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SENATE CS FOR CS FOR HOUSE BILL NO. 155(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered: 5/12/24
Referred: Rules

Sponsor(s): REPRESENTATIVES STAPP, Tomaszewski, Coulombe, Galvin, Groh, Saddler, Cronk, Wright, McCabe, Josephson, Dibert, Rauscher

SENATORS Bjorkman, Dunbar, Kawasaki, Myers, Merrick, Shower, Bishop, Stevens, Wielechowski, Gray-Jackson, Stedman, Tobin, Hughes, Kaufman

A BILL

FOR AN ACT ENTITLED

"An Act establishing the Alaska Military Affairs Commission; relating to the duties and powers of the Alaska Military Affairs Commission; relating to the Joint Armed Services Committee; relating to judge advocates; relating to military facility zones; relating to the appointment of an assistant adjutant general; and providing for an effective date."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

*** Section 1.** The uncodified law of the State of Alaska is amended by adding a new section to read:

LEGISLATIVE INTENT. It is the intent of the legislature that the mayors and public members appointed to the Alaska Military Affairs Commission be geographically distributed to represent as many different communities across the state as possible.

*** Sec. 2.** AS 24.20.650(b) is amended to read:

(b) The committee is composed of

(1) five members of the senate, at least one of whom is a member of the minority, appointed by the president of the senate;

(2) five members of the house of representatives, at least one of whom is a member of the minority, appointed by the speaker of the house of representatives;

(3) a state resident, other than a member of the state legislature, who is appointed jointly by the president of the senate and the speaker of the house of representatives after considering the recommendations of the Alaska chapters of each of the following organizations:

(A) the Association of the United States Army;

(B) the Air **and Space Forces** [FORCE] Association;

(C) the Navy League of the United States;

(D) the Marine Corps Association;

(4) a state resident, other than a member of the state legislature, who is appointed jointly by the president of the senate and the speaker of the house of representatives after considering the recommendation of the Seventeenth Coast Guard District Auxiliary;

(5) a state resident, other than a member of the state legislature, who is appointed jointly by the president of the senate and the speaker of the house of representatives after considering the recommendation of the mayor of the Municipality of Anchorage;

(6) a state resident, other than a member of the state legislature, who is appointed jointly by the president of the senate and the speaker of the house of representatives after considering the recommendation of the mayor of the Fairbanks North Star Borough;

(7) a state resident, other than a member of the state legislature, who is appointed jointly by the president of the senate and the speaker of the house of representatives after considering the recommendation of the adjutant general of the Department of Military and Veterans' Affairs; and

(8) a state resident, other than a member of the state legislature, who is appointed jointly by the president of the senate and the speaker of the house of representatives after considering the joint recommendations of the Alaska Federation of Natives and the Alaska Municipal League.

*** Sec. 3.** AS 26.05.180(a) is amended to read:

(a) The headquarters of the Alaska National Guard is composed of an Army National Guard component, an Air National Guard component and a Naval Militia component. The Army National Guard component and the Air National Guard component shall each be commanded by an assistant adjutant general appointed by the adjutant general with the concurrence of the governor. **The adjutant general may, when appointing an assistant adjutant general, give preference to a person who has served at least five years in the Alaska Army National Guard or the Alaska Air National Guard.** An assistant adjutant general shall, while holding office, have the grade of brigadier general or a lower grade that the adjutant general may prescribe. On initial appointment**,** an assistant adjutant general must hold a **federally recognized** [FEDERALLY-RECOGNIZED] field-grade commission [WITH AT LEAST FIVE YEARS SERVICE IN THE ALASKA ARMY NATIONAL GUARD OR IN THE ALASKA AIR NATIONAL GUARD].

*** Sec. 4.** AS 26.05.385(d) is amended to read:

(d) A person may not serve as a judge advocate under the code of military justice unless the person is a commissioned officer of the organized militia of a state or of an active or reserve component of the armed forces or another uniformed service of the United States, is a member in good standing of the bar of the highest court of a state, and is currently

(1) certified or designated as a judge advocate in the Judge Advocate General's Corps of the United States Army, Air Force, **Space Force,** Navy, or Marine Corps or designated as a law specialist as an officer of the United States Coast Guard, or a reserve component of one of them; or

(2) certified as a nonfederally recognized judge advocate, under the code of military justice, by the senior judge advocate of the commander of the force in the component of the militia of the state of which the accused is a member, as competent to perform the military justice duties required by the code of military justice; if a judge advocate is not available, the certification may be made by the senior judge advocate of the commander of another force in the militia of the state, as the convening authority directs.

*** Sec. 5.** AS 26.30.900(3) is amended to read:

(3) "facility" means a facility of

(A) an Alaska military or civilian agency serving a subdivision of the Alaska National Guard, the United States Army, the United States Navy, the United States Marine Corps, the United States Air Force, **the United States Space Force,** or the United States Coast Guard, including reserve units of those entities;

(B) the National Aeronautics and Space Administration; or

(C) a public corporation within the Department of Military and Veterans' Affairs;

*** Sec. 6.** AS 44.19 is amended by adding new sections to read:

Article 5A. Alaska Military Affairs Commission.

Sec. 44.19.851. Alaska Military Affairs Commission. The Alaska Military Affairs Commission is established in the Office of the Governor.

Sec. 44.19.854. Commission membership. The commission is composed of nine members, as follows:

(1) the lieutenant governor, who shall serve as chair of the commission;

(2) the adjutant general of the Department of Military and Veterans' Affairs or the adjutant general's designee;

(3) the commissioner of commerce, community, and economic development or the commissioner's designee;

(4) three members who are mayors, or their designees, from municipalities with installations of the armed forces of the United States within the municipal boundaries, appointed by the governor; the governor shall appoint members under this paragraph so that

(A) the installations, collectively, represent different branches of the armed forces of the United States; and

(B) each member represents a different geographic region, to the extent possible;

(5) two public members with extensive military experience or expertise, each representing a different branch of the armed forces of the United

States, appointed by the governor;

(6) one public member with statewide business or economic development experience, appointed by the governor.

Sec. 44.19.857. Terms. Members appointed under AS 44.19.854(4) - (6) serve staggered terms of three years until reappointed or replaced and may be reappointed.

Sec. 44.19.860. Meetings, quorum, and administrative support. (a) A majority of the voting members of the commission constitutes a quorum for the purpose of conducting business and exercising the powers of the commission. The commission shall meet quarterly and at other times determined by the chair.

(b) Members of the commission serve without compensation but are entitled to per diem and travel expenses authorized for boards and commissions under AS 39.20.180.

(c) The Office of the Governor shall provide administrative support to the commission.

Sec. 44.19.863. Duties of the commission. The commission shall

(1) provide advice, counsel, and actionable recommendations on military issues, and economic and industrial development related to military issues, to the governor, state agencies, the legislature, communities, and the state's congressional delegation;

(2) provide recommendations to expand and grow the current presence of the armed forces in the state, including new bases, expanded missions, and increased training;

(3) plan for state infrastructure needs to support military objectives;

(4) recommend methods to improve private and public employment opportunities for the families of current and former members of the military who reside in the state;

(5) assist and advise communities and the state in the design and execution of programs that enhance communities' relationships with installations of the armed forces of the United States and defense-related businesses, including in the areas of public school education, in-state higher education and training, cultural and recreational community assets, and housing and energy affordability;

(6) advocate for the state in matters related to military expansion decision making by emphasizing the state's strategic location on the globe and existing infrastructure and work to build community support in the state for the armed forces of the United States;

(7) prepare and maintain a strategic plan to

(A) protect the state's existing military missions;

(B) position the state to be competitive for new and expanded military missions;

(C) promote the long-term viability and prosperity of the military and industries related to national defense in the state; and

(D) consider all current and anticipated base realignment and closure criteria affecting bases in the state;

(8) report to the Joint Armed Services Committee and any special committee of the legislature relating to military and veterans' affairs, if one exists at the time the report is due, issues on the commission's activities over the previous calendar year; the commission shall provide the report in an electronic format and deliver the report by January 31 each year;

(9) seek the opinions of each member of the Alaska delegation in Congress on the assistance, advice, advocacy, counsel, plans, and recommendations provided under this section.

Sec. 44.19.866. Definition. In AS 44.19.851 - 44.19.866, "commission" means the Alaska Military Affairs Commission.

*** Sec. 7.** AS 44.66.010(a) is amended by adding a new paragraph to read:

(15) Alaska Military Affairs Commission (AS 44.19.851) - June 30, 2030.

*** Sec. 8.** The uncodified law of the State of Alaska is amended by adding a new section to read:

ALASKA MILITARY AFFAIRS COMMISSION; STAGGERED TERMS. (a) Notwithstanding AS 44.19.857, added by sec. 6 of this Act, and AS 39.05.055, the seats on the Alaska Military Affairs Commission established in AS 44.19.851, added by sec. 6 of this Act, shall be initially filled as follows:

(1) the members appointed under AS 44.19.854(4) shall serve one-year terms;

(2) the members appointed under AS 44.19.854(5) shall serve two-year terms; and

(3) the member appointed under AS 44.19.854(6) shall serve a three-year term.

(b) Members appointed to the Alaska Military Affairs Commission under AS 44.19.854(1) - (3), added by sec. 6 of this Act, begin membership on the commission on the effective date of sec. 6 of this Act.

*** Sec. 9.** Sections 2 - 5 of this Act take effect immediately under AS 01.10.070(c).