

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

April 16, 2019

1:03 p.m.

MEMBERS PRESENT

Representative Gabrielle LeDoux, Chair
Representative Chris Tuck, Vice Chair
Representative Chuck Kopp
Representative Geran Tarr
Representative Steve Thompson
Representative Sharon Jackson
Representative George Rauscher

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 109

"An Act relating to residency requirements for public school enrollment for certain children of active duty military members."

- HEARD & HELD

HOUSE BILL NO. 113

"An Act relating to employment preferences for spouses and children of veterans, disabled veterans, former prisoners of war, members of the national guard, and deceased service members."

- HEARD & HELD

HOUSE BILL NO. 93

"An Act relating to temporary courtesy licenses for certain nonresident professionals; and relating to the Department of Commerce, Community, and Economic Development."

- MOVED HB 93 OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 109

SHORT TITLE: MILITARY CHILDREN SCHOOL RESIDENCY WAIVER

SPONSOR (s) : REPRESENTATIVE (s) LEDOUX

03/25/19 (H) READ THE FIRST TIME - REFERRALS
03/25/19 (H) MLV, EDC
04/09/19 (H) MLV AT 1:00 PM GRUENBERG 120
04/09/19 (H) -- MEETING CANCELED --
04/11/19 (H) MLV AT 1:00 PM GRUENBERG 120
04/11/19 (H) -- MEETING CANCELED --
04/16/19 (H) MLV AT 1:00 PM GRUENBERG 120

BILL: HB 113

SHORT TITLE: MILITARY FAMILY EMPLOYMENT PREFERENCE

SPONSOR (s) : REPRESENTATIVE (s) JACKSON

03/27/19 (H) READ THE FIRST TIME - REFERRALS
03/27/19 (H) MLV, L&C
04/16/19 (H) MLV AT 1:00 PM GRUENBERG 120

BILL: HB 93

SHORT TITLE: MILITARY SPOUSE COURTESY LICENSE

SPONSOR (s) : REPRESENTATIVE (s) TUCK

03/13/19 (H) READ THE FIRST TIME - REFERRALS
03/13/19 (H) MLV, L&C
04/02/19 (H) MLV AT 1:00 PM GRUENBERG 120
04/02/19 (H) Heard & Held
04/02/19 (H) MINUTE (MLV)
04/04/19 (H) MLV AT 1:00 PM GRUENBERG 120
04/04/19 (H) -- MEETING CANCELED --
04/09/19 (H) MLV AT 1:00 PM GRUENBERG 120
04/09/19 (H) -- MEETING CANCELED --
04/16/19 (H) MLV AT 1:00 PM GRUENBERG 120

WITNESS REGISTER

TAMMIE PERREAULT, Regional Liaison
Defense-State Liaison Office
Office of the Assistant Secretary of Defense
Department of Defense
Joint Base Lewis-McChord, Washington

POSITION STATEMENT: Testified in support of HB 102 and answered questions from the committee.

HEIDI TESHNER, Director
Finance and Support Services Division
Department of Education & Early Development
Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on HB 109.

JAMIE ALLARD
Eagle River, Alaska

POSITION STATEMENT: Testified in support of HB 109.

VERDIE BOWEN, Director
Office of Veterans Affairs
Department of Military & Veterans' Affairs
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 109.

ERICK CORDERO GIORGANA, Staff
Representative Sharon Jackson
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: On behalf of Representative Jackson, prime sponsor, introduced HB 113 and presented the sectional analysis of the committee substitute for HB 113, version U.

VERDIE BOWEN, Director
Office of Veterans Affairs
Department of Military & Veterans' Affairs
Anchorage, Alaska

POSITION STATEMENT: Answered questions and testified in support during the hearing on HB 113.

TERRE GALE, Director
Division of Labor Standards and Safety
Department of Labor & Workforce Development
Juneau, Alaska

POSITION STATEMENT: Answered a question during the hearing on HB 113.

DANA MANCIAGLI, President
DM Consult
Bellevue, Washington

POSITION STATEMENT: Testified in support of HB 113.

JAMIE ALLARD
Eagle River, Alaska

POSITION STATEMENT: Testified in support of HB 113.

ACTION NARRATIVE

[1:03:52 PM](#)

CHAIR GABRIELLE LEDOUX called the House Special Committee on Military and Veterans' Affairs meeting to order at 1:03 p.m. Representatives Thompson, Jackson, Tuck, Rauscher, and LeDoux were present at the call to order. Representatives Kopp and Tarr arrived as the meeting was in progress.

The committee took a brief at-ease.

[Chair LeDoux passed the Gavel to Vice Chair Tuck].

HB 109-MILITARY CHILDREN SCHOOL RESIDENCY WAIVER

[1:06:00 PM](#)

VICE CHAIR TUCK announced that the first order of business would be HOUSE BILL NO. 109, "An Act relating to residency requirements for public school enrollment for certain children of active duty military members."

[1:06:21 PM](#)

CHAIR LEDOUX, as prime sponsor of HB 109, introduced the bill and read the following sponsor statement [original punctuation provided]:

House Bill 109 seeks to allow military children with residency outside of the state, but with documentation of a pending military relocation to the state, access to preliminary registration, enrollment, or application to a school district at the time that the process is open to the general student population. Proof of residency is temporarily waived until the student begins school. Once the student begins school their parent or guardian has ten (10) days to provide proof of residency in the school district.

This is important to military school children, especially those in high school. Often classes are filled during the preliminary registration of the students already registered in that school district. For military students who are high school juniors or seniors, and are transferring to a new school district, they may need to take a specific class to complete their requirements. This bill is also important to those students wishing to attend a Charter School through lottery or otherwise, as these

schools often fill up quickly and there are deadlines for entering the lottery.

1:09:39 PM

REPRESENTATIVE KOPP, referencing page 1, line 11, suggested removing the 10-day limit on providing proof of residency in the school district in case it creates a problem for the transferee. He also proposed inserting the words, "or intended residence," for those who have a future deployment date and want to get a head start on enrolling their child in a school that's located in the appropriate district. He added that he supported the intent of the bill.

CHAIR LEDOUX offered her understanding that a student can enroll and provide records after arrival.

1:12:24 PM

TAMMIE PERREAULT, Regional Liaison, Defense-State Liaison Office, Office of the Assistant Secretary of Defense, Department of Defense, opined that the language of the bill provides flexibility to school districts because it isn't compulsorily. If it takes longer than 10 days for the family to show proof of residency there is no negative outcome.

REPRESENTATIVE KOPP noted that relocating can be hectic for a military family, especially with small children. He reiterated that setting a time limit could be problematic for the family.

1:17:41 PM

REPRESENTATIVE JACKSON said she appreciates the current bill and cautioned against changing the language to remove the 10-day limit, as that gives plenty of time to provide records.

1:19:18 PM

REPRESENTATIVE RAUSCHER stated that wants to ensure that the current bill works with all the options offered by school districts.

CHAIR LEDOUX acknowledged that she had discussed the current bill with the association of school boards.

REPRESENTATIVE RAUSCHER asked how HB 109 makes the enrollment process easier.

CHAIR LEDOUX stated that when the military orders are received the family can preregister their children in school even if they aren't physically in the state yet, which allows them to be eligible for charter school lotteries, specific classes, and more.

[1:22:48 PM](#)

VICE CHAIR TUCK added that depending on the time of year, the family may have missed the deadline for charter schools; however, if they know where they are moving, they can preregister and take advantage of those opportunities ahead of time.

CHAIR LEDOUX, referring to subsection 1 (g), suggested requiring that the family show a copy of their transfer orders when registering the child in school.

[1:24:52 PM](#)

MS. PERREAULT said she entrusted the committee to provide whatever clarity on this specific statute that they deem necessary in the bill.

[1:26:01 PM](#)

REPRESENTATIVE KOPP emphasized that HB 109 addresses an important issue by making it easier for military families to register their children in school. He directed attention to the first paragraph and said that it needs more clarity. He agreed that requiring the families to show a copy of the military order could help clarify the intent of advanced registration.

[1:27:40 PM](#)

REPRESENTATIVE TARR expressed concern about the annual student count date in October. She asked if a child transferring from out of state under these conditions would be included.

CHAIR LEDOUX acknowledged the concern; however, she likened the scenario to a family that registers their child and then moves out of state.

VICE CHAIR TUCK, in response to Representative Tarr, said that in that the base student allocation is dependent on the Average Daily Membership (ADM), which occurs in October. He pointed out

that if an individual is moving up from a different state and has preregistered then the school district can include them in the ADM. He stated that that he was unsure how often transfer orders get cancelled, adding that it would be the same as any family, military or not, deciding to move out of state.

VICE CHAIR TUCK directed attention to page 2, subparagraph (C), and suggested it be broken up into two sections, thereby adding another subparagraph, "(D)," for the phrase, "or off-base military housing."

[1:31:45 PM](#)

MS. PERREAULT acknowledged that it could be written with an "or" to add greater clarity. Relative to head count, she said that preregistered children will be treated as though they are already in Alaska based on the transfer orders, which are rarely changed. She noted that in September there will be a better sense of the actual head count.

[1:35:24 PM](#)

HEIDI TESHNER, Director, Finance and Support Services Division, Department of Education & Early Development, offered that Alaska has a 20-day count period that always ends the fourth week of October. She said that as long as a student is enrolled, they are included in the ADM for the funding formula.

VICE CHAIR TUCK added that any late enrollment won't be counted until the next year. He asked if that is correct.

MS. TESHNER answered yes, noting that there is only one count period per year.

CHAIR LEDOUX asked if the students must be present on the day of the count to be included.

MS. TESHNER explained that Alaska's ADM is based on enrollment, or "membership", rather than attendance. She stated that students can be absent during the count period and will still count towards that membership.

MS. TESHNER, in response to a question from Representative Jackson, said that no adjustment is made after the count is reported, adding that it's normal for districts to gain and lose students during the year.

[1:38:14 PM](#)

REPRESENTATIVE TARR asked Ms. Teshner to restate when the annual count period takes place.

MS. TESHNER said it's a 20-day count period that always ends the fourth Friday in October

[1:38:38 PM](#)

REPRESENTATIVE THOMPSON established a scenario in which a kid can't get into a certain biology class that he or she needs in order to graduate. He indicated that there could be problems for students trying to enroll in specific classes.

VICE CHAIR TUCK sought clarification on how often transfer orders change and whether families are informed of their destination.

[1:41:07 PM](#)

MS. PERREAULT explained that, ideally, the family will receive a Request for Orders (RFO) in January or February, which discloses where they are going. Orders are received in April or May - 60 to 90 days in advance of their departure date. The families get two weeks to find housing and most know the situation in advance of the move. She stated that families will know whether there will be on-base housing available to them and if not, there are online resources to help identify housing locations.

VICE CHAIR TUCK sought clarification on the timeframe for which transferring families can acquire housing.

MS. PERREAULT stated that it depends on the family's situation; some families may not know their final housing location until they arrive on the ground while others know it well in advance.

[1:46:07 PM](#)

REPRESENTATIVE KOPP, directing attention to page 1, lines 10-11, suggested changing it to, "The parent of the student shall provide to the school district a copy of the military order showing proof of residence within 10 days of the student's first day of attendance." He explained that if the 10-day deadline started after the first day of attendance it would allow the family time to figure out their housing situation and show proof of residency.

VICE CHAIR TUCK noted that it's a two-part process they are implementing - notifying the school of enrollment and providing proof of residency. He agreed that allowing 10 days from when the student first attends school would be more comfortable.

[1:49:08 PM](#)

REPRESENTATIVE TARR remarked that it's more important than just notifying the district, it's about allowing families to register their children in school so they can select the right classes, join sports teams, and more.

CHAIR LEDOUX highlighted the three changes that were suggested: clarify that transfers can be from one military base to another and not exclusively from out of state; require a copy of the military orders be provided to the school district; and allow the family 10 days from the student's first day of attendance in school to provide proof of residency.

[1:51:34 PM](#)

REPRESENTATIVE JACKSON cautioned against requiring the provision of military orders in case the orders are late or they change the transfer location.

CHAIR LEDOUX surmised that proof of pending military orders would suffice.

VICE CHAIR TUCK directed attention back to page 2, subparagraph (C), and suggested that, "or off base military housing," be made into its own subparagraph, "(D)".

CHAIR LEDOUX sought clarification on the reasons for subparagraphs (B) and (C).

[1:54:38 PM](#)

MS. PERREAULT answered, "no comment." She said that if leaving that section with less specifics meets the statutory requirements then it's appropriate.

[1:54:54 PM](#)

REPRESENTATIVE KOPP agreed that because residence is "exhaustively established in state statute for a number of other

things," removing those sections would be a good idea to reduce the chance of conflict.

[1:56:04 PM](#)

REPRESENTATIVE TARR surmised that with so many single option charter schools in Anchorage, HB 109 would be a benefit to military families that would otherwise be at a disadvantage since enrollment in those schools are selected by lottery. She thanked the sponsor for bringing it forward.

[1:56:43 PM](#)

The committee took an at-ease from 1:56 p.m. to 1:57 p.m.

[Vice Chair Tuck returned the gavel to Chair LeDoux.]

[1:57:46 PM](#)

CHAIR LEDOUX opened public testimony.

[1:58:45 PM](#)

MS. PERREAULT informed the committee that she had already provided written testimony [included in the committee packet] in support of HB 109. She opined that it would have a positive effect on the educational experience of military families. It would ensure that high school and special needs students get the classes they need, as well as help charter school students. On behalf of the U.S. Department of Defense, she urged members to move the bill out of committee.

REPRESENTATIVE TARR asked if the 10,000 school age military children that Ms. Perreault mentioned range from ages 5-18 and, if so, how many are younger than that.

[2:02:07 PM](#)

The committee took a brief at-ease.

[2:02:18 PM](#)

MS. PERREAULT replied there are approximately 9,800 K-12 students. she said she was unsure how many were under age 5; however, she would be in touch with that data.

REPRESENTATIVE TUCK commented that the military does a good job of covering the 0-5 years of age through their Heroes at Home program, which is for parents and teachers.

[2:04:44 PM](#)

JAMIE ALLARD informed the committee that she is both a military spouse and veteran. She disclosed that she works for Commissioner Sacks at the Department of Military & Veterans' Affairs (DMVA); however, she is testifying on her own behalf. She stated that active duty National Guard move regularly every three years and the current bill would help them register their children in school. She reflected on her family's own experience arriving in Alaska in 2010, noting that they lived in a hotel for 90 days with two young daughters and had to enroll her 5-year-old in private school. If she had longer than 10 days to provide documentation, she said, it would have been beneficial. She expressed her support for the bill and said it would be helpful.

CHAIR LEDOUX asked if the DMVA has an official position on bill.

MS. ALLARD indicated that her supervisor encourages it.

REPRESENTATIVE RAUSCHER asked if the military provides any kind of support for families who receive orders that have children.

MS. ALLARD replied that the military always supports their veterans and families; nonetheless, they must be self-sufficient. She added that the Judge Advocates Office, which is the legal representation for military personnel, could always issue a letter in lieu of orders.

REPRESENTATIVE THOMPSON questioned whether active duty National Guard are considered active duty military members.

MS. ALLARD answered yes.

REPRESENTATIVE JACKSON suggested changing the language to include "National Guard."

[2:11:01 PM](#)

VERDIE BOWEN, Director, Office of Veterans Affairs, Department of Military and Veterans' Affairs, informed the committee that the DMVA is in full support of HB 109. He said that the hardest part about military transfers is the transition of children from

one school to another. He said this bill is greatly needed to make the playing field fair.

[2:13:08 PM](#)

CHAIR LEDOUX, after ascertaining no one further wished to testify, closed public testimony on HB 109.

[2:13:34 PM](#)

[HB 109 was held over.]

[2:14:29 PM](#)

The committee took a brief at ease at 2:14 p.m.

HB 113-MILITARY FAMILY EMPLOYMENT PREFERENCE

[2:15:45 PM](#)

CHAIR LEDOUX announced that the next order of business would be HOUSE BILL NO. 113, "An Act relating to employment preferences for spouses and children of veterans, disabled veterans, former prisoners of war, members of the national guard, and deceased service members."

[2:16:22 PM](#)

The committee took a brief at-ease.

[2:16:35 PM](#)

REPRESENTATIVE TUCK moved to adopt the proposed committee substitute (CS) for HB 113, labeled 31-LS0715\U, Wayne, 4/15/19, as the working draft.

[2:16:50 PM](#)

CHAIR LEDOUX objected for the purpose of discussion.

[2:17:23 PM](#)

REPRESENTATIVE JACKSON, prime sponsor of HB 113, paraphrased parts of the sponsor statement [included in the committee packet], which read in its entirety as follows [original punctuation provided]:

The purpose of House Bill 113 is to allow hiring preferences to military spouses and dependent children in the State of Alaska and the private sector.

Military families fall into two categories: Blue Star or Gold Star Families. Blue Star families are military spouses and dependents of active service members and veterans. Gold Star families are usually spouses and children of a deceased service members while in active duty.

In Alaska, veterans with a disability receive a 10 point/or 10% hiring preference and service members transitioning receive a 5 point/5% preference. Current law allows for either automatic interviews or points on a test if a test is required. HB 113 would extend these benefits to spouses and dependents.

A recent report from the Department of Defense found that a quarter of military spouses are unemployed or underemployed. There are several efforts being done in all 50 states, but Alaska is one of the few states that do not give employment preferences to military spouses HB113 would also make Alaska the first state to support Gold Star Families. There are roughly 151,881 military dependents out of 68 thousand active members according to the Alaska Department of Military & Veteran Affairs.

This is a small but significant way to honor our service members and their families, who often fall under the cracks while also making a sacrifice to serve their country.

[2:20:42 PM](#)

ERICK CORDERO GIORGANA, Staff, Representative Sharon Jackson, Alaska State Legislature, explained that HB 113 extends current hiring preferences to military and Blue Star spouses and dependents, and to Gold Star spouses and dependents. A Gold Star is a military member who died in active duty, while a Blue Star is an active duty service member or veteran. He stated that military spouses are among the highest unemployed group in the United States despite their education or experience. He said that this is often due to gaps in their resume and the instability of constantly relocating. Under Alaska's current law, service members who are applying for a job get a 5-point

hiring preference, while veterans with disabilities get a 10-point preference - HB 113 will extend these benefits to spouses and dependents. If the employer can't assign points because they don't use the hiring rubric that results in a numerical score, then the benefit will be the guarantee of an interview. He noted that 24 other states currently provide veterans' preference to spouses or surviving spouses.

[2:24:26 PM](#)

REPRESENTATIVE JACKSON noted that current statutes allow the state and private employers the ability to give hiring preferences to veterans and members of the National Guard; however, the statutes do not extend those preferences to military spouses or dependents. She added that the current bill would "extend our work pool and give the opportunity for military spouses to integrate more in our communities."

[2:25:47 PM](#)

MR. CORDERO GIORGANA addressed the changes from the original bill. He said, "the original bill did not spell out active service members in the section that expands the benefits to spouses and families," adding that the CS makes that clear. The CS also clarifies active service members or veterans who identify as disabled. He further noted that Legislative Legal Services, Legislative Affairs Agency, made changes to amend the State Personnel Act [AS 39.25] to reference definitions in HB 113 for consistency.

MR CORDERO GIORGANA turned attention to the sectional analysis of the CS for HB 113, version U. He stated that section 1 does not prohibit a private employer from having hiring preferences for persons described in Section 2 of this bill. Section 2 repeals and reenacts the current statute by adding definitions removed from Section 1 for clarity. This section does not prohibit a private employer from having hiring preferences to active-military, veterans and families. This section adds language to include spouses and dependent children of deceased service members to the list. Section 3 amends the State Personnel Act to reference definitions as stated in Section 4 of this bill for consistency. Section 4 amends the employment preference for veterans or former prisoners of war by adding new language to include families of an active-duty service member, veteran, or former prisoner of war. He said, "this section clarifies the type of preference given the hiring process and whether the applicant is disabled or not." Section 5 clarifies

that a person may receive an employment preference under only one of the categories described in sections 3 and 4. A person may use the preference without limitation when being considered for a position for which persons who are not currently state employees are being considered. If the recruitment for a position is limited to state employees, preference under (a) or (c) of this section may not be counted. Section 6 states that this bill does not involve interpreting amendments of a collective bargaining agreement and makes a reference to subsection (a) of Section 4. Section 7 defines a dependent child as anyone age 0-19 years old or up to age 23 if they are a full-time student at an accredited educational or technical institution that is recognized by the Alaska Department of Education and Early Development. Finally, section 8 removes language that has been included in section 4.

[2:30:26 PM](#)

REPRESENTATIVE TUCK asked why they decided on age 23 for dependents when healthcare can continue for a "child" up to the age of 26.

REPRESENTATIVE JACKSON offered her understanding that "according to the statutes it covers a child up to 23 as long as they are in college."

MR. CORDERO GIORGANA explained that healthcare provisions are federal, adding that in Alaska the age is usually 23. He further noted that the state also provides educational benefits to Gold Star families by waiving their tuition and fees if they want to enroll in the state education system.

[2:31:41 PM](#)

CHAIR LEDOUX removed her objection. There being no further objection, Version U was before the committee.

REPRESENTATIVE TARR returned attention to the definition of a dependent child and asked if it excluded stepchildren.

MR. CORDERO GIORGANA replied that, currently, the language does not include stepchildren.

REPRESENTATIVE JACKSON offered her understanding that the DD 214 [U.S. Department of Defense Certificate of Release or Discharge from Active Duty] lists dependents without distinction.

[2:33:10 PM](#)

REPRESENTATIVE TARR suggested extending the definition of dependent to include trade schools or apprenticeships.

[2:34:43 PM](#)

VERDIE BOWEN, Director, Office of Veterans Affairs, Department of Military & Veterans' Affairs, explained that any programs including trades or on-the-job training that are certified through the post-secondary institution would be included in this bill.

[2:35:18 PM](#)

CHAIR LEDOUX opened public testimony.

[2:36:58 PM](#)

MR. BOWEN expressed his full support of HB 113. He stated that the hiring preferences will provide a benefit to both Blue Star and Gold Star military families by getting them a job interview. He said it will show them that the state cares about the sacrifices they made.

[2:40:24 PM](#)

TERRE GALE, Director, Division of Labor Standards and Safety, Department of Labor & Workforce Development, noted that, because its voluntary, there will be no direct fiscal impact on the division of Labor Standards and Safety, Department of Labor & Workforce Development (DLWD).

[2:40:58 PM](#)

DANA MANCIAGLI, President, DM Consult, informed the committee that she is a national expert on "the military spouse plight" and expressed her support for HB 113. She stated that the military community has been left behind in terms of their unemployment and underemployment statistics and gave a description of the numbers that support this statement.

[2:46:20 PM](#)

JAMIE ALLARD gave a short description of her educational background and experience working with military spouses and teaching them how to get jobs. She suggested including part-

time students in the current bill to allow them to receive employment benefits, noting that some kids can't take a full class schedule and work at the same time.

[2:48:45 PM](#)

REPRESENTATIVE TARR asked if problems are intensifying for military spouses because of the military's active engagement in the Middle East for the last 20 years.

MS. ALLARD mentioned that she was in the military in the 1990s during Desert Storm and stated that they faced the same ongoing problems because of constant relocation and deployed family members.

CHAIR LEDOUX closed public testimony.

[HB 113 was held over.]

HB 93-MILITARY SPOUSE COURTESY LICENSE

[2:50:42 PM](#)

CHAIR LEDOUX announced that the final order of business would be HOUSE BILL NO. 93, "An Act relating to temporary courtesy licenses for certain nonresident professionals; and relating to the Department of Commerce, Community, and Economic Development."

[2:51:24 PM](#)

REPRESENTATIVE THOMPSON moved to report HB 93 out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, HB 93 was reported from the House Special Committee on Military and Veterans' Affairs.

[2:52:18 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Special Committee on Military and Veterans' Affairs meeting was adjourned at [2:52] p.m.