HB 150 is indeterminate.

[3:55:19 PM](#)

SENATOR COGHILL moved to report HB 150, 30-LS0365\A from committee with individual recommendations and attached fiscal note.

[3:55:28 PM](#)

CHAIR MEYER announced that seeing no objection, the motion carried.

[3:56:45 PM](#)

There being no further business to come before the committee, Chair Meyer adjourned the Senate State Affairs Standing Committee at 3:56 p.m.