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# Alaska State Legislature

Senate  
SENATOR RICK UEHLING

P.O. BOX V  
State Capitol  
Juneau, Alaska 99811

Official Business  
Senate Finance  
Committee

TO: Senator Mitch Abood, Chairman  
Senate State Affairs

FROM: Senator Rick Uehling

SUBJECT: SB 222, "An Act relating to registration of vehicles  
owned by Pearl Harbor survivors"

DATE: April 11, 1987

I have asked staff to provide the following background and analysis of SB 222, "An Act relating to registration of vehicles owned by Pearl Harbor survivors."

## The Background

SB 222 is a bill that would require the Department of Public Safety, Division of Motor Vehicles to design and issue special license plates to anyone who was on active duty in Pearl Harbor on December 7, 1941. The special plates would be issued upon written proof and without charge to all Pearl harbor survivors. Special plates are presently being issued to former prisoners of war.

A fiscal note has been attached to SB 222 and estimates the number of Pearl Harbor survivors to be 200. It is my understanding that the Pearl Harbor Survivors Association, North Star Chapter of Anchorage lists the number of Pearl Harbor survivors in Alaska to be 64. This number would significantly reduce the expenses in producing the special plates and also decrease the amount in revenue loss.

## Pearl Harbor survivors honored with special auto license plates

By Dean Terrill  
of The Lincoln Star

Some people would stand in line for hours to get a low car license plate number. Ralph Naslund of Beatrice got No. 001 Thursday just by shaking hands with the governor.

The special plate, presented by Gov. Bob Kerrey at a brief morning ceremony, was the first issued that honors survivors of Pearl Harbor. LB864, which authorized the motor vehicle license, became effective Thursday. The law was co-sponsored by Omaha Sens. Tim Hall and Bernice Labedz.

Naslund, a retired engineer with Norris Public Power District, was the first state chairman of Nebraska's Pearl Harbor Survivors Association. Organized in 1968, the group has 107 members.

"I WAS a little uneasy when we first talked about the bill," said Naslund, 67. "But then I realized that the main purpose isn't to recognize individuals. That unique event in history left Americans a lesson to be learned."

Naslund said the plates will help amplify the organization's motto: "Remem-

ber Pearl Harbor, keep America alert."

Current state chairman Burt Amgwert of Lincoln, state president Ed Chudy of Beatrice and Joe Baburek of Omaha also were on hand to receive some of the exclusive plates. The first eight recipients are the organization's charter members.

Naslund, a 72nd Bomb Squadron plane mechanic at Hickam Field, had been in the Army Air Corps 11 months at the time of the Dec. 7, 1941 attack. He said there was no warning prior to "the damndest commotion and boom you ever heard," followed by Japanese Zeros strafing the parade grounds.

"I strapped on my 45 and a bunch of us just stood there watching bombs fall on the harbor," he said. "Then we ran, scared to death. That probably saved us, since they bombed our barracks. Our first sergeant, supply sergeant and two or three other guys were killed right there."

THE KANSAS native also survived several strafing runs before his squadron managed to get a B-17 into the air — the first outfit to do so. He spent the next

four days manning a .50 caliber machine gun.

"There was so much confusion I think the Japs could have taken over if they had tried an invasion," he continued. "There had been talk they might hit the Philippines or somewhere else, but nobody thought they had the guts to try Hawaii."

Naslund eventually flew 25 combat missions as a gunner. He came home with a Distinguished Flying Cross and an Air Medal with Oak Leaf Cluster. He graduated from Kansas State College and put in 33 years with Norris before retiring 21 1/2 years ago.

He and his wife Betty, a surgical nurse at Beatrice Community Hospital, have four grown children and six grandchildren.

The Nebraska veterans, officially known as the Bo Wilson chapter, were the 37th of 157 chapters organized in the nation. Memberships now total more than 10,350 nationwide.

To be eligible for the Nebraska plates, an individual must be a member of the association.



Gov. Bob Kerrey, left, Burt Amgwert, and Ralph Naslund, show off the 001 license plate presented to Naslund Thursday.

BILL NO: SB 222

DATE: April 2, 1987

TITLE: An Act relating to registration of vehicles owned by Pearl Harbor survivors

CONTACT: Bill Brown  
465-4335

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DEPARTMENT OF  
PUBLIC SAFETY

POSTMINT

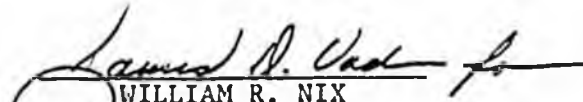
This bill requires the department to design and issue special license plates to anyone who was on active duty in Pearl Harbor on 12-7-41.

Issuing special registration plates to any select group of individuals requires more documentation, and more employee effort than a normal registration. With any one group, such as Pearl Harbor survivors, the effort may not be large, but with several groups the effort expended in proportion to the total number of registrations can be excessive.

Since there are so many groups deserving of recognition, the problem with this type of legislation is where to stop once it's started. The reasoning seems to be that since one group has the plates another group is just as deserving of special recognition, and so on.

If the legislature acts on this piece of legislation it should also set a fee in AS 28.10.421. A fee must be set before these type plates could be processed.

The department is opposed to this bill because it is felt that a time when we are cutting positions and functions is not the time to be adding additional duties.

  
WILLIAM R. NIX  
Acting Commissioner

**STATE OF ALASKA 1987 LEGISLATIVE SESSION  
FISCAL NOTE**

REQUEST: \_\_\_\_\_

Bill Version: SB 222  
Publish Date: \_\_\_\_\_

Revision Date: \_\_\_\_\_  
Title: An Act relating to registration of vehicles owned by Pearl Harbor survivors.  
Sponsor: Uehling  
Requestor: Senate State Affairs

Agency Affected: Public Safety  
BRU: Motor Vehicles  
Components: Field Services

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL		1.4	.1	.1	.1	.1
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>		1.4	.1	.1	.1	.1
<b>CAPITAL</b>						
<b>REVENUE</b>		(7.0)	(7.0)	(7.0)	(7.0)	(7.0)

**FUNDING: (Thousands of Dollars)**

GENERAL FUND		1.4	.1	.1	.1	.1
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>		1.4	.1	.1	.1	.1

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS : (Attach a separate page if necessary)**

See Page 2.

Prepared by: Charles R. Hosack *CRH* *4/3/87* Phone: 269-5551  
Division: Motor Vehicles Date: 4-3-87  
Approved by Commissioner: X [Signature] Date: 4/7/87  
Agency: Public Safety

Distribution (by preparer):  
Legislative Finance  
Legislative Sponsor  
Requestor  
Office of Management and Budget  
Impacted Agency(ies)  
Senate Secretary

*JAC*  
*4/7/87*

# CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. SB 222

## ASSUMPTIONS:

Since we have no idea how many Pearl Harbor survivors there are in Alaska, an estimate of 200 was used to prepare this fiscal note.

The bill does not mention what the fee for these special plates would be. For this fiscal note an assumption was made the plates would be issued for no fee.

## EXPENDITURES:

Specialized plates @ \$5.00 x 200	1.0
Postage @ \$1.76 x 200	.4
TOTAL	<u>1.4</u>

After the first full year of issuance, it is assumed there would not be more than 20 new applications per year.

## REVENUE:

Vehicles with specialized plates (200 x \$35)	(7.0)
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Revenue loss would remain fairly consistent.

## INFORMATION:

As a result of the FY88 budget decrement the position in the Special Programs Unit of the Division of Motor Vehicles which now issues personalized license plates will be eliminated. Therefore, the division will discontinue issuing personalized license plates as of July 1, 1987. The division opposes being required to issue new special interest plates such as Pearl Harbor survivors at a time we are cutting positions.

# STATE OF ALASKA

## DEPARTMENT OF PUBLIC SAFETY

### DIVISION OF MOTOR VEHICLES

STEVE COWPER, GOVERNOR

5700 EAST TUDOR ROAD  
ANCHORAGE, ALASKA 99507-1225  
PHONE: (907) 269-5551

April 3, 1987

The Honorable Mitchell Abood  
Alaska State Legislature  
P.O. Box V  
Juneau, Alaska 99811

Dear Senator Abood:

The following is the Division of Motor Vehicles' outlook on SB-222 and CSHB-74.

These bills are similar in that they both advocate the design and subsequent issuance, without charge, of "Pearl Harbor Survivor" license plates.

The bills differ in that SB-222 uses the wordage "...The department may issue..." whereas CSHB-74 uses the wordage "...The department shall issue...."

A separate section is contained in CSHB-74 requiring the department to issue personalized license plates for motorcycles.

In the past the division has often taken a neutral position relating to such legislation using the premise that the appointment of specialized license plates to be issued at little or no charge to authorized, deserving persons or entities was solely the purview of the Legislature. However in these times of substantial revenue shortfalls and accompanying budget cuts, the division deems it necessary to opt for a negative recommendation for both bills, particularly if SB-222 is amended to read the same as CSHB-74.

The Division of Motor Vehicles has never been considered "fat" in the area of its operating budget, particularly in the ratio of fees and taxes collected versus monies expended for the operating budget. When the budgetary cuts for FY-87 and FY-88 are tabulated DMV will be operating on 24.4% less than is in the 1987 authorized budget. The effect of such cuts in the operating budget have resulted in the termination or deletion of 24 full-time and 5 part-time positions, all directly dedicated to motor vehicle public service. To date, including proposed FY-88 reductions, a total of 7 DMV public service offices are, or will be, closed requiring motoring constituents in those areas to deal with DMV by mail or travel to other cities.

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Simpson/Abood  
April 3, 1987

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Because of these facts DMV has acted in what we consider a responsible manner and have reviewed our statutory requirements in conjunction with our operating public service requirements. The result of our review was the decision that the issuance of new specialized license plates as set forth in AS 28.10.181 is statutorially permissive whereas the requirement of motoring constituents to register and title their vehicles or to test for and obtain a driver's license is mandatory, thus it is better to opt to maintain adequate service to the majority than to a minority.

It is the intent of DMV to cease the issuance of new specialized license plates on July 1, 1987. Personal services monies allocated to fund the one position that administers the specialized plate program will be eliminated in the FY-88 budget. The decision was made to eliminate a non-essential service rather than closing another field office.


The effect of CSHB-74 will require DMV to continue to issue new specialized license plates thus negating a desperately needed field service position in Eagle River. I mention Eagle River because it is the next office scheduled to be closed if the division receives more budget cuts.

DMV respectfully submits that if the Legislature truly believes that the continued issuance of new specialized license plates is mandatory and in the best interest of the state and not at the expense of direct public service, the position currently administering the program, but cut from the 1988 budget, should be appropriately and fully funded.

DMV respectfully submits its fiscal note in a sincere effort to meet legislative intent and public service demands without appearing to be adversative.

Thank you for your concern and consideration.

Sincerely,

  
Kenneth Y. Simpson  
Registrar

cc: Charles Hosack, Acting Director  
Bill Brown, Driver Services, Juneau

INTRODUCTION OF BILLS, (Senate, cont'd)

SB 221, (cont'd)

under the law-making-procedures provisions and the separation-of-powers doctrine. See State v. A.L.I.V.E. Voluntary, 606 P.2d 769 (Alaska 1980); and Immigration and Naturalization Service v. Chadha, 462 U.S. 919, 77 L.Ed.2d 317, 103 S.Ct. 2764 (1983). Nevertheless, I am submitting this Eklutna land exchange to the legislature for approval because I know of and wish to accommodate the legislature's strong interest in it and because I wish to avoid any possible challenge to the exchange on the grounds that the statutes were not fully satisfied.

It is imperative that you approve this legislation this session if the exchange is to proceed. Failure to do so will lose this opportunity to acquire the Eagle River Greenbelt from Eklutna, Inc. If the exchange fails, the Municipality of Anchorage will receive the state's interest in Block 112A in partial satisfaction of Anchorage's entitlement under AS 29.65. I urge your prompt and favorable action on this measure.

License Plates  
for Veterans  
(Pearl Harbor  
survivors)

SENATE BILL NO. 222, by Senators Uehling, Halford and Kelly. Would allow the Department of Public Safety, upon receipt of written proof, to issue without charge special registration plates for one noncommercial motor vehicle to a person who was on active military duty in Pearl Harbor on December 7, 1941 (currently a person who has been a prisoner of war during a declared war or other conflict is entitled to the free license plate). Note: also see CSHB 74 (Trsp)(am), which was amended on March 25 by adding this provision - it requires the Department to issue the plates, rather than allows it to (changes "may" to "shall"). Does not provide for an effective date (bill becomes law 90 days after being signed by the governor).

Introduced March 31 and referred to State Affairs; Finance.

Zoos & Zoo  
Operators  
(civil liability of)

SENATE BILL NO. 223, by Senator Faiks. Would prohibit a person from recovering damages for injury to persons or property from a zoo or a zoo operator if the damages occurred as a result of an inherent risk of attendance at a zoo, if notice of the risk was posted, and the zoo operator exercised reasonable care to prevent the injury.

Would require a zoo operator to post signs at prominent places within a zoo and at each zoo entrance. The signs would have to include a statement warning that the zoo is not liable for injuries to person or property occurring as a result of dangers of conditions inherent in attending the zoo.

Does not provide an effective date (bill becomes law 90 days after being signed by the governor).

Introduced March 31 and referred to Judiciary.

Insurers'  
Premium Tax  
(raising)

SENATE BILL NO. 224, by Senator Duncan. Would raise the premium tax for domestic and foreign insurers (except hospital and medical service corporations) from 2.7 to three percent of the total direct premium income (after deductions). Exempts domestic companies organized before July 1, 1987 from taxation for a period of five years from the date of its organization (currently domestic companies are exempt for a period of five years from the