

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

April 18, 2002
3:25 p.m.

MEMBERS PRESENT

Representative Mike Chenault, Chair
Representative Lisa Murkowski
Representative Joe Green
Representative Pete Kott

MEMBERS ABSENT

Representative Beverly Masek
Representative Sharon Cissna
Representative Joe Hayes

COMMITTEE CALENDAR

HOUSE BILL NO. 325

"An Act relating to civil defense and disasters; and providing for an effective date."

- MOVED CSHB 325(MLV) OUT OF COMMITTEE

HOUSE BILL NO. 324

"An Act making supplemental and other appropriations for homeland security; and providing for an effective date."

- MOVED CSHB 324(MLV) OUT OF COMMITTEE

PREVIOUS ACTION

BILL: HB 325

SHORT TITLE:TERRORISM, CIVIL DEFENSE, AND DISASTERS

SPONSOR(S): RLS BY REQUEST OF THE GOVERNOR

Jrn-Date	Jrn-Page		Action
01/16/02	1974	(H)	FN1: ZERO(HSS)
01/16/02	1974	(H)	FN2: ZERO(MVA)
01/16/02	1974	(H)	READ THE FIRST TIME - REFERRALS
01/16/02	1974	(H)	MLV, STA, HES
01/16/02	1974	(H)	GOVERNOR'S TRANSMITTAL LETTER
04/16/02		(H)	MLV AT 3:00 PM CAPITOL 124

04/16/02 (H) Heard & Held
 MINUTE(MLV)
 04/18/02 (H) MLV AT 3:00 PM CAPITOL 124

BILL: HB 324

SHORT TITLE:HOMELAND SECURITY APPROPRIATIONS

SPONSOR(S): RLS BY REQUEST OF THE GOVERNOR

Jrn-Date	Jrn-Page		Action
01/16/02	1972	(H)	READ THE FIRST TIME - REFERRALS
01/16/02	1972	(H)	MLV, STA, FIN
01/16/02	1972	(H)	GOVERNOR'S TRANSMITTAL LETTER
01/16/02	1972	(H)	SPREADSHEET BY DEPT. COST
02/12/02		(H)	MLV AT 3:00 PM CAPITOL 124
02/12/02		(H)	Heard & Held MINUTE(MLV)
02/19/02		(H)	MLV AT 3:00 PM CAPITOL 124
02/19/02		(H)	Heard & Held MINUTE(MLV)
02/21/02		(H)	MLV AT 3:00 PM CAPITOL 124
02/21/02		(H)	Heard & Held MINUTE(MLV)
02/26/02		(H)	MLV AT 3:00 PM CAPITOL 124
02/26/02		(H)	Heard & Held MINUTE(MLV)
02/28/02		(H)	MLV AT 3:00 PM CAPITOL 124
02/28/02		(H)	-- Meeting Canceled --
03/05/02		(H)	MLV AT 3:00 PM CAPITOL 124
03/05/02		(H)	Heard & Held MINUTE(MLV)
03/14/02		(H)	MLV AT 3:00 PM CAPITOL 124
03/14/02		(H)	Heard & Held MINUTE(MLV)
03/21/02		(H)	MLV AT 3:00 PM CAPITOL 124
03/21/02		(H)	-- Meeting Canceled --
03/26/02		(H)	MLV AT 3:00 PM CAPITOL 124
03/26/02		(H)	Heard & Held MINUTE(MLV)
04/18/02		(H)	MLV AT 3:00 PM CAPITOL 124

WITNESS REGISTER

No witnesses to record

ACTION NARRATIVE

TAPE 02-21, SIDE A
Number 0001

CHAIR MIKE CHENAULT called the House Special Committee on Military and Veterans' Affairs meeting to order at 3:25 p.m. Representatives Chenault, Murkowski, Green, and Kott were present at the call to order.

HB 325-TERRORISM, CIVIL DEFENSE, AND DISASTERS

CHAIR CHENAULT announced the first order of business, HOUSE BILL NO. 325, "An Act relating to civil defense and disasters; and providing for an effective date." [HB 325 was sponsored by the House Rules Standing Committee by request of the governor.]

Number 0065

REPRESENTATIVE KOTT moved to adopt the proposed committee substitute (CS), version 22-GH2090\C, Bannister, 4/18/02, as a work draft. There being no objection, Version C was before the committee.

Number 0108

CHAIR CHENAULT noted changes made [in the previous hearing] in Section 1 and on page 2, lines 6 and 9, with regard to pharmaceuticals and other medicines; this was to provide consistency with regulations or at least other portions of the bill. Also changed was page 3, line 27, which adds "with authorized representatives of the Department of Health and Social Services" to paragraph (12). He said he wasn't sure whether this narrowed it quite enough, but expressed willingness to accept Version C.

REPRESENTATIVE MURKOWSKI remarked that it certainly addressed her concerns raised at the previous hearing.

Number 0242

REPRESENTATIVE MURKOWSKI made a motion to move CSHB 325, version 22-GH2090\C, Bannister, 4/18/02, out of committee with individual recommendations and the accompanying zero fiscal note. There being no objection, CSHB 325(MLV) was moved out of the House Special Committee on Military and Veterans' Affairs.

HB 324-HOMELAND SECURITY APPROPRIATIONS

Number 0317

CHAIR CHENAULT announced the final order of business, HOUSE BILL NO. 324, "An Act making supplemental and other appropriations for homeland security; and providing for an effective date." [The committee had heard from numerous department personnel and asked questions, but there had been little committee discussion and no action to date.]

Number 0320

REPRESENTATIVE MURKOWSKI moved to adopt the proposed committee substitute (CS), version 22-GH2078\F, Utermohle, 4/16/02, as a work draft.

CHAIR CHENAULT announced that [Version F] was before the committee.

Number 0520

CHAIR CHENAULT reminded members that HB 324 had been in the committee's possession for some time. He said a lot of good intentions had gone into the bill; he indicated the departments had tried to think of every [possible need]. He explained the reasoning behind Version F, saying that no amount of money that could be provided, either through state or federal government, will be enough. He offered his belief that what is felt to be reasonable can be provided, however. He added:

I had asked [unspecified] committee members to go over the appropriations to help make a determination, what they felt or what we felt was reasonable to this particular appropriation. Some things were left in; some things were taken out, ... realizing that we have responsibilities not only to ... protect citizens in the state of Alaska, but also any U.S. citizen that [is] here. But we also have a responsibility to our constituents and to Alaskans, that we try to make sure we get the most bang for the buck.

Number 0680

REPRESENTATIVE KOTT commended Chair Chenault for a good job of paring things down.

REPRESENTATIVE GREEN said it was an excellent job.

REPRESENTATIVE KOTT agreed the state doesn't have the resources to do everything. He noted that Version F has prioritized and leveraged federal funding to the extent possible. He said he believes it goes a long way toward implementing many of the recommendations outlined by the Terrorism Disaster Policy Cabinet and forwarded with the original bill. He pointed out that the House Finance Committee eventually would review this and either concur or make changes.

Number 0767

REPRESENTATIVE MURKOWSKI mentioned the numerous spreadsheets provided at the various hearings. She said it wasn't clear, looking at Version F, what hadn't been included. She requested that Chair Chenaault provide a better sense regarding that.

CHAIR CHENAULT referred to the handout titled "Terrorism Disaster Policy Cabinet: Cost Estimates for Highest Priority Recommendations," dated 1-14-02; a new, highlighted copy had been provided to members that day. He explained:

Basically, ... we went down and looked at federal funds, and naturally the federal funds are ... the biggest. We pretty much agreed that ... we would like to monopolize all the federal funds we can get for this, ... realizing that some may be matching. And, as you know, ... there were continual changes where [general] funds were moved to federal funds. Some things were dropped completely out, either ... because we didn't act in a timely enough manner ... for the departments to be able to institute them, or they found that ... they weren't required. You know, there are some things in here that ... we may have to address at a different time if they do not get the waivers that they're asking for.

Number 0951

REPRESENTATIVE MURKOWSKI asked whether those are included.

CHAIR CHENAULT said no. He explained, "I could not justify allocating money to a department beforehand, figuring that we may have to try to get it back at a later time." He suggested that can perhaps be done in a supplemental [budget] later.

CHAIR CHENAULT noted that many general fund items weren't included or were included in the "fast-track supplemental" just

approved. He added, "There's some ... other issues in here that in my opinion, and some of the other committee members' opinions, did not really fit in to ... what this appropriation is." He cited as an example [a request for] 20 new Village Public Safety Officers (VPSOs); he questioned whether that really was added to this [appropriation] package because of the [terrorism attacks on September 11, 2001], considering that it has been before the legislature previously.

CHAIR CHENAULT pointed out that there is money in there for additional troopers, for field surveillance and analysis, and for continuing their drills with the Federal Bureau of Investigation (FBI) on pipeline safety issues. There also is money for HAZMAT [hazardous materials] suits. He remarked:

Some departments were more forthcoming than other departments were, as far as what their actual needs were. I did kind of find that refreshing, and not to show any favoritism, but I did let them bend my ear considerably more than maybe others. ... There's some parts and pieces out of this 1-14-02 recommendations that ... kind of fell by the wayside, either on their own or because the funding is not needed at this particular time.

CHAIR CHENAULT again offered to discuss each dollar amount proposed to be given to each department in Version F.

Number 1173

REPRESENTATIVE MURKOWSKI said she didn't think it was necessary. She said, however, it was helpful to look at the highlighted copy [of the handout] regarding the federal dollars, which she hadn't seen before or talked to the chairman about. She referred to proposed funding for the Alaska Land Mobile Radio (ALMR) system and remarked about the federal component.

CHAIR CHENAULT acknowledged it was confusing, saying that as the numbers changed, projects were either deleted "or they elected not to ask for the funding at this particular time, in this particular appropriation." He added that [Version F] was the best recommendation he could make at this time.

Number 1288

REPRESENTATIVE KOTT asked whether the committee would be generating a fiscal note to reflect what the front page of Version F indicates, a total of [\$58,781,800].

CHAIR CHENAULT said yes. He also indicated he'd agreed with other committee chairs to bring them up to speed on what the current committee has done, and why it was decided to fund certain items, in order to speed the process along.

Number 1520

REPRESENTATIVE KOTT made a motion to move CSHB 324 [version 22-GH2078\F, Utermohle, 4/16/02] out of committee with individual recommendations and an accompanying fiscal note that reflects the funding levels on page 1 of the bill.

CHAIR CHENAULT, hearing no objection, announced that the bill was moved.

Number 1560

REPRESENTATIVE KOTT brought attention to the letter of intent in committee packets. It read [punctuation added]:

Legislative Intent

CS for HB 324(MLV)

The intent of Committee Substitute for House Bill 324, "An Act making supplemental and other appropriations for homeland security; and providing for an effective date," is as follows:

It should be clear that appropriations as outlined in the above-referenced bill be spent only in the manner as the Terrorism Disaster Policy Cabinet recommended in their report dated 1-14-02 delivered with the bill at the time of filing.

Should it become necessary for a court of law to determine allocations, this is the standard to which each department should be held.

Number 1606

REPRESENTATIVE MURKOWSKI pointed out that since the initial spreadsheet was provided, there have been instances of

discovering that there are available funds or that there is a "waiver." She noted that the language of the letter says "spent only in the manner" that is recommended in the report of January 14. However, there have been changes to that report regarding where those funding sources are or whether they are even needed. She questioned tying it to the report of that particular date.

REPRESENTATIVE KOTT said he thinks that is a good point, then added:

I think all we're saying here is that at this particular point in time, based on this snapshot, this is hopefully an up-to-date version. If there are later changes in the committee process, then it'd be up to that committee to make those changes and accept the recommendations from the various departments. And at that point they would, then, not adopt our letter of intent, but may, then, move their own letter of intent forward, if they should choose to do so.

Number 1694

REPRESENTATIVE MURKOWSKI clarified that her concern is with the word "only". It is a specific tie-in to that list. She then commented that letters of intent are about as good as the paper they're written on.

REPRESENTATIVE GREEN agreed they carry no legal weight.

REPRESENTATIVE KOTT said he didn't think eliminating the word "only" would do anything drastic to the letter; he also agreed it doesn't carry any weight. He suggested the next committee could accept it, amend it, or reject it outright. "This gives an indication to the next committee of referral that we've done the best we could with what we had available, and we believe that everything's up to date," he said.

Number 1784

CHAIR CHENAULT remarked, "I believe that our intent is that they spend the funds on the priorities and the recommendations that they have."

REPRESENTATIVE KOTT surmised that federal funds would come with strings attached to those various programs. He indicated it would be general funds that could be in question, unless there were substantial matching funds.

Number 1836

REPRESENTATIVE MURKOWSKI told members she wasn't entirely satisfied with the legislative intent as outlined [in the letter]. She therefore stated for the record, "We want the expenditures and the appropriations to reflect what the Terrorism Disaster Policy Cabinet ... had initially proposed, recognizing that there may be changes within the funding sources, ... whether or not that has been a priority."

Number 1872

REPRESENTATIVE KOTT made a motion to move the letter of intent along with the bill. There being no objection, the letter of intent was moved along with CSHB 324(MLV) out of the House Special Committee on Military and Veterans' Affairs.

Number 1905

CHAIR CHENAULT brought attention to a citation he was sponsoring, by request, in honor of the Alaska Air National Guard on its 50th anniversary. [A written copy was provided to members; all were listed as cosponsors of the citation.] He requested members' concurrence.

REPRESENTATIVE GREEN remarked that it looks good. [No objections or further comments were offered.]

ADJOURNMENT

There being no further business before the committee, the House Special Committee on Military and Veterans' Affairs meeting was adjourned at 3:49 p.m.