



Alaska State Legislature House and Senate Democrats

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Renkes Says Administration Won't Help Reinstate Military Member Rights

Juneau – This week Attorney General Gregg Renkes announced the Murkowski Administration will not help re-instate Military Member rights that were taken away in legislation last year. In November former Director of Military and Veterans Affairs Laddie Shaw joined Reps. Les Gara and Ethan Berkowitz in calling for a re-instatement of these rights. In December the Murkowski Administration stated it would consider the proposal, and that it would consider supporting a bill Gara, Berkowitz and Rep. Harry Crawford filed to do that. That bill is HB 359.

“I hoped what happened last session was a mistake or oversight, and thought we could correct the mistake easily with HB 359. It was disappointing to hear we won't receive the Administration's help in returning these basic legal rights to members of our armed forces. They deserve better, especially at a time when they've offered to sacrifice so much,” said Gara.

Last year, over opposition from minority members, and some majority members including the House Speaker, the Legislature passed HB 245. Section 4 of that bill took away the right of on-duty military members to recover damages when killed or injured by a state employee's negligence or recklessness. Specifically, the law states a claim for negligence or recklessness “may not be brought by or on behalf of a member of the military services against the state . . . for wrongful death, personal injury or other tort claim or injury” if the military member is on active duty. Thus, for example, if a state employee negligently runs a red light and paralyzes or kills a military member who is on his way to pick up supplies, the member cannot recover compensation from the state.

In November Shaw called on the Governor to reverse this policy, saying: “If we are truly going to honor our military members, then let us honor them sincerely, and not dilute their rights.” HB 359 is awaiting a hearing in the House Committee for Veterans and Military affairs. With Renkes' announcement that the Administration opposes re-instatement of these rights, it is doubtful the bill will succeed this session.

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Sen. Bettie Davis, Sen. Johnny Ellis, Sen. Kim Elton, Sen. Lyman Hoffman, Sen. Hollis French, Sen. Gretchen Guess, Sen. Georgianna Lincoln, Sen. Donny Olson, Rep. Ethan Berkowitz, Rep. Sharon Cissna, Rep. Harry Crawford, Rep. Eric Croft, Rep. Les Gara, Rep. Max Gruenberg, Rep. David Guttenberg, Rep. Reggie Joule, Rep. Mary Kapsner, Rep. Beth Kerttula, Rep. Albert Kookesh, Rep. Carl Moses