

HB 77

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Creation
(Vehicle)

HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS' AFFAIRS
February 16, 1999 — 5:02 p.m.

MEMBERS PRESENT

- Representative Lisa Murkowski, Chair
- Representative John Coghill, Vice Chair
- Representative Jeannette James
- Representative Gail Phillips
- Representative Pete Kott
- Representative Eric Croft
- Representative Richard Foster

MEMBERS ABSENT

- Representative Sharon Cissna

CALL TO ORDER

CHAIR LISA MURKOWSKI called the House Special Committee on Military and Veterans' Affairs meeting to order at 5:02 p.m. Members present at the call to order were Representatives Murkowski, Coghill, James, Phillips, and Kott. Representatives Foster and Croft arrived at 5:07 p.m. and 5:08 p.m., respectively.

HB 77 - JOINT ARMED SERVICES COMMITTEE

CHAIR MURKOWSKI announced the first order of business would be House Bill No. 77, "An Act relating to the Joint Armed Services Committee, a permanent interim committee of the Alaska State Legislature; and providing for an effective date." As sponsor, she called on staff member Casey Sullivan to present the bill.

CASEY SULLIVAN, Legislative Assistant to Representative Lisa Murkowski, Alaska State Legislature, explained that the sponsor had introduced HB 77 to assist in the many challenges facing Alaska's military in the imminent future. He read in part from the sponsor statement, with comments, as follows:

House Bill 77 would replace the existing Joint Committee on Military Bases in Alaska, established in chapter 31 [SLA 1998], with the Joint Armed Services Committee. Similarly, the Joint Armed Services Committee would have an existence longer than called for in the Uniform Rules, Rules 21(b) and (c). In fact, this would be a permanent interim committee, so that members may be activated year-round.

Creating this committee for longer than the duration of the Twenty-first Legislature requires a change in statute and cannot be done with a concurrent resolution; hence, this bill. The committee would be activated on July 1, 1999, and the legislative council would provide administrative and other services to the committee. This committee would provide a unified front by House, Senate, military, and civilian members to monitor timely military topics relative to

Alaska. Furthermore, ... it would review and encourage state policies to ensure the continued well-being and education of members of the armed forces, both active and reserve components.

As we are in the crux of two swaying forces with regard to our military, the potential creation of new sites for the national missile defense and the possible consolidation of existing operations both require our considerable and constant attention. With the military accounting for approximately \$1.7 billion of Alaska's economy, it is imperative that the legislature take a leading role to monitor the economic impact of future military-related events. This Joint ... Armed Services Committee will provide that focus.

REPRESENTATIVE PHILLIPS noted that administrative services oversight would come from the legislative council. She asked whether a full-time interim staff member is anticipated, and if so, where.

MR. SULLIVAN replied that some staff is anticipated during that time, although probably not full-time.

REPRESENTATIVE PHILLIPS asked whether it would be staff from the House Special Committee on Military and Veterans' Affairs, the Senate, or the legislative council.

CHAIR MURKOWSKI expressed her understanding that any interim staff would be located in Anchorage. Noting that Senator Kelly has introduced a similar measure in the Senate, she said Chris Nelson might have additional information from the Senate hearings.

CHRIS NELSON, Staff to Senator Tim Kelly and Staff Director, Joint Committee on Military Bases in Alaska, Alaska State Legislature, noted that the Joint Committee on Military Bases in Alaska is what HB 77 proposes to replace. Although the initial approach when forming it last year was a "stand-alone committee," the legislature had been reluctant to institutionalize it that far with a permanent, separate staff. Mr. Nelson stated the intention with HB 77 that committee members will provide the staff resources from their own staffs.

Mr. Nelson suggested Anchorage is the most appropriate location for staff because it provides access to the Alaskan Command and to the U.S. Army Alaska (USARAK) at Fort Richardson, the major components being served with this; it also allows access to the state regional area headquarters for the National Guard. Mr. Nelson stated the intention with the new committee of doing more with less, using existing resources and stretching them as far as possible.

REPRESENTATIVE COGHILL asked why there is an allowance for per diem but no fiscal note.

MR. NELSON said members' per diem will be borne either by the legislative council or by session funds, if they are in session. The obligation would be for the five public members; the intent is to look to the legislative council to fund that, and they expect the expense to be minimal. They don't anticipate a lot of travel. The current prototype committee met in Fairbanks and took the public members up there, for example, doing an outstanding tour of Eielson Air Force Base. Mr. Nelson expressed hope that committee members would get up-to-date tours of current

installations, with an eye to protection and use of those resources to expand military participation and basically sell the U.S. Department of Defense on the tremendous resources currently available but under-utilized in Alaska. He pointed out that members on the existing committee have primarily participated by teleconference.

REPRESENTATIVE PHILLIPS clarified that for any committee established which doesn't have its own staff, those expenses are borne either by the legislative council or by the individual offices. The travel could also be borne by the leadership. Therefore, there is no need for a fiscal note for legislative members.

MR. NELSON referred members to a thick document titled "*The Defense Community in Texas: A Master Plan for the Future*," a comprehensive report outlining a proposal to the Texas legislature and governor on what it is believed is needed to support the military community there; he said it contains some excellent ideas. Mr. Nelson emphasized that other states are working actively to promote military presence in their states. For example, New York appropriates about \$4 million annually through its community and regional development funds to promote activities on its military bases; at least one, Fort Drum, directly competes with Alaska.

Mr. Nelson said he believes Alaska has done a pretty good job with the resources available; it is now positioned to take the next step, the establishment of this committee, with public members and representing all the armed services. They have been conscientious about including the U.S. Coast Guard, by increasing the number of public members on the committee and having one appointed upon the recommendation of the commander of the U.S. Coast Guard district.

REPRESENTATIVE JAMES asked where the public members' per diem will come from.

MR. NELSON said the legislative council.

REPRESENTATIVE JAMES said it seems that a fiscal note for additional per diem would be required if an interim committee is added that includes people who need per diem, unless they take the place of others who had been receiving per diem.

CHAIR MURKOWSKI explained that her office had been informed there was no independent fiscal note, that the expenditures would be basically through legislative council. She agreed with a comment by Representative Croft that it would be money already budgeted.

REPRESENTATIVE PHILLIPS suggested that for the most part, the expenses of the public members will probably be picked up by the respective entities. For example, the Municipality of Anchorage would pick up costs for its representative, as would the North Star Borough, and costs for the person from the Department of Military and Veterans Affairs would come out of that budget.

MR. NELSON informed members that on the current Joint Committee on Military Bases, the legislative council picked up expenses of the three public members for the two meetings. For the Anchorage meeting, they paid for the Fairbanks public member to attend, and for the Fairbanks

meeting, they provided transportation and one day's per diem for the Anchorage public member, a total of three days' per diem in the last eight months.

REPRESENTATIVE CROFT asked whether the legislative council had made a corresponding cut to another part of the legislature's budget.

MR. NELSON offered to provide an answer.

REPRESENTATIVE CROFT said although it probably would be a low fiscal note, unobjectionable even in these times, he didn't see how it could truly be a zero fiscal note, when it would cost more.

CHAIR MURKOWSKI responded that they could request a fiscal note that accounts for it. She pointed out the bill's House Finance Standing Committee referral.

PHILLIP OATES, Brigadier General, Adjutant General/Commissioner Designee, Department of Military and Veterans Affairs, testified via teleconference from Anchorage, saying his overall comments would be in favor of HB 77. He said as a general statement that establishing a more permanent Joint Armed Services Committee is good for the state; longevity will count in considering these matters, which are not on a year-to-year basis. In addition, he likes the idea of a unified front by the House and Senate, as well as by military and civilian members.

MOTION

REPRESENTATIVE PHILLIPS made a motion to move HB 77 out of committee with individual recommendations. There being no objection, HB 77 moved from the House Special Committee on Military and Veterans' Affairs.

HOUSE BILL NO. 77

"An Act relating to the Joint Armed Services Committee, a permanent interim committee of the Alaska State Legislature; and providing for an effective date."

The report was signed by Representative Murkowski, Chair, with the following individual recommendations:

Do pass (6): Foster, Phillips, Coghill, Kott, James, Murkowski
No recommendation (1): Croft

The following fiscal note applies:

Zero fiscal note, Legislative Affairs Agency, 2/17/99

HB 77 was referred to the State Affairs Committee.

**HOUSE STATE AFFAIRS STANDING COMMITTEE
February 18, 1999 — 8:05 A.M.**

MEMBERS PRESENT

- Representative Jeannette James, Chair
- Representative John Coghill
- Representative Scott Ogan
- Representative Jim Whitaker
- Representative Bill Hudson
- Representative Beth Kerttula
- Representative Harold Smalley

MEMBERS ABSENT

- All members present
-

HB 77 — JOINT ARMED SERVICES COMMITTEE

CHAIR JAMES also stated she would like to waive **HB 77**,

"An Act relating to the Joint Armed Services Committee, a permanent interim committee of the Alaska State Legislature; and providing for an effective date."

Hearing no objection, she noted that it would be waived on the House Floor.

**HOUSE FINANCE COMMITTEE
February 23, 1999 — 1:40 P.M.**

CALL TO ORDER

Co-Chair Therriault called the House Finance Committee meeting to order at 1:40 P.M.

PRESENT

- Co-Chair Therriault
- Co-Chair Mulder
- Vice-Chair Bunde
- Representative Austerman

- Representative J. Davies
 - Representative G. Davis
 - Representative Foster
 - Representative Grussendorf
 - Representative Kohring
 - Representative Moses
 - Representative Williams
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SUMMARY

HB 77 — *An Act relating to the Joint Armed Services Committee, a permanent interim committee of the Alaska State Legislature; and providing for an effective date.*

HB 77 was HELD in Committee for further consideration.

HOUSE BILL NO. 77

"An Act relating to the Joint Armed Services Committee, a permanent interim committee of the Alaska State Legislature; and providing for an effective date."

REPRESENTATIVE LISA MURKOWSKI stated that Alaska is being considered as the site for deployment of a national missile defense system. The Pentagon and the Secretary of Defense recently stated that another round of base realignments and closures are forthcoming. Because of such challenges, Representative Murkowski noted she introduced HB 77.

Representative Murkowski advised that HB 77 would replace the existing Joint Committee on Military Bases in Alaska, which was established in Chapter 31, SLA 1998, with the Joint Armed Services Committee. Similarly, the Joint Armed Services Committee would have an existence longer than called for in the Uniform Rules, Rules 21(b) & (c). This would be a permanent interim committee so those members could be active year-round. The committee would commence on July 1, 1999. The Legislative Council would provide administrative and other services to that committee.

Representative Murkowski noted that the committee would provide a unified front with House, Senate, military, and civilian members to monitor military topics relative to Alaska. Furthermore, it would review and encourage state policy to ensure the continued well-being and education of members of the armed forces in both active and reserve components.

She advised that the military accounts for approximately \$1.7 billion of Alaska's economy. She stressed that it is imperative the Legislature take a leading role to monitor the economic impact of future military-related events. She believed that the Joint Armed Services Committee could provide that focus.

Co-Chair Therriault commented that the Senate Finance Committee had placed a 10-year sunset on the legislation. Representative Murkowski replied that she had no objection to a 10-year sunset, although less than that would create a problem when addressing the proposed closures.

Co-Chair Therriault referenced the transition language on Page 5, Section 3, which would extend membership to the other committee. He pointed out that Representative Porter asked that language be removed in order that he could consider the makeup of the committee.

Co-Chair Therriault referenced Page 4, Lines 20–21, and questioned what “well-being encouragement” would consist of. Representative Murkowski suggested such behavior would enhance the military feeling “welcome and accepted” in Alaska. She acknowledged that language could be “troublesome” as it is non-descript. Co-Chair Therriault offered to work with Representative Murkowski on changing that language.

Representative Bunde suggested the referenced language could create a duplication of the work done by the Department of Military and Veterans Affairs.

Representative Grussendorf asked if there had been discussion regarding the U.S. Coast Guard. Representative Murkowski replied that there was definitely discussion of the Coast Guard and that the inclusion of the Coast Guard in HB 77 would make the legislation different from the formation of the Joint Military Bases Committee. One member would represent the Coast Guard.

Co-Chair Therriault noted that in Southeast Alaska, the Coast Guard represents the military presence and that the State of Alaska has the largest Coast Guard support of any other state.

Representative Murkowski commented that she agreed with the House Speaker that he should be the party responsible for appointing committee members. She did not oppose adding language to reflect that.

Co-Chair Therriault pointed out that the fiscal note would need to be adjusted. He thought that the fiscal impact could be absorbed in the current level of funding in the Legislature’s budget and that those costs must be adequately reflected.

HB 77 was HELD in Committee for further consideration.

HOUSE FINANCE COMMITTEE
March 4, 1999 — 1:40 P.M.

CALL TO ORDER

Co-Chair Therriault called the House Finance Committee meeting to order at 1:40 P.M.

PRESENT

- Co-Chair Therriault
- Co-Chair Mulder
- Vice-Chair Bunde
- Representative Austerman
- Representative J. Davies
- Representative G. Davis
- Representative Foster
- Representative Grussendorf
- Representative Kohring
- Representative Williams

Representative Moses was not present for the meeting.

HB 77 — JOINT ARMED SERVICES COMMITTEE

CS HB 77 (FIN) was reported out of Committee with a "do pass" recommendation and with a zero fiscal note by the House Finance Committee.

HOUSE BILL NO. 77

"An Act relating to the Joint Armed Services Committee, a permanent interim committee of the Alaska State Legislature; and providing for an effective date."

Co-Chair Therriault requested Representative Murkowski to refresh members on changes made to the draft committee substitute. He pointed out that in the House Finance Committee fiscal note, expenses of the Commission would be covered through the Legislative Council's budget.

REPRESENTATIVE LISA MURKOWSKI noted that the proposed Commission would be started with newly appointed members in order that the Speaker of the House could appoint them. Additionally, the committee substitute has added a section with a 10-year sunset clause.

Representative Bunde MOVED to adopt work draft 1-LS0413\D, Cook, 2/24/99, as the version before the Committee. **There being NO OBJECTION, it was adopted.**

Representative Foster MOVED to report CS HB 77 (FIN) out of Committee with individual recommendations and with the accompanying zero fiscal note. **There being NO OBJECTION, it was so ordered.**

CS HB 77 (FIN) was reported out of Committee with a "do pass" recommendation and with the House Finance Committee zero fiscal note.

CS FOR HOUSE BILL NO. 77(FIN)

(same title)

The report was signed by Representative Therriault, Co-Chair, with the following individual recommendations:

Do pass (7): Therriault, Bunde, Kohring, Austerman, Davis, Williams, Foster
No recommendation (1): Grussendorf

The following fiscal note applies to CSHB 77(FIN):

Zero fiscal note, House Finance Committee / Legislative Affairs Agency, 3/5/99

HOUSE FLOOR VOTE

Question: *"Shall CSHB 77(FIN) pass the House?"*

The roll was taken with the following result:

CSHB 77(FIN)

Third Reading — Final Passage

- **YEAS:** 33
 - **NAYS:** 0
 - **EXCUSED:** 7
 - **ABSENT:** 0
-

Yeas:

Austerman, Barnes, Brice, Bunde, Cowdery, Croft, Davies, Davis, Foster, Grussendorf, Halcro, Hudson, James, Joule, Kapsner, Kemplen, Kerttula, Kohring, Kookesh, Kott, Masek, Morgan, Moses, Mulder, Murkowski, Ogan, Phillips, Porter, Rokeberg, Sanders, Therriault, Whitaker, Williams

Excused:

Berkowitz, Cissna, Coghill, Dyson, Green, Harris, Smalley

And so, CSHB 77(FIN) passed the House.

SENATE FINANCE COMMITTEE

March 17, 1999 — 9:04 A.M.

CALL TO ORDER

Co-Chair John Torgerson convened the meeting at approximately 9:04 A.M.

PRESENT

- Senator John Torgerson
- Senator Loren Leman
- Senator Gary Wilken
- Senator Al Adams
- Senator Lyda Green
- Senator Dave Donley

Note: Senator Randy Phillips arrived shortly thereafter.

BILLS UNDER CONSIDERATION

CS FOR HOUSE BILL NO. 77(FIN)

"An Act relating to the Joint Armed Services Committee, a permanent interim committee of the Alaska State Legislature; and providing for an effective date."

SENATE BILL NO. 55

"An Act relating to the Joint Armed Services Committee, a permanent interim committee of the Alaska State Legislature; and providing for an effective date."

DISCUSSION

Co-Chair Torgerson noted the committee had previously heard **SB 55**. Since that meeting, the House bill (**HB 77**) had been referred to the committee and would now be the focus.

CASEY SULLIVAN, aide to Representative Lisa Murkowski, testified in support of **HB 77**. He explained that Alaska was being considered for the site of a National Ballistic Missile Defense System. The Pentagon and the Secretary of Defense had recently indicated that another round of Base Realignments and Closures (BRAC) was forthcoming. In response to these developments, Representative Murkowski introduced **HB 77**.

The bill would replace the existing Joint Committee on Military Bases in Alaska with the **Joint Armed Services Committee**, which would have a longer existence than permitted under the Uniform Rules, thereby requiring a statutory change. The committee would be activated on **July 1, 1999**, and the **Legislative Council** would provide administrative and other services.

The committee would serve as a **unified front** by House, Senate, military, and civilian members to monitor timely military issues related to Alaska.

Mr. Sullivan emphasized that Alaska stood at the crossroads of two significant military developments:

1. The creation of new missile defense sites, and
2. Potential consolidation of existing military operations.

Given that the military contributes approximately **\$1.7 billion** to Alaska's economy, it was imperative that the Legislature take a leading role in tracking the economic impact of military-related events. The proposed Joint Armed Services Committee would provide that needed focus.

COMMITTEE COMMENTS

- **Senator Loren Lemman** noted two differences between the House and Senate versions:
 1. The **transition clause** in Section 3 of SB 55, not present in HB 77.
 2. A provision to **review and encourage state policy** regarding the National Guard, found in SB 55 but not in HB 77.
- **Casey Sullivan** responded that the policy language (Page 4, lines 19–20 of the Senate bill) was removed from the House version to avoid duplicating the work of other agencies.

Regarding the transition language in Section 3, he noted that it had been debated in the House. He also confirmed that a **sunset clause** had been added to both versions.

- **CHRIS NELSON**, staff to Senator Tim Kelly (sponsor of SB 55), testified that after reviewing the House version, they concurred with its content. He believed the **sunset clause** was unnecessary but noted that future legislators could choose to extend it.

On the transition issue, he agreed with the House language, emphasizing the importance of **historical continuity**.

- **Co-Chair Torgerson** drew attention to the **Legislative Council's zero fiscal note**.
 - **Senator Lyda Green** expressed concern that the funding should stand on its own rather than be embedded in the Legislative Council's budget.
 - **Co-Chair Torgerson** acknowledged the concern but stated the request was already included in the Legislature's operating budget. He noted there would be **two opportunities** to discuss the funding during the budget process.
- **Senator Al Adams** observed that the **\$18,000 appropriation** would be debated in subcommittee as part of the Legislature's operating budget.
 - **Co-Chair Torgerson** agreed, saying if it were removed during those debates, there would be **no funding** for the program.

MOTION

Senator Gary Wilken moved to report **CSHB 77(FIN)** from committee.
Without objection, the motion passed.

COMMITTEE ACTION — HB 77

CS FOR HOUSE BILL NO. 77(FIN)

"An Act relating to the Joint Armed Services Committee, a permanent interim committee of the Alaska State Legislature; and providing for an effective date."

- **Do Pass:**
 - Senators Torgerson, Parnell (Cochairs)
 - Senators Phillips, Adams, Wilken, Leman
- **Do Pass, if Amended:**
 - Senator Green
- **Fiscal Note:**
 - Previous House zero fiscal note

The bill was referred to the Rules Committee.

SENATE RULES COMMITTEE

March 18, 1999 — 11:38 A.M.

MEMBERS PRESENT

- Senator Tim Kelly, Chair
- Senator Drue Pearce
- Senator Johnny Ellis

MEMBERS ABSENT

- Senator Loren Leman, Vice Chair
- Senator Mike Miller

ACTION ON LEGISLATION

CSHB 77(FIN) — "JOINT ARMED SERVICES COMMITTEE"

- **MOTION:**
Senator Pearce moved to **calendar CSHB 77(FIN)** for floor consideration.
- **OBJECTION:**
Senator Ellis objected and inquired about the **fiscal impact** of the bill.
- **RESPONSE:**
Chairman Kelly explained that **CSHB 77(FIN)** collapses the existing committee structure, preventing any duplication of costs. He noted that the new committee would be funded through the **Legislative Council**.
- **WITHDRAWAL OF OBJECTION:**
After the explanation, Senator Ellis removed his objection.
- **RESULT:**
The **motion to calendar CSHB 77(FIN)** carried.

HOUSE BILL NO. 77

"An Act relating to the Joint Armed Services Committee, a permanent interim committee of the Alaska State Legislature; and providing for an effective date."

SENATE FLOOR ACTION

Date: March 23–24, 1999

Reading: Second and Third

SECOND READING – SENATE AMENDMENTS

Amendment No. 1 — Offered by Senator Lincoln

- **Purpose:** To increase legislative membership on the committee.
- **Text Changes:**
 - Page 2, line 25:
 - *Delete:* "one of whom is a member"
 - *Insert:* "two of whom are members"
 - Page 2, lines 27–28:
 - *Delete:* "one of whom is a member"
 - *Insert:* "two of whom are members"
- **Motion:** Senator Lincoln moved to adopt Amendment No. 1.
- **Objection:** Senator Tim Kelly objected.
- **Vote Result:**
 - **Yeas:** 5 (Adams, Ellis, Elton, Hoffman, Lincoln)
 - **Nays:** 15
 - **Result:** Amendment No. 1 failed.

Amendment No. 2 — Offered by Senator Lincoln

- **Purpose:** To add a public member jointly appointed after consultation with Alaska Native and municipal entities.
- **Text Changes:**
 - Page 3, line 17:
 - *Delete:* "and"
 - Page 3, line 21, following "Affairs":
 - *Insert:*

"; 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."
- **Motion:** Senator Lincoln moved to adopt Amendment No. 2.
- **Objection:**
 - Initially objected to by Senator Tim Kelly, who then withdrew his objection.
 - Senator Taylor maintained objection.
- **Vote Result:**
 - **Yeas:** 13

- **Nays: 7**
 - **Result: Amendment No. 2 adopted.**
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Third Reading – Final Passage of CSHB 77(FIN) am S

- **Motion:** Senator Mackie moved for the bill to be engrossed, advanced to third reading, and placed on final passage. No objection.
 - **Vote Result:**
 - **Yeas: 20**
 - **Nays: 0**
 - **Result: CSHB 77(FIN) am S passed the Senate.**
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HOUSE CONCURRENCE WITH SENATE AMENDMENTS

Date: March 24, 1999

Action: House consideration of Senate amendments

- **Motion:** Representative Green moved that the House **concur** with Senate amendments to **CSHB 77(FIN)**, adopting **CSHB 77(FIN) am S**.
- **Recommendation:** Vote yes.
- **Vote Result:**
 - **Yeas: 36**
 - **Nays: 2 (Rokeberg, Therriault)**
 - **Excused: 2 (Barnes, Masek)**
 - **Result: House concurred; CSHB 77(FIN) am S adopted.**