

ALASKA LEGISLATURE SPECIAL COMMITTEE/SUBJECT FILES 8672

2344 SCOMM 97: HOUSE SPEC. MILITARY & VET. AFFAIRS, 1995-1996



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A handwritten signature in dark ink, appearing to be "P. J. [unclear]", written over a horizontal line.

Signature of Camera Operator

10/20/98

Date

SCOMM 97: House Special Committee on Military
and Veterans Affairs, 1995-96

Members:

Representative Pete Kott, Chair

" John Dures

" Richard Foster

" Ivan Ivan

" Eldon Mulder

" Gail Phillips

Established by House Resolve No. 3¹⁹⁹⁵₁ (HR 4)

Contents: 12 files, 12 tapes are also
available of hearings held 7/30/95 -
3/22/96

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1. HB 164
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SCOMM

97:1

HOUSE COMMITTEE REPORT

(7)

Date Referred: February 8, 1995

FURTHER REFERRALS:

State Affairs

Date of Committee Action: _____

The HOUSE SPECIAL COMMITTEE ON MILITARY & VETERANS' AFFAIRS Committee considered:
HB 164

HOUSE BILL NO. 164

ESTABLISH PEARL HARBOR DAY

"An Act establishing Pearl Harbor Remembrance Day."

recommends it be replaced ☐ the same title
with the following committee substitute _____ ☐ a new title

☐ additional referral to _____ Committee
☐ attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) APPROVES PREVIOUS: (Dept/Date)

☐ fiscal note(s) _____ ☐ fiscal note(s) _____

☒ zero fiscal note(s) DOT; MVA; ☐ zero fiscal note(s) _____
Office of Gov.

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Edna H. [Signature]</i>	X			
<i>Richard [Signature]</i>	X			
<i>David Phillips</i>	✓			
<i>Bob Kort</i>	X			

CHAIR'S SIGNATURE

[Signature]

HOUSE MILITARY AND VETERANS AFFAIRS COMMITTEE

SPONSOR STATEMENT HB 164

On Sunday, December 7, 1941, Japan launched a surprise attack against the United States forces located at Pearl Harbor and nearby military facilities. This attack came without warning and without a declaration of war. Over 2,000 Americans were killed, and many others suffered grievous injuries. A major portion of the United States Pacific fleet was decimated, leaving many other Americans in the Pacific exposed to attack and capture.

Japan's action on this date ushered in our involvement in World War II. Thereafter, for over four years, the United States was engaged in a great global conflict, marked by the unimaginable suffering of untold millions, both military and civilian. The lives of an entire generation were disrupted, and many still bear scars from this conflict.

Over fifty years have elapsed since the attack on Pearl Harbor. Those Americans who were then old enough to remember that day are aging, and many are no longer with us. Someday, that generation will be gone, and no one will be available to bear witness to that pivotal event in our history.

As a people, we can not afford to forget what happened. Lessons were learned which remain relevant to this day. Suffering was endured for our freedom, and this cries out for recognition. Blood was spilled by a heroic generation so that we, today, can enjoy freedom. It would be a sacrilege to fail to acknowledge our continuing debt to those who gave so much to us.

Accordingly, it is proper---indeed, necessary--- to continually remind ourselves and future generations of the events of December 7, 1941. HB 164 does just that, by designating December 7th of every year as Pearl Harbor Remembrance Day and directs the Governor to issue an appropriate proclamation and order the flying of Alaska's flag at half-mast. Your support is appreciated.

**DIVISION OF LEGAL SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

February 16, 1995

SUBJECT: Sectional Summary of HB 164 (Work Order No. 9-LS0663\A)

TO: Representative Pete Kott
Attn: George

FROM: 
Theresa Bannister
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents.

Section 1 establishes Pearl Harbor Remembrance Day on December 7 of each year. Directs the governor to issue a proclamation for the day. Directs the governor to order that the Alaska flag be flown at half-mast that day. States that the day may be observed by suitable observances and exercises by civic groups and the public.

If I may be of further assistance, please advise.

TLB:glc
95-149.glc

THE SENATE AND HOUSE OF REPRESENTATIVES
of the
United States of America

AT THE SECOND SESSION

Began and held at the City of Washington on Tuesday,
the twenty-fifth day of January, one thousand nine hundred and ninety-four

Joint Resolution

Designating December 7 of each year as "National Pearl Harbor Remembrance Day".

Whereas, on December 7, 1941, the Imperial Japanese Navy and Air Force attacked units of the armed forces of the United States stationed at Pearl Harbor, Hawaii;
Whereas more than 2,000 citizens of the United States were killed and more than 1,000 citizens of the United States were wounded in the attack on Pearl Harbor;
Whereas the attack on Pearl Harbor marked the entry of the United States into World War II;
Whereas the veterans of World War II and all other people of the United States commemorate December 7 in remembrance of the attack on Pearl Harbor; and
Whereas commemoration of the attack on Pearl Harbor will instill in all people of the United States a greater understanding and appreciation of the selfless sacrifice of the individuals who served in the armed forces of the United States during World War II: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That December 7 of each year is designated as "National Pearl Harbor Remembrance Day" and the President is authorized and requested—

(1) to issue annually a proclamation calling on the people of the United States to observe the day with appropriate ceremonies and activities; and

(2) to urge all Federal agencies, and interested organizations, groups, and individuals, to fly the flag of the United States at halfstaff each December 7 in honor of the individuals who died as a result of their service at Pearl Harbor.

Thomas S. Foley

Speaker of the House of Representatives.

Robert F. L. Byrd

Vice President of the United States and
President of the Senate pro tempore.

APPROVED

AUG 23 1994

William D. Clinton

STATE OF ALASKA



Executive Proclamation

by
Walter J. Hickel, Governor

December 7, 1941, the Imperial Japanese Navy and Air Force attacked units of the armed forces of the United States stationed at Pearl Harbor, Hawaii.

More than 2,000 citizens of the United States were killed and more than 1,000 were wounded in the attack on Pearl Harbor, which marked the entry of the United States into World War II.

The veterans of World War II and all other people of the United States commemorate December 7 in remembrance of the attack on Pearl Harbor.

Commemoration of the attack on Pearl Harbor will instill in all people of the United States a greater understanding and appreciation of the selfless sacrifice of the individuals who served in the armed forces of the United States during World War II.

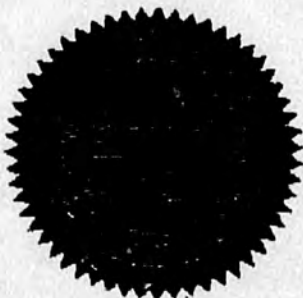
NOW, THEREFORE, I, Walter J. Hickel, Governor of the State of Alaska, do hereby proclaim December 7, 1994, as:

PEARL HARBOR REMEMBRANCE DAY IN ALASKA

and encourage all citizens and groups to observe the day with appropriate ceremonies and activities.

DATED: November 14, 1994

Done by —



Walter J. Hickel

Walter J. Hickel, Governor
who has also authorized the seal
of the State of Alaska
to be affixed to this proclamation.

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HB 164

Revision Date:		Dept. Affected:	Military and Veterans Affairs
Title:	Establishing Pearl Harbor Remembrance Day	BRU:	Alaska National Guard
		Component:	Commissioner's Office
Sponsor:	House Spcl Committee on Military and Veterans Affairs		
Requestor:	Rep. Kott		COMPONENT SERIAL NO. 414

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE

(Thousands of Dollars)

	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY95) cost: \$

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Zero fiscal impact.

Prepared by: Jeff Morrison, Director
Division: Administrative Support Services Division
Approved by Commissioner: *J Morrison* for MG Jake Lestenkof
Agency: Military and Veterans Affairs

Phone: 465-4730
Date: 2/17/95
Date:

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FISCAL NOTE

BILL NO. HB 164STATE OF ALASKA
1995 LEGISLATIVE SESSION

Revision Date: _____

Title: "An Act establishing Pearl Harbor Remembrance Day."Sponsor: House Committee on Military and Veterans' Affairs

Requestor: _____

Department Affected: Office of the GovernorBRU: Executive OperationsComponent: Executive OfficeCOMPONENT SERIAL NO. 0006

EXPENDITURES/REVENUES:

(Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN						
------------------	--	--	--	--	--	--

FUND SOURCE

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY95) cost: _____

ANALYSIS: (Attach a separate page if necessary.)

No fiscal impact

Prepared by: Michael A. Nizich, DirectorDivision: Division of Administrative ServicesPhone: 465-3876Date: 2/16/95Approved by Commissioner: Jim Ayers, Chief of StaffAgency: Office of the GovernorDate: 2/21/95**PREPARED TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE**

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FISCAL NOTE

STATE OF ALASKA

BILL NO. HB 164

1995 LEGISLATIVE SESSION

Revision Date:		Dept. Affected: DOT&PF	
Title:	An Act establishing Pearl Harbor Remembrance Day	BRU:	Office of the Commissioner
		Component:	
Sponsor:	House Spec. Comte. on Military & Veteran's Affairs		
Requester:	George Doser	COMPONENT SERIAL NO.	530

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ()						

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY95) cost: \$ 0.0

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Any impact to Department of Transportation and Public Facilities would be negligible.

Prepared by: Sam Kito III
 Division: Office of the Commissioner
 Approved by Commissioner: *Joseph L. Perkins*
 Agency: Department of Transportation and Public Facilities

Phone: 465-3904
 Date: 02/17/95
 Date: 02/17/95

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SCOMM

97:2



ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES

CHAIR,
LEGISLATIVE COUNCIL

CO-CHAIR,
HOUSE SPECIAL COMMITTEE
ON MILITARY AND
VETERANS' AFFAIRS

CO-CHAIR,
MILITARY AFFAIRS FOR
ANCHORAGE CAUCUS

REPRESENTATIVE ELDON MULDER
DISTRICT 23 MULDOON-Ft. RICHARDSON



MEMORANDUM

DATE: 02 March, 1995

TO: Rep. Pete Kott, Co-Chair
Rep. Ivan Ivan, Co-Chair
House Special Committee on Military and Veterans Affairs

FROM: Rep. Eldon Mulder

RE: HB 166

I respectfully request that the House Special Committee on Military and Veterans Affairs schedule a hearing on HB 166, relating to special appropriations to D.O.E. for the construction and upgrade of schools on military installations. I have attached copies of the legislation, a sponsor statement and other backup information. The State Department of Education is also currently compiling a position statement which will be forwarded to your office upon completion. Please contact my office if you have any questions. Thank you.

Sponsor Statement HB 166

OVERVIEW

For several years, schools on Alaskan military facilities have been the subject of controversy between local school districts, the State Department of Education, the U. S. Department of Education (USDOE) and the Department of Defense (DOD). These schools are operated by local school districts, but are owned by the USDOE and have reached a point of serious deterioration. In 1990, General McInerney held a conference on military schools that established a memorandum of agreement between the USDOE and the state, by which USDOE would provide funding to upgrade the schools in question and then transfer ownership to the local districts.

Since this agreement, some funds have been provided from the federal government but, have been too little and subject to many conditions. Two schools, Taylor and Pennell Elementary Schools (Eielson AFB), received \$3.9 million for upgrades. The deterioration of these facilities was so severe however, the school district determined that building a new elementary school would be more cost-effective. Consequently, these funds are being held until the balance needed for new construction is received. The construction of this new school is number one on the priority list of military schools in Alaska. Ursa Major Elementary School (Ft. Richardson) received \$4.9 million for construction in 1992 and has since been transferred to the Anchorage School District.

In May of 1993, the Alaska Legislature established the Military Schools Task Force. In October of that year the Task Force met and reviewed maintenance requests, cost estimates and other pertinent information. After compiling an up-to-date list of projects and cost estimates, the Task Force determined that depending on the federal government to fund upgrades would be a lengthy process. During the waiting period, children attending these schools would continue to suffer and Alaska could damage its position in attempting to retain its bases during the ongoing Base Re-Alignment and Closure process. From this, the Task Force developed the idea of a matching fund program with the federal government. Under this plan, the state and federal government would each contribute 50% of the costs for upgrades and new construction. HB 166 is the result of these deliberations.

Finally, In October of 1993, Congress designated \$7.5 million of a \$10 million allocation to DOD for military schools in Alaska. This money was designated for upgrades only and could not be used to build the new school on Eielson AFB so was allocated for construction at Anderson Elementary (Eielson) and Mt. Iliamna Preschool (Elmendorf).

WHAT HB 166 DOES

In Section 1, HB 166 appropriates \$6,800,000 (or a lesser amount, contingent upon what the federal government agrees to match on a dollar for dollar basis) from the general fund to the Department of Education to fund the construction of a new elementary school at Eielson AFB. This school would replace Taylor and Pennell Elementaries, which are too deteriorated for upgrade.

Section 2 appropriates \$17,700,000 (or a lesser amount, contingent upon what the federal government agrees to match on a dollar for dollar basis) from the general fund to the Department of Education to fund upgrades on the six schools remaining on the Task Force construction list.

Brief Account of Quest to Transfer On-Base Military Schools to Local Districts

- In Jun 90, Alaskan Command hosted a conference during which the attendees developed plan to repair/renovate on-base schools and turn over ownership to the local school districts
 - Attended by representatives from DoD, USDOE, AK Board of Education, AK State Legislature, military commanders, staff and school superintendents
 - Goal: complete school transfers in 3-5 years
- Sep 90: ADOE provided prioritized list of 15 schools
 - Schools at Kodiak and Ft Greely were not included on list since they had been allocated funding earlier by USDOE; they were subsequently transferred
 - A joint effort between DOD and Alaska provided a new school at Ft Wainwright to replace Chena and Birch Elementaries (school opened Aug 93)
 - Mission change at Adak eliminated two schools from original list of 15
- Oct 92: USDOE allocated \$4.9M for Ursa Major (Ft Rich)
 - School was transferred last year
- May 93: AK Legislature established Military Schools Task Force which met in Sep/Oct
 - Estimated \$52.2M needed to build one school (to replace two elementaries) and upgrade 8 others
 - Recommended State Legislature pass special appropriations bill for up to 50% of cost
 - Recommended school districts accept title when 100% funds were obligated
- Oct 93: \$7.5M of \$10M DOD appropriations bill to "bring military schools to a condition of acceptance by local school districts for transfer of ownership" allocated to AK
 - Inherent restrictions due to O&M funding (new construction limited to \$300,000 per school)
 - Money being applied to Anderson Elementary (Eielson) and Mt Iliamna Preschool (Elmendorf) because they do not require major construction to meet transfer requirements
 - Design is in progress now on both schools, and work will be accomplished this summer by local contractors (American Mechanical for Anderson, and Nuna Contractors for Mt Iliamna) before start of new school year
 - USDOE lawyers are initiating transfer procedures
- Remaining requirement: \$49M to build replacement school and upgrade 6 others
 - Cost figure based on new surveys prepared by Anchorage School District and North Star Borough facilities offices in Sep 94
 - Includes \$3.9M previously allocated by DOE and earmarked for new school building to replace Taylor and Pennell (Eielson)

Estimated Cost of Upgrades Required to Transfer DOD Schools--As of Sep 94

New School to replace Taylor and Pennell (Eielson): \$13.6M (all new construction)

Upgrade Aurora Elem (Elmendorf): \$5.1M (\$3.1M is new construction)

Upgrade Ben Eielson Jr/Sr High (Eielson): \$8.1M (no new construction)

Upgrade Ursa Minor Elem (Ft Rich): \$6.2M (\$2.2M is new construction)

Upgrade Orion Elem (Elmendorf): \$4.3M (\$2.9M is new construction)

Upgrade J F Kennedy Elem (Ft Rich): \$5.3M (\$3.1M is new construction)

Upgrade Mt Spurr Elem (Elmendorf): \$6.4M (\$5.2M is new construction)

TOTAL: \$49.0M (\$30.1M is new construction)

School Populations

Aurora Elementary (Elmendorf): 548

Ben Eielson Jr/Sr High (Eielson): 249/347, for total of 596

J F Kennedy Elementary (Ft Rich): 178

Mt Spurr Elementary (Elmendorf): 368

Orion Elementary (Elmendorf): 533

Pennell Elementary (Eielson): 271

Taylor Elementary (Eielson): 243

Ursa Minor Elementary (Ft Rich): 228

Notes: Elmendorf and Ft Rich numbers are the population counts on 31 Jan 95.
Eielson numbers are the official enrollment 20-day averages.

HOUSE COMMITTEE REPORT

(7)

Date Referred: February 8, 1995

FURTHER REFERRALS:

HESS

Finance

Date of Committee Action: 3-13-95

The HOUSE SPECIAL COMMITTEE ON MILITARY & VETERANS' AFFAIRS Committee considered:

HB 166

HOUSE BILL NO. 166

APPROP: CONSTRUCT/UPGRADE ON-BASE SCHOOLS

"An Act making special appropriations to the Department of Education for construction or upgrade of schools on military installations; and providing for an effective date."

recommends it be replaced ☐ the same title
with the following committee substitute ☐ a new title

☐ additional referral to _____ Committee
☐ attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(s): (Dept)

APPROVES PREVIOUS: (Dept/Date)

☐ fiscal note(s) _____

☐ fiscal note(s) _____

☐ zero fiscal note(s) _____

☐ zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Pete Lott</i>	✓			
<i>Ed Wyllie</i>			✓	
<i>Ed Wyllie</i>	✓			
<i>Ed Wyllie</i>	✓			

CHAIR'S SIGNATURE *Pete Lott* *Ed Wyllie*



Official Business

COMMITTEE:

House Special Committee on
Military & Veterans Affairs

DATE: 2-13-95

Subject of meeting:

HB 166: Approp: Construct /
Upgrade On-Bus Schools

SIGN - IN

PLEASE PRINT!

NAME _____

ADDRESS

(MAILING) & (ZIP)

PHONE

REPRESENTING

DO YOU WANT TO TESTIFY?

[illegible]

SCOMM

97:3



Official Business

Alaska State Legislature

House

Pouch V
State Capitol
Juneau, Alaska 99811

HB 321 SPONSOR STATEMENT

HB 321 is introduced to address a problem in the ability of the division of emergency services to provide adequate response to disaster emergencies.

In most major disaster emergencies, it is necessary for the division of emergency services to hire additional employees just for responding to the disaster. The number of temporary employees hired, and their classifications, is dependent on the unique nature of each disaster.

Current temporary hiring practices allow for immediate emergency hires, but the person hired cannot work longer than 30 days. Any hires desired longer than 30 days must be hired either as short-term or long-term non-permanent positions. Hiring into a non-permanent position takes anywhere from 2 to 45 days, depending on whether it is a short-term or long-term hire. There is no vehicle for hiring a person immediately who is able to continue past 30 days. Passage of HB 321 will establish a category of exempt position to fill that need.

It is anticipated that hiring exempt positions in response to disaster emergencies will only take place when there is an immediate need that cannot be met by the hiring of non-permanent positions, and when there is a likelihood that the need will exist for longer than 30 days. This authority is similar to that granted to the Department of Natural Resources in AS 39.25.110 (19), which authorizes exempt employees for "fire fighters employed by the Department of Natural Resources for a fire emergency."

Proposed Amendment to HB 321

Page 1, line 6:

After "Affairs", insert: "to assist classified employees"

Explanation:

Without the proposed amendment, the DOA Division of Personnel has advised that the new language would require all temporary hires in response to disasters to be exempt employees. This is not the intent of the legislation. The legislation is intended to allow hiring of exempt employees when use of a non-permanent classified position would not be timely enough. DMVA still wishes to be able to use non-permanent employees in response to disasters, when appropriate. This amendment is supported by both DMVA and the Division of Personnel as clarifying the intent of the proposed legislation. It will enable hiring exempt positions to supplement non-permanent classified employees in response to disasters.

Temporary Hires in response to disaster emergencies
Justification for HB 321

Type of Hire	Duration of appointment	Procedure	Time frame to hire position
Emergency Hire	Not to exceed 30 days	Hire individual immediately and fill out notification form, forward to DOA Personnel within 5 days. Use existing classification and pay schedule.	Immediate
Long-term Non-permanent position (using register)	Can request project position for length of the project (no maximum duration)	Request non-perm authorization from DOA Personnel. Request hiring register, and work register, using existing classification and pay schedule.	30-45 days
Short-term Non-permanent position (use of register waived)	Not to exceed 120 days	Request non-perm authorization from DOA personnel, with waiver of register. Once approved, hire individual, using existing classification and pay schedule.	2-5 days
Exempt Position (Requested in HB 321)	No limit, can be for duration of disaster response needs	Hire individual immediately. Establish exempt PCN within state personnel/payroll system.	Immediate

None of the existing hiring procedures allows for the immediate hire of a position, with unlimited duration. Allowing DMVA authority to establish exempt positions to respond to disasters will enable positions placed on board immediately to be retained as long as needed for disaster response.

[File: JM/HB321BU.DOC]

MEMORANDUM**STATE OF ALASKA**

Department of Military and Veterans Affairs

TO: Pat Pourchot
Legislative Director
Office of the Governor

DATE: March 16, 1995

PHONE: 465-4730

FROM: Jake Lestenkof
Commissioner

SUBJECT: DMVA Legislative
Proposals

I have reviewed the original legislative proposals forwarded by this department to you last December. While none of them can be considered priority policy issues for the Governor, two of them are important enough to our department to initiate some activity.

It is my understanding that you do not want to have the Governor introduce any measures unless they are significant policy issues. Nevertheless, I believe that, with your concurrence, I would be able to find some friendly legislators to introduce the measures which I believe are important to our department. If we can get bills at least introduced and heard in one or two committees, it will greatly enhance our ability to get them passed by the second session of this legislature, instead of waiting for two years to accomplish some legislative progress.

I seek your approval to approach specific legislators on the following issues:

1. Temporary Housing During Disasters:

This proposal will allow for the granting of funds directly to disaster victims of state disasters to allow them to make their own temporary housing arrangements. Currently state law does not allow this, and temporary housing is arranged by state personnel, increasing the administrative burden during a disaster and exposing the state to potential liabilities. Similar legislation almost passed the Legislature last session (HB421 died in Senate Rules).

2. Hiring of Exempt Employees During Disasters:

Our experience during the 1994 Fall Floods disaster has highlighted an administrative procedure for temporary hiring during emergencies which is burdensome and limits the department's effective and timely response. All temporary hires for emergency response activities must now go through the routine procedure for hiring non-permanent employees: if they are not hired

from a register, they are limited to a duration of only 120 days. "Emergency hires" are only allowed to stay on board for 30 days. Allowing temporary hires for emergency response to be established as exempt positions (similar to the hiring authority for DNR's fire suppression activities--see AS 39.,25.110(19)) will allow temporary employees needed for emergency response to be hired quickly and retained as long as needed.

In addition to the two proposals described above, DMVA also submitted housekeeping bills for your consideration. I would like to forgo the action on these housekeeping changes until the 1996 session of this legislature.

I would welcome the opportunity to meet you to discuss the strategy to be used and legislators or committees to be approached in addressing the three proposals above.

cc:

Roger Schnell, Deputy Commissioner
Brig Gen Ken Taylor, Commander, Air National Guard
Col Mike McCourt, Chief of Staff, Army National Guard
Ervin Paul Martin, Director, Division of Emergency Services
John Fleming, Director, National Guard Youth Corps
Roger Patch, Director, Facilities Maintenance Division
Jeff Morrison, Director, Administrative Services Division

1995 LEGISLATIVE PROPOSAL FORM

DEPARTMENT: Military and Veterans Affairs (File: LEG95-1B.DOC)

SUBJECT OF PROPOSED BILL: Temporary housing during emergencies

DEPARTMENT PRIORITY NO. _____

SPECIFY: Governor's Legislation ____ / Friendly Legislation ____

SUMMARY OF INTENT : Include what the problem is, how this proposal solves it, how many incidents have occurred which necessitates this change, and include a short synopsis of how your proposal fits with the Governor's objectives.

This bill would increase the efficiency of the Division of Emergency Services by removing an unnecessary administrative burden involved in providing temporary housing during state-declared disaster emergencies. Current statutory language does not authorize DMVA to make grants to individuals for providing temporary housing during disasters. The Division of Emergency Services is therefore required to provide the housing directly to individuals, by assigning staff to contact housing providers, arrange for leases, renew lease arrangements every three months, and generally act as an intermediary between the lessors and the persons using the temporary housing. This task is administratively burdensome and increases the cost of administering the temporary housing program.

Federal disasters allow the granting of funds direct to individuals for them to make their own temporary housing arrangements. Adopting language to authorize the state to grant funds for temporary housing in state disasters, similar to the authority existing in federal disasters, would reduce administrative costs, remove liability for the state as a lessor, and reduce government involvement in personal issues. Making an immediate temporary housing grant award payment to eligible applicants would allow each family in a state disaster to secure housing which best fits their housing needs.

Two state disasters have occurred recently which have required the provision of temporary housing: the Kodiak storm disaster of November 1991, and the Tenakee fire disaster of July 1993.

ESTIMATED FISCAL IMPACT (briefly describe):

Operating: Unknown. A separate appropriation from the Disaster is authorized for each disaster declaration.

Capital: None

Revenue: None

WHAT OTHER DEPARTMENTS WILL BE AFFECTED BY THIS PROPOSAL: None

WHO WILL SUPPORT THIS BILL: Department leadership

WHO WILL OPPOSE THIS BILL: None known at this time.

BRIEFLY OUTLINE ANY PRECEDENTS FOR THIS PROPOSAL IN ALASKA OR

OTHER STATES: In federally declared disasters, the State of Alaska is authorized by the Federal Emergency Management Agency (FEMA) to make grants for temporary housing. The state guidelines for state-declared disasters should parallel the FEMA guidelines for federally declared disasters.

IF A SUBSTANTIALLY SIMILAR BILL HAS BEEN DRAFTED AND NOT INTRODUCED, OR INTRODUCED AND NOT PASSED, PLEASE GIVE LAWLOG OR

BILL NUMBER (cite year): This legislation was introduced in the 1994 session as HB421, and passed the House. It died in Senate Rules after the Senate Finance Committee made changes which altered the character of the bill to the point where it was not acceptable by DMVA.

COMMISSIONER'S SIGNATURE

DATE

Governor's Office Notes:

[File: LEG95-1B.DOC]

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS
BRIEFING PAPER HB421

Background:

Whenever people are displaced from their homes because of a disaster, part of the disaster assistance provided by the Division of Emergency Services (DES) is the provision of temporary housing. The authority for doing this is addressed in A.S. 26.23.100. The current authority is limited to the state making direct payments for providing temporary housing. The statutes also allow the state to work through local governments to provide temporary housing.

Current statutes do not authorize DMVA to make housing assistance grants to persons displaced from their homes during state-declared disasters. Without this authority, DMVA must negotiate lease/rental terms for every individual or family requiring temporary housing during a disaster. This task is administratively burdensome and increases the administrative costs of a disaster by requiring time to monitor and manage the lease agreements. However, the process for providing temporary housing in a federally-declared disaster is significantly more efficient.

In a federally-declared disaster, Federal Emergency Management Agency (FEMA) staff directly administers the temporary housing program, using 100% federal funds. The federal temporary housing program makes grants directly to individuals for them to arrange their own temporary housing. Granting funds to recipients to arrange their own housing reduces administrative costs, removes liability from the government as a lessor, and reduces government involvement in personal issues.

Impact of proposed legislation:

HB421 will specifically permit DMVA to grant funds to eligible disaster victims who have located temporary housing. The eligibility of disaster victims would be determined by the staff of the Division of Emergency Services (DES) using criteria established in the Temporary Housing Assistance Plan promulgated by DES. This granting authority will greatly expedite the ability of DMVA to respond to providing for temporary housing during a disaster, and would allow each family or individual affected to secure housing which best fits their housing needs.

The addition of this granting authority will add another tool in the ability of DES to respond to temporary housing needs. It will not be the only way these needs are met, and circumstances of a particular event will influence the choice of approaches to temporary housing.

STATE OF ALASKA

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

WALTER J. HICKEL, GOVERNOR

P.O. BOX 110900
JUNEAU, ALASKA 99811-0900
PHONE: (907) 465-4600
FAX: (907) 465-4605

April 27, 1994

Senator Steve Frank
Co-chair, Senate Finance Committee
Alaska State Legislature

Senator Drue Pearce
Co-chair, Senate Finance Committee
Alaska State Legislature

Dear Senators Frank and Pearce,

Re: HB 421, Temporary Housing During Disasters

Thank you for scheduling a hearing on HB 421 so quickly. As Representative Mulder's staff, Tim Sullivan, pointed out in your hearing of April 26, we expect passage of this bill to improve our ability to respond quickly to meeting the emergency housing needs of disaster victims.

Tim has relayed to me some of the concerns voiced during the hearing, and I wanted to let you know my response to those concerns.

The committee raised a concern over the temporary housing assistance provided by the state being subordinate to any similar assistance available from the federal government or from private insurance providers. Under our current plans and procedures, this is already the case.

In any federally declared disaster, we maximize the federal funds available for all purposes, including housing. Normally, the Federal Emergency Management Agency takes over the temporary housing program during federally declared disasters, and there is little, if any, involvement of state agencies or funds for temporary housing in federal disasters. Although I have not had the opportunity to review any specific language proposed in a committee substitute regarding this issue, I do not believe it would present any problems if added to the bill.

The requirement to subordinate temporary housing assistance to private insurance reimbursements is something that we conceptually support as well, since our procedures already incorporate this requirement. It does not make sense to pay someone for temporary housing needs if they are also being paid by their private insurance.

Since the issue of subordination of temporary housing grants to federal and private insurance benefits is already addressed in departmental procedures, there is no objection to incorporating it into statutory language as well. However, it would not be necessary to do so, if your committee chose not to make this amendment.

The final issue raised in committee concerns a limit on the amount of temporary housing funds, with a possible link to the previous section in Alaska Statutes regarding the individual and family grants limit of \$5,000 [AS 26.23.090 (b)(2)]. Apparently the committee wanted to limit the total amount for both these programs (combined) to \$5,000 for each disaster victim. I do not believe this would provide the public with the assistance they need and deserve if they become victims of a disaster.

The individual and family grant (IFG) program is intended to provide for immediate necessary items lost as a result of a disaster. Any insurance claims paid to disaster victims for their immediate needs is deducted from the amount paid under IFG grants. These grants normally pay the following types of immediate needs: food, clothing, medicine, etc. State law limits the amount of an IFG grant to no more than \$5,000; however, they are frequently less than that amount, as they are intended only to meet immediate needs.

The temporary housing program addressed in AS 26.23.100 provides for alternate housing when people (homeowners or renters) are displaced from their homes. Displacements as a result of disasters can be for long periods of time. The current temporary housing plan allows for state funding of temporary housing for a maximum of 18 months, with reviews every three months to verify continued eligibility. There is no dollar limit to the amount now spent on temporary housing; the only limit is the 18 month time frame. Without the ability to grant funds to disaster victims for temporary housing (which HB 421 would allow), the state must negotiate all lease agreements and make payments directly to landlord of the temporary housing. The intent of HB 421 was to simplify and streamline the method in which the state pays for temporary housing, and not to create additional restrictions on the program.

Placing a dollar restriction on temporary housing would create a financial hardship to displaced disaster victims when they can least afford it. Often, homeowners have their home completely destroyed, but are still required to make mortgage payments. Combining this limitation with the IFG grant amount would create

further hardship by requiring disaster victims to choose between meeting their needs for the immediate and necessary items funded by IFG grants, or meeting their needs for temporary housing.

The purpose of the temporary housing program is to enable disaster victims to live close to their pre-disaster jobs, family, friends, schools, and community. This facilitates their recovery from the disaster by assuring some stability and normalcy until they can obtain permanent housing in their community. I do not believe it is consistent with the philosophy of providing necessary disaster relief to limit the amount to be paid for temporary housing. This action could have the effect of creating an enclave of homeless people who cannot afford to get back on their feet after a disaster.

The intent of both the IFG program and the temporary housing program is to provide rapid temporary emergency relief, and not to add to the trauma of a disaster by limiting the amount of relief such that basic emergency needs go unmet.

I believe that the limitation being proposed would result in serious deficiencies in the state's ability to fairly and compassionately meet the needs of disaster victims. I urge you to reject any such limitation in HB 421.

I hope this information is useful to you in your further consideration of HB 421.

Sincerely,

Ervin Paul Martin. Director
Division of Emergency Services

cc: Representative Eldon Mulder
Hugh L. Cox III, Commissioner
Dick Eliason, Governor's Legislative Liaison

[HB421L1]

tance. The governor may make a grant to an individual and family under this subsection as follows:

(1) when the President declares a major disaster, the governor may make a grant of an amount whose total of federal and state shares does not exceed the maximum amount authorized by 42 U.S.C. 5178(f) for grants payable to individuals and families;

(2) when the President does not declare a major disaster but the governor declares a disaster emergency, the governor may make a grant of an amount not to exceed \$5,000.

(c) *[Repealed, § 18 ch 178 SLA 1990.]* (§ 3 ch 104 SLA 1977; am §§ 9, 18 ch 178 SLA 1990)

Effect of amendments. — The 1990 amendment deleted "the total of federal and state shares not to exceed \$5,000" following "financial grants" and "in any single major disaster declared by the president" following "individual or family" and substituted "the disaster" for "a major di-

saster" in the first sentence of subsection (b); added the second sentence of subsection (b); and repealed subsection (c), which penalized fraudulent or wilful misstatements of fact in connection with financial assistance applications.

Sec. 26.23.100. Temporary housing. (a) Whenever the governor has proclaimed a disaster emergency, or the President, at the request of the governor, has declared an emergency or a major disaster to exist in this state, the governor may

(1) purchase, lease, or make other arrangements with any agency of the United States or state for temporary housing units to be occupied by disaster victims and to make those units available to any political subdivision of the state;

(2) assist any political subdivision of this state that is the location of temporary housing for disaster victims to acquire sites necessary for the temporary housing and do all things necessary to prepare the site to receive and use temporary housing units by

(A) advancing or lending funds available to the governor from an appropriation made by the legislature or from any other source;

(B) passing through funds made available by any agency, public or private; or

(C) becoming a copartner with a political subdivision for the execution and performance of any temporary housing for disaster-victim projects and, for those purposes, pledging the credit of the state on terms considered appropriate, having due regard for current debt transactions of the state;

(3) under whatever relevant regulations the governor may adopt, temporarily suspend or modify, for not more than 60 days, any public health, safety, zoning, transportation, or other requirement of law or regulation of the state, when by proclamation, the governor declares a suspension or modification essential to provide temporary housing for disaster victims.

Proposed statutory language to be added in a bill:

*Sec 1. AS 39.25.110 is amended by adding a new section to read:

(30) persons employed by the Department of Military and Veterans Affairs for a disaster emergency

[File: BILPROP1.DOC]

9.25.090

§ 39.25.110

PUBLIC OFFICERS AND EMPLOYEES

§ 39.25.110

Sec. 39.25.110. Exempt service. Unless otherwise provided by law, the following positions in the state service constitute the exempt service and are exempt from the provisions of this chapter and the rules adopted under it:

(1) persons elected to public office by popular vote or appointed to fill vacancies in elected offices;

(2) justices, judges, magistrates, and employees of the judicial branch including employees of the judicial council;

(3) employees of the state legislature and its agencies;

(4) the head of each principal department in the executive branch;

(5) officers and employees of the University of Alaska;

(6) certificated teachers and noncertificated employees employed by a regional educational attendance area established and organized under AS 14.08.031 — 14.08.041 to teach in, administer, or operate schools under the control of a regional educational attendance area school board;

(7) certificated teachers employed by the Department of Education as correspondence teachers, teachers in skill centers operated by the Department of Education, or in Mt. Edgecumbe School;

(8) patients and inmates employed in state institutions;

(9) persons employed in a professional capacity to make a temporary or special inquiry, study or examination as authorized by the governor;

(10) members of boards, commissions, or authorities;

(11) the officers and employees of the following boards, commissions, and authorities:

(A) Alaska Gas Pipeline Financing Authority;

(B) Alaska Permanent Fund Corporation;

(C) Alaska Industrial Development and Export Authority;

(D) Alaska Commercial Fisheries Entry Commission;

(E) Alaska Commission on Postsecondary Education;

(F) Alaska Aerospace Development Corporation;

(12) the executive secretary and legal counsel of the Alaska Municipal Bond Bank Authority;

(13) the state medical examiner appointed under AS 12.65.015 and physicians licensed to practice in this state and employed by the division of mental health and developmental disabilities in the Department of Health and Social Services or by the Department of Corrections;

(14) petroleum engineers and petroleum geologists employed in a professional capacity by the Department of Natural Resources and by the Oil and Gas Conservation Commission, except for those employed in the division of geological and geophysical surveys in the Department of Natural Resources;

(15) officers, agents, and employees of the Alcoholic Beverage Con-

trol Board granted limited peace officer powers by the Alcoholic Beverage Control Board under AS 04.06.110;

(16) persons employed by the division of marine transportation as masters and members of the crews of vessels who operate the state ferry system and who are covered by a collective bargaining agreement provided in AS 23.40.040;

(17) officers and employees of the state who reside in foreign countries;

(18) employees of the Alaska Seafood Marketing Institute;

(19) fire fighters employed by the Department of Natural Resources for a fire emergency;

(20) employees of the Office of the Governor and the office of the lieutenant governor, including the staff of the governor's mansion;

(21) employees of the Citizens' Advisory Commission on Federal Areas in Alaska (AS 41.37.010);

(22) youth employed by the Department of Natural Resources under the Youth Employment and Student Intern programs;

(23) the executive director of the Medicaid Rate Advisory Commission;

(24) students employed by the state institutions in which the students are enrolled;

(25) the executive director and staff of the Alaska Science and Technology Foundation (AS 37.17.010);

(26) investment officers in the Department of Revenue;

(27) the executive director and other staff of the Alaska Tourism Marketing Council;

(28) persons engaged in employment or pre-employment training programs operated by the Department of Military and Veterans' Affairs;

(29) *[Repealed, § 9 ch 115 SLA 1989.]* (§ 5 ch 144 SLA 1960; am § 1 ch 48 SLA 1961; am § 1 ch 133 SLA 1961; am § 3 ch 93 SLA 1962; am § 3 ch 24 SLA 1966; am § 31 ch 46 SLA 1970; am § 65 ch 69 SLA 1970; am § 13 ch 113 SLA 1970; am § 3 ch 78 SLA 1971; am § 18 ch 78 SLA 1974; am § 42 ch 127 SLA 1974; am § 2 ch 32 SLA 1975; am § 2 ch 79 SLA 1975; am § 37 ch 124 SLA 1975; am § 1 ch 157 SLA 1976; am § 3 ch 90 SLA 1978; am § 7 ch 18 SLA 1980; am § 43 ch 106 SLA 1980; am § 10 ch 131 SLA 1980; am § 4 ch 148 SLA 1980; am § 4 ch 106 SLA 1981; am §§ 2, 3 ch 37 SLA 1982; am § 7 ch 112 SLA 1982; am § 1 ch 11 SLA 1983; am § 1 ch 103 SLA 1984; am § 58 ch 21 SLA 1985; am § 1 ch 50 SLA 1985; am § 69 ch 14 SLA 1987; am § 1 ch 61 SLA 1987; am § 2 ch 37 SLA 1988; am § 2 ch 78 SLA 1988; am § 26 ch 141 SLA 1988; am E.O. No. 72 § 2 (1989) am § 11 ch 95 SLA 1989; am §§ 7, 9 ch 115 SLA 1989; am § 10 ch 88 SLA 1991; am § 1 ch 17 SLA 1992; am § 4 ch 47 SLA 1993)

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HB 321

Revision Date:	Dept. Affected: <u>Military and Veterans Affairs</u>
Title: <u>An Act placing certain persons employed in response to a disaster in the exempt service</u>	BRU: <u>Alaska National Guard</u>
Sponsor: <u>House Special Committee on Military and Veterans Affairs</u>	Component: <u>Commissioner's Office</u>
Requestor: <u>House Special Committee on Military and Veterans Affairs</u>	COMPONENT SERIAL NO. 414

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY95) cost: \$ _____

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Zero fiscal impact.

Prepared by: Jeff Morrison, Director
 Division: Administrative Support Services Division
 Approved by Commissioner: *Jeff Morrison* for MG Jake Lestenkof
 Agency: Military and Veterans Affairs

Phone: 465-4730
 Date: 4/26/95
 Date: 4/26/95

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FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

April 27, 1995

SUBJECT: Sectional Summary of HB 321. (Placing certain persons employed in response to a disaster in the exempt service)

TO: Representative Pete Kott
Attn: George Dozier

FROM: Teresa B. Cramer 
Legislative Counsel

You have requested a sectional summary of HB 321.

Section 1 places persons employed by the Department of Military and Veterans' Affairs in response to a declared disaster in the exempt service.

TC:klb
95-307.klb

CS FOR HOUSE BILL NO. 321(MLV)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS' AFFAIRS

Offered:

Referred:

Sponsor(s): HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS' AFFAIRS

A BILL

FOR AN ACT ENTITLED

1 "An Act placing certain persons employed in response to a disaster in the exempt
2 service."

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

4 * Section 1. AS 39.25.110 is amended by adding a new paragraph to read:

5 (30) persons employed by the Department of Military and Veterans'
6 Affairs to assist classified employees in response to a declared disaster.

SCOMM

97:4



Official Business

Alaska State Legislature

House

Pouch V
State Capitol
Juneau, Alaska 99811

HB 322 SPONSOR STATEMENT

HB 322 has been introduced to improve the administration of temporary housing during state declared disaster emergencies. This legislation was introduced in the 1994 session as HB 421, and passed the House on March 14, 1994 by 40-0. It died in Senate Rules Committee at the end of the 1994 legislative session.

This bill would increase the efficiency of the Division of Emergency Services by removing an unnecessary administrative burden required by current statutory language. Current statutes (AS 26.23.100) do not authorize DMVA to make grants to individuals for providing temporary housing during disasters. The Division of Emergency Services is therefore required to provide the housing directly to individuals, by assigning staff to contact housing providers, arrange for leases, renew lease arrangements periodically as needed, and generally act as an intermediary between the lessors and the persons using the temporary housing. This task is administratively burdensome and increases the cost of administering the temporary housing program.

Federal disasters allow the granting of funds direct to individuals for them to make their own temporary housing arrangements. Temporary housing in federal disasters is paid 100% by the Federal Emergency Management Agency (FEMA).

Adopting language to authorize the state to grant funds for temporary housing in state disasters, similar to the authority existing in federal disasters, would reduce administrative costs during state disasters, remove liability for the state as a lessor, and reduce government involvement in personal issues. Making an immediate temporary housing grant award payment to eligible applicants would allow each family in a state disaster to secure housing which best fits their housing needs.

Two state disasters have occurred recently which have required the provision of temporary housing: the Kodiak storm disaster of November 1991, and the Tenakee fire disaster of July 1993.

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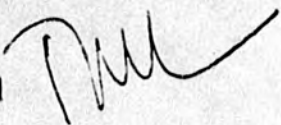
130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

April 27, 1995

SUBJECT: Sectional Summary of HB 322. (Work Order No. 9-LS1112\A)

TO: Representative Pete Kott
Attn: George Dozier

FROM: Terri Lauterbach 
Legislative Counsel

You have requested a sectional summary of the above-described bill. Since you have not asked any specific questions about the bill, this summary is quite brief. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1 authorizes the governor to make grants to disaster victims for temporary housing assistance.

TML:kb
95-306.klb

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HB 322

Revision Date:		Dept. Affected: Military and Veterans Affairs	
Title:	An Act authorizing grants for temporary housing assistance during emergencies and disasters	BRU:	Alaska National Guard
Sponsor:	House Special Committee on Military and Veterans Affairs	Component:	Commissioner's Office
Requestor:	House Special Committee on Military and Veterans Affairs	COMPONENT SERIAL NO. 414	

Expenditures/Revenues	(Thousands of Dollars)					
	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
OPERATING EXPENDITURES						
PERSONAL SERVICES						
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE	(Thousands of Dollars)					
	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY95) cost: \$ _____

POSITIONS						
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Zero fiscal impact. This bill gives the division of emergency services a more efficient way of providing temporary housing during disasters. The cost of temporary housing would continue to be charged to the disaster itself.

Prepared by:	Jeff Morrison, Director	Phone: 465-4730	
Division:	Administrative Support Services Division	Date:	4/26/95
Approved by Commissioner:	<i>Jeff Morrison</i> for MG Jake Lestenkof	Date:	4/26/95
Agency:	Military and Veterans Affairs		

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MEMORANDUM**STATE OF ALASKA**

Department of Military and Veterans Affairs

TO: Pat Pourchot
Legislative Director
Office of the Governor

DATE: March 16, 1995

PHONE: 465-4730

FROM: Jake Lestenkof
Commissioner

SUBJECT: DMVA Legislative
Proposals

I have reviewed the original legislative proposals forwarded by this department to you last December. While none of them can be considered priority policy issues for the Governor, two of them are important enough to our department to initiate some activity.

It is my understanding that you do not want to have the Governor introduce any measures unless they are significant policy issues. Nevertheless, I believe that, with your concurrence, I would be able to find some friendly legislators to introduce the measures which I believe are important to our department. If we can get bills at least introduced and heard in one or two committees, it will greatly enhance our ability to get them passed by the second session of this legislature, instead of waiting for two years to accomplish some legislative progress.

I seek your approval to approach specific legislators on the following issues:

1. Temporary Housing During Disasters:

This proposal will allow for the granting of funds directly to disaster victims of state disasters to allow them to make their own temporary housing arrangements. Currently state law does not allow this, and temporary housing is arranged by state personnel, increasing the administrative burden during a disaster and exposing the state to potential liabilities. Similar legislation almost passed the Legislature last session (HB421 died in Senate Rules).

2. Hiring of Exempt Employees During Disasters:

Our experience during the 1994 Fall Floods disaster has highlighted an administrative procedure for temporary hiring during emergencies which is burdensome and limits the department's effective and timely response. All temporary hires for emergency response activities must now go through the routine procedure for hiring non-permanent employees: if they are not hired

from a register, they are limited to a duration of only 120 days. "Emergency hires" are only allowed to stay on board for 30 days. Allowing temporary hires for emergency response to be established as exempt positions (similar to the hiring authority for DNR's fire suppression activities--see AS 39.25.110(19)) will allow temporary employees needed for emergency response to be hired quickly and retained as long as needed.

In addition to the two proposals described above, DMVA also submitted housekeeping bills for your consideration. I would like to forgo the action on these housekeeping changes until the 1996 session of this legislature.

I would welcome the opportunity to meet you to discuss the strategy to be used and legislators or committees to be approached in addressing the three proposals above.

cc:

Roger Schnell, Deputy Commissioner

Brig Gen Ken Taylor, Commander, Air National Guard

Col Mike McCourt, Chief of Staff, Army National Guard

Ervin Paul Martin, Director, Division of Emergency Services

John Fleming, Director, National Guard Youth Corps

Roger Patch, Director, Facilities Maintenance Division

Jeff Morrison, Director, Administrative Services Division

1995 LEGISLATIVE PROPOSAL FORM

DEPARTMENT: Military and Veterans Affairs (File: LEG95-1B.DOC)

SUBJECT OF PROPOSED BILL: Temporary housing during emergencies

DEPARTMENT PRIORITY NO. _____

SPECIFY: Governor's Legislation ____ / Friendly Legislation ____

SUMMARY OF INTENT : Include what the problem is, how this proposal solves it, how many incidents have occurred which necessitates this change, and include a short synopsis of how your proposal fits with the Governor's objectives.

This bill would increase the efficiency of the Division of Emergency Services by removing an unnecessary administrative burden involved in providing temporary housing during state-declared disaster emergencies. Current statutory language does not authorize DMVA to make grants to individuals for providing temporary housing during disasters. The Division of Emergency Services is therefore required to provide the housing directly to individuals, by assigning staff to contact housing providers, arrange for leases, renew lease arrangements every three months, and generally act as an intermediary between the lessors and the persons using the temporary housing. This task is administratively burdensome and increases the cost of administering the temporary housing program.

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Two state disasters have occurred recently which have required the provision of temporary housing: the Kodiak storm disaster of November 1991, and the Tenakee fire disaster of July 1993.

ESTIMATED FISCAL IMPACT (briefly describe):

Operating: Unknown. A separate appropriation from the Disaster is authorized for each disaster declaration.

Capital: None

Revenue: None

WHAT OTHER DEPARTMENTS WILL BE AFFECTED BY THIS PROPOSAL: None

WHO WILL SUPPORT THIS BILL: Department leadership

WHO WILL OPPOSE THIS BILL: None known at this time.

BRIEFLY OUTLINE ANY PRECEDENTS FOR THIS PROPOSAL IN ALASKA OR OTHER STATES: In federally declared disasters, the State of Alaska is authorized by the Federal Emergency Management Agency (FEMA) to make grants for temporary housing. The state guidelines for state-declared disasters should parallel the FEMA guidelines for federally declared disasters.

IF A SUBSTANTIALLY SIMILAR BILL HAS BEEN DRAFTED AND NOT INTRODUCED, OR INTRODUCED AND NOT PASSED, PLEASE GIVE LAWLOG OR BILL NUMBER (cite year): This legislation was introduced in the 1994 session as HB421, and passed the House. It died in Senate Rules after the Senate Finance Committee made changes which altered the character of the bill to the point where it was not acceptable by DMVA.

COMMISSIONER'S SIGNATURE

DATE

Governor's Office Notes:

[File: LEG95-1B.DOC]

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS
BRIEFING PAPER HB421

Background:

Whenever people are displaced from their homes because of a disaster, part of the disaster assistance provided by the Division of Emergency Services (DES) is the provision of temporary housing. The authority for doing this is addressed in A.S. 26.23.100. The current authority is limited to the state making direct payments for providing temporary housing. The statutes also allow the state to work through local governments to provide temporary housing.

Current statutes do not authorize DMVA to make housing assistance grants to persons displaced from their homes during state-declared disasters. Without this authority, DMVA must negotiate lease/rental terms for every individual or family requiring temporary housing during a disaster. This task is administratively burdensome and increases the administrative costs of a disaster by requiring time to monitor and manage the lease agreements. However, the process for providing temporary housing in a federally-declared disaster is significantly more efficient.

In a federally-declared disaster, Federal Emergency Management Agency (FEMA) staff directly administers the temporary housing program, using 100% federal funds. The federal temporary housing program makes grants directly to individuals for them to arrange their own temporary housing. Granting funds to recipients to arrange their own housing reduces administrative costs, removes liability from the government as a lessor, and reduces government involvement in personal issues.

Impact of proposed legislation:

HB421 will specifically permit DMVA to grant funds to eligible disaster victims who have located temporary housing. The eligibility of disaster victims would be determined by the staff of the Division of Emergency Services (DES) using criteria established in the Temporary Housing Assistance Plan promulgated by DES. This granting authority will greatly expedite the ability of DMVA to respond to providing for temporary housing during a disaster, and would allow each family or individual affected to secure housing which best fits their housing needs.

The addition of this granting authority will add another tool in the ability of DES to respond to temporary housing needs. It will not be the only way these needs are met, and circumstances of a particular event will influence the choice of approaches to temporary housing.

STATE OF ALASKA

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

WALTER J. HICKEL, GOVERNOR

P.O. BOX 110900
JUNEAU, ALASKA 99811-0900
PHONE: (907) 465-4600
FAX: (907) 465-4605

April 27, 1994

Senator Steve Frank
Co-chair, Senate Finance Committee
Alaska State Legislature

Senator Drue Pearce
Co-chair, Senate Finance Committee
Alaska State Legislature

Dear Senators Frank and Pearce,

Re: HB 421, Temporary Housing During Disasters

Thank you for scheduling a hearing on HB 421 so quickly. As Representative Mulder's staff, Tim Sullivan, pointed out in your hearing of April 26, we expect passage of this bill to improve our ability to respond quickly to meeting the emergency housing needs of disaster victims.

Tim has relayed to me some of the concerns voiced during the hearing, and I wanted to let you know my response to those concerns.

The committee raised a concern over the temporary housing assistance provided by the state being subordinate to any similar assistance available from the federal government or from private insurance providers. Under our current plans and procedures, this is already the case.

In any federally declared disaster, we maximize the federal funds available for all purposes, including housing. Normally, the Federal Emergency Management Agency takes over the temporary housing program during federally declared disasters, and there is little, if any, involvement of state agencies or funds for temporary housing in federal disasters. Although I have not had the opportunity to review any specific language proposed in a committee substitute regarding this issue, I do not believe it would present any problems if added to the bill.

The requirement to subordinate temporary housing assistance to private insurance reimbursements is something that we conceptually support as well, since our procedures already incorporate this requirement. It does not make sense to pay someone for temporary housing needs if they are also being paid by their private insurance.

Since the issue of subordination of temporary housing grants to federal and private insurance benefits is already addressed in departmental procedures, there is no objection to incorporating it into statutory language as well. However, it would not be necessary to do so, if your committee chose not to make this amendment.

The final issue raised in committee concerns a limit on the amount of temporary housing funds, with a possible link to the previous section in Alaska Statutes regarding the individual and family grants limit of \$5,000 [AS 26.23.090 (b)(2)]. Apparently the committee wanted to limit the total amount for both these programs (combined) to \$5,000 for each disaster victim. I do not believe this would provide the public with the assistance they need and deserve if they become victims of a disaster.

The individual and family grant (IFG) program is intended to provide for immediate necessary items lost as a result of a disaster. Any insurance claims paid to disaster victims for their immediate needs is deducted from the amount paid under IFG grants. These grants normally pay the following types of immediate needs: food, clothing, medicine, etc. State law limits the amount of an IFG grant to no more than \$5,000; however, they are frequently less than that amount, as they are intended only to meet immediate needs.

The temporary housing program addressed in AS 26.23.100 provides for alternate housing when people (homeowners or renters) are displaced from their homes. Displacements as a result of disasters can be for long periods of time. The current temporary housing plan allows for state funding of temporary housing for a maximum of 18 months, with reviews every three months to verify continued eligibility. There is no dollar limit to the amount now spent on temporary housing; the only limit is the 18 month time frame. Without the ability to grant funds to disaster victims for temporary housing (which HB 421 would allow), the state must negotiate all lease agreements and make payments directly to landlord of the temporary housing. The intent of HB 421 was to simplify and streamline the method in which the state pays for temporary housing, and not to create additional restrictions on the program.

Placing a dollar restriction on temporary housing would create a financial hardship to displaced disaster victims when they can least afford it. Often, homeowners have their home completely destroyed, but are still required to make mortgage payments. Combining this limitation with the IFG grant amount would create

further hardship by requiring disaster victims to choose between meeting their needs for the immediate and necessary items funded by IFG grants, or meeting their needs for temporary housing.

The purpose of the temporary housing program is to enable disaster victims to live close to their pre-disaster jobs, family, friends, schools, and community. This facilitates their recovery from the disaster by assuring some stability and normalcy until they can obtain permanent housing in their community. I do not believe it is consistent with the philosophy of providing necessary disaster relief to limit the amount to be paid for temporary housing. This action could have the effect of creating an enclave of homeless people who cannot afford to get back on their feet after a disaster.

The intent of both the IFG program and the temporary housing program is to provide rapid temporary emergency relief, and not to add to the trauma of a disaster by limiting the amount of relief such that basic emergency needs go unmet.

I believe that the limitation being proposed would result in serious deficiencies in the state's ability to fairly and compassionately meet the needs of disaster victims. I urge you to reject any such limitation in HB 421.

I hope this information is useful to you in your further consideration of HB 421.

Sincerely,

Ervin Paul Martin. Director
Division of Emergency Services

cc: Representative Eldon Mulder
Hugh L. Cox III, Commissioner
Dick Eliason, Governor's Legislative Liaison

[HB421L1]

tance. The governor may make a grant to an individual and family under this subsection as follows:

(1) when the President declares a major disaster, the governor may make a grant of an amount whose total of federal and state shares does not exceed the maximum amount authorized by 42 U.S.C. 5178(f) for grants payable to individuals and families;

(2) when the President does not declare a major disaster but the governor declares a disaster emergency, the governor may make a grant of an amount not to exceed \$5,000.

(c) [*Repealed, § 18 ch 178 SLA 1990.*] (§ 3 ch 104 SLA 1977; am §§ 9, 18 ch 178 SLA 1990)

Effect of amendments. — The 1990 amendment deleted "the total of federal and state shares not to exceed \$5,000" following "financial grants" and "in any single major disaster declared by the president" following "individual or family" and substituted "the disaster" for "a major di-

saster" in the first sentence of subsection (b); added the second sentence of subsection (b); and repealed subsection (c), which penalized fraudulent or wilful misstatements of fact in connection with financial assistance applications.

Sec. 26.23.100. Temporary housing. (a) Whenever the governor has proclaimed a disaster emergency, or the President, at the request of the governor, has declared an emergency or a major disaster to exist in this state, the governor may

(1) purchase, lease, or make other arrangements with any agency of the United States or state for temporary housing units to be occupied by disaster victims and to make those units available to any political subdivision of the state;

(2) assist any political subdivision of this state that is the location of temporary housing for disaster victims to acquire sites necessary for the temporary housing and do all things necessary to prepare the site to receive and use temporary housing units by

(A) advancing or lending funds available to the governor from an appropriation made by the legislature or from any other source;

(B) passing through funds made available by any agency, public or private; or

(C) becoming a copartner with a political subdivision for the execution and performance of any temporary housing for disaster-victim projects and, for those purposes, pledging the credit of the state on terms considered appropriate, having due regard for current debt transactions of the state;

(3) under whatever relevant regulations the governor may adopt, temporarily suspend or modify, for not more than 60 days, any public health, safety, zoning, transportation, or other requirement of law or regulation of the state, when by proclamation, the governor declares a suspension or modification essential to provide temporary housing for disaster victims.

Proposed statutory language to be added in a bill:

*Sec 1. AS 39.25.110 is amended by adding a new section to read:

(30) persons employed by the Department of Military and Veterans Affairs for a disaster emergency

[File: BILPROP1.DOC]

Sec. 39.25.110. Exempt service. Unless otherwise provided by law, the following positions in the state service constitute the exempt service and are exempt from the provisions of this chapter and the rules adopted under it:

(1) persons elected to public office by popular vote or appointed to fill vacancies in elected offices;

(2) justices, judges, magistrates, and employees of the judicial branch including employees of the judicial council;

(3) employees of the state legislature and its agencies;

(4) the head of each principal department in the executive branch;

(5) officers and employees of the University of Alaska;

(6) certificated teachers and noncertificated employees employed by a regional educational attendance area established and organized under AS 14.08.031 — 14.08.041 to teach in, administer, or operate schools under the control of a regional educational attendance area school board;

(7) certificated teachers employed by the Department of Education as correspondence teachers, teachers in skill centers operated by the Department of Education, or in Mt. Edgecumbe School;

(8) patients and inmates employed in state institutions;

(9) persons employed in a professional capacity to make a temporary or special inquiry, study or examination as authorized by the governor;

(10) members of boards, commissions, or authorities;

(11) the officers and employees of the following boards, commissions, and authorities:

(A) Alaska Gas Pipeline Financing Authority;

(B) Alaska Permanent Fund Corporation;

(C) Alaska Industrial Development and Export Authority;

(D) Alaska Commercial Fisheries Entry Commission;

(E) Alaska Commission on Postsecondary Education;

(F) Alaska Aerospace Development Corporation;

(12) the executive secretary and legal counsel of the Alaska Municipal Bond Bank Authority;

(13) the state medical examiner appointed under AS 12.65.015 and physicians licensed to practice in this state and employed by the division of mental health and developmental disabilities in the Department of Health and Social Services or by the Department of Corrections;

(14) petroleum engineers and petroleum geologists employed in a professional capacity by the Department of Natural Resources and by the Oil and Gas Conservation Commission, except for those employed in the division of geological and geophysical surveys in the Department of Natural Resources;

(15) officers, agents, and employees of the Alcoholic Beverage Con-

trol Board granted limited peace officer powers by the Alcoholic Beverage Control Board under AS 04.06.110;

(16) persons employed by the division of marine transportation as masters and members of the crews of vessels who operate the state ferry system and who are covered by a collective bargaining agreement provided in AS 23.40.040;

(17) officers and employees of the state who reside in foreign countries;

(18) employees of the Alaska Seafood Marketing Institute;

(19) fire fighters employed by the Department of Natural Resources for a fire emergency;

(20) employees of the Office of the Governor and the office of the lieutenant governor, including the staff of the governor's mansion;

(21) employees of the Citizens' Advisory Commission on Federal Areas in Alaska (AS 41.37.010);

(22) youth employed by the Department of Natural Resources under the Youth Employment and Student Intern programs;

(23) the executive director of the Medicaid Rate Advisory Commission;

(24) students employed by the state institutions in which the students are enrolled;

(25) the executive director and staff of the Alaska Science and Technology Foundation (AS 37.17.010);

(26) investment officers in the Department of Revenue;

(27) the executive director and other staff of the Alaska Tourism Marketing Council;

(28) persons engaged in employment or pre-employment training programs operated by the Department of Military and Veterans' Affairs;

(29) *[Repealed, § 9 ch 115 SLA 1989.]* (§ 5 ch 144 SLA 1960; am § 1 ch 48 SLA 1961; am § 1 ch 133 SLA 1961; am § 3 ch 93 SLA 1962; am § 3 ch 24 SLA 1966; am § 31 ch 46 SLA 1970; am § 65 ch 69 SLA 1970; am § 13 ch 113 SLA 1970; am § 3 ch 78 SLA 1971; am § 18 ch 78 SLA 1974; am § 42 ch 127 SLA 1974; am § 2 ch 32 SLA 1975; am § 2 ch 79 SLA 1975; am § 37 ch 124 SLA 1975; am § 1 ch 157 SLA 1976; am § 3 ch 90 SLA 1978; am § 7 ch 18 SLA 1980; am § 43 ch 106 SLA 1980; am § 10 ch 131 SLA 1980; am § 4 ch 148 SLA 1980; am § 4 ch 106 SLA 1981; am §§ 2, 3 ch 37 SLA 1982; am § 7 ch 112 SLA 1982; am § 1 ch 11 SLA 1983; am § 1 ch 103 SLA 1984; am § 58 ch 21 SLA 1985; am § 1 ch 50 SLA 1985; am § 69 ch 14 SLA 1987; am § 1 ch 61 SLA 1987; am § 2 ch 37 SLA 1988; am § 2 ch 78 SLA 1988; am § 26 ch 141 SLA 1988; am E.O. No. 72 § 2 (1989) am § 11 ch 95 SLA 1989; am §§ 7, 9 ch 115 SLA 1989; am § 10 ch 88 SLA 1991; am § 1 ch 17 SLA 1992; am § 4 ch 47 SLA 1993)

Revised
enacted a
Effect
1988 amended
inserted
The section
July 1, 1988
The title
June 9, 1988
The first
March 1, 1988
paragraph
The section
July 1, 1988
The title
June 16, 1988

Cited
Alaska, §

Sec. 1
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97:5

HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS AFFAIRS

SPONSOR STATEMENT HB 476

On September 22, 1996, an AWACS plane, with a call sign of YUKLA 27, crashed shortly after taking off from Elmendorf Air Force Base. Tragically, its entire crew of twenty-four young men perished in this catastrophic event.

HB 476, which is sponsored by the House Special Committee on Military and Veterans Affairs, would declare September 22 of each year as YUKLA 27 Remembrance Day. It also calls upon the Governor to issue a proclamation to commemorate the day and direct that Alaska flags be flown at half-staff.

It is only right and proper that we honor the memory of those who sacrificed so much for us. The Committee respectfully urges your support.

HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS AFFAIRS

SECTIONAL ANALYSIS HB 476

Section 1:

Declares September 22 of each year as YUKLA 27 Remembrance Day in honor of the memory of the airmen who perished as a result of the crash of an AWACS plane on September 22, 1996, while taking off from Elmendorf Air Force Base. Requires the Governor to issue a proclamation and to order Alaska flags to be flown at half-mast on that day.

FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO. HB 476

Revision Date:	Dept. Affected: <u>Office of the Governor</u>
Title: <u>"An Act establishing YUKLA 27 Remembrance</u>	BRU: <u>Executive Operations</u>
Day."	Component: <u>Executive Office</u>
Sponsor: <u>House Spec. Comm. Military and Veterans' Affairs</u>	
Requester:	COMPONENT SERIAL NO. <u>6</u>

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 100	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY96) cost: \$ 0.0

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact.

Prepared by: <u>Michael A. Nizich, Director</u>	Phone: <u>465-3876</u>
Division: <u>Division of Administrative Services</u>	Date: <u>2/8/96</u>
Approved by Commissioner: <u>Jim Ayers, Chief of Staff</u>	Date: <u>2/8/96</u>
Agency: <u>Office of the Governor</u>	

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CS FOR HOUSE BILL NO. 476(MLV)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS' AFFAIRS

Offered:

Referred:

Sponsor(s): HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS' AFFAIRS

A BILL

FOR AN ACT ENTITLED

1 "An Act establishing YUKLA 27 Remembrance Day."

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

3 * Section 1. AS 44.12 is amended by adding a new section to article 2 to read:

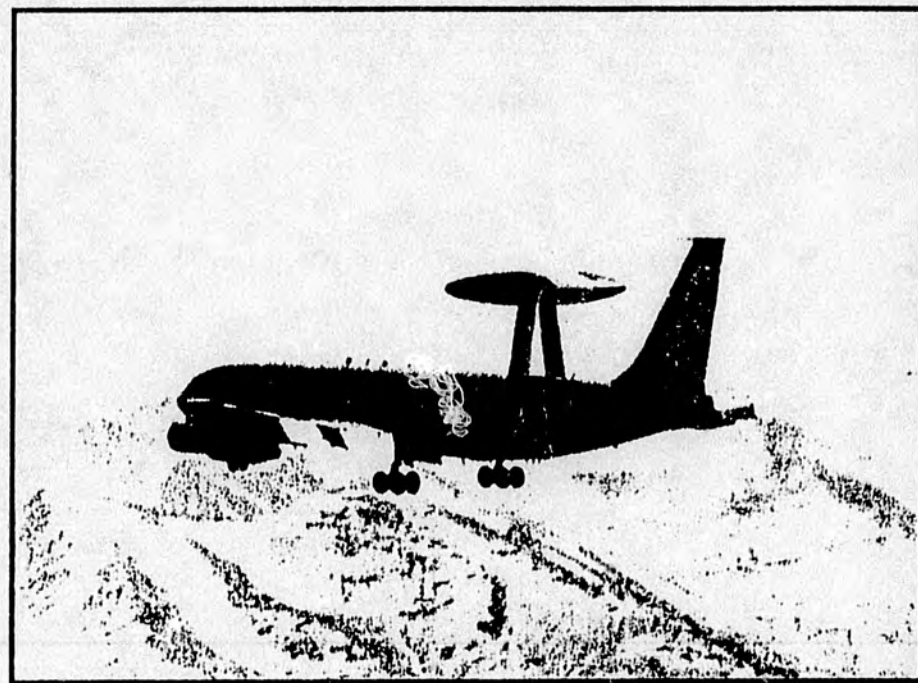
4 Sec. 44.12.090. YUKLA 27 REMEMBRANCE DAY. (a) YUKLA 27
5 Remembrance Day is established on September 22 each year to honor the memory of
6 the American and Canadian airmen who perished in the crash of an Advanced Warning
7 and Control System (AWACS) plane shortly after taking off from Elmendorf Air Force
8 Base on September 22, 1995. YUKLA 27, the call sign of this tragic flight, contained
9 a crew of 24, none of whom survived.

10 (b) The crew members of YUKLA 27 were Lieutenant Colonel Richard G.
11 Leary, U.S.A.F., Navigator; Major Richard Patrick Stewart II, U.S.A.F., Mission Crew
12 Commander; Major Marlon R. Thomas, U.S.A.F., Mission Crew Commander; Major
13 Steven A. Tuttle, U.S.A.F., Airborne Surveillance Officer; Captain Glenn J. "Skip"
14 Rogers, U.S.A.F., Pilot; Captain Robert J. Long, U.S.A.F., Senior Director; Captain
15 Bradley W. Paakola, U.S.A.F., Pilot; First Lieutenant Carlos A. Arriaga, U.S.A.F.,

1 Weapons Director; Master Sergeant Stephen C. O'Connell, U.S.A.F., Advanced Air
2 Surveillance Technician; Technical Sergeant Bart L. Holmes, U.S.A.F., Flight
3 Engineer; Technical Sergeant Ernest R. Parrish, U.S.A.F., Area Specialist; Sergeant
4 David L. Pitcher, C.A.F., Battle Director Technician; Technical Sergeant Charles D.
5 Sweet, Jr., U.S.A.F., Airborne Radar Technician; Technical Sergeant Brian K. Van
6 Leer, U.S.A.F., Advanced Air Surveillance Technician; Technical Sergeant Mark A.
7 Bramer, U.S.A.F., Flight Engineer; Technical Sergeant Timothy B. Thomas, U.S.A.F.,
8 Computer Display Maintenance Technician; Technical Sergeant Mark A. Collins,
9 U.S.A.F., Communications Systems Operator; Master Corporal J.-P. Legault, C.A.F.,
10 Communications Technician; Staff Sergeant Scott A. Bresson, U.S.A.F., Airborne
11 Radar Technician; Staff Sergeant Raymond O. Spencer, Jr., U.S.A.F., Airborne
12 Surveillance Technician; Senior Airman Joshua N. Weter, U.S.A.F., Computer Display
13 Maintenance Technician; Senior Airman Lawrence E. DeFrancesco, U.S.A.F.,
14 Communications Systems Operator; Airman Darien F. Watson, U.S.A.F., Airborne
15 Surveillance Technician; and Airman Jeshua C. Smith, U.S.A.F., Airborne
16 Surveillance Technician.

17 (c) The governor shall issue a proclamation to commemorate YUKLA 27
18 Remembrance Day and shall direct that the Alaska flag be flown at half-mast on that
19 day. The day may be observed by suitable observances and exercises by civic groups
20 and the public.

In Memory of
the Crew of
YUKLA 27



"YUKLA," the call sign for all
962nd AACCS flights, is from
an Alaskan dialect meaning
"EAGLE."

MEMORIAL SERVICE FOR THE CREW MEMBERS OF YUKLA 27

ELMENDORF AIR FORCE BASE, ALASKA
27 SEPTEMBER 1995

*Arrival of the Family Members of YUKLA 27

*Presentation of the Colors

*National Anthems of Canada and the United States

*Invocation

Responsive Reading

Psalm 23

Chaplain: The Lord is my shepherd, I shall not want;

People: He makes me lie down in green pastures. He leads me beside still waters;

Chaplain: He restores my soul. He leads me in paths of righteousness for his name's sake.

People: Even though I walk through the valley of the shadow of death, I fear no evil; for thou art with me; thy rod and thy staff, they comfort me.

Chaplain: Thou preparest a table before me in the presence of my enemies; thou anointest my head with oil, my cup overflows.

People: Surely goodness and mercy shall follow me all the days of my life; and I shall dwell in the house of the Lord forever.

Congregational Hymn "O God Our Help in Ages Past"

O God, our help in ages past, our hope for years to come,
our shelter from the stormy blast, and our eternal home.

Before the hills in order stood, or earth received her frame,
from everlasting you are God to endless years the same.

A thousand ages in your sight, are like an evening gone,
short as the watch that ends the night before the rising sun.

O God, our help in ages past, our help for years to come,
remain our guard, while life shall last and our eternal home.

Scripture Reading

Psalm 130
John 14:1-4

Meditation

*Meritorious Service Medal Presentation

Wreath Laying Ceremony

United States and Canadian Forces in Alaska

3rd Wing, 962nd Airborne Air Control Squadron,
381st Intelligence Squadron
Elmendorf Air Force Base, Alaska

The Air Force Hymn

"Lord Guard and Guide the Ones Who Fly"

*Military Honors

Rifle Salute
Taps

*Benediction

Fly By

CREW MEMBERS OF YUKLA 27

Richard G. Leary, Lieutenant Colonel, USAF
Navigator

Richard P. Stewart II, Major, USAF
Mission Crew Commander

Marlon R. Thomas, Major, USAF
Mission Crew Commander

Steve Tuttle, Major, USAF
Airborne Surveillance Officer

Glenn "Skip" Rogers, Captain, USAF
Pilot

Robert John Long, Captain, USAF
Senior Director

Bradley W. Paakola, Captain, USAF
Pilot

Carlos Alberto Arriaga, First Lieutenant, USAF
Weapons Director

Stephen C. O'Connell, Master Sergeant, USAF
Advanced Air Surveillance Technician

Bart L. Holmes, Technical Sergeant, USAF
Flight Engineer

Ernest R. Parrish, Technical Sergeant, USAF
Area Specialist

Dave Pitcher, Sergeant, CAF
Battle Director Technician

Charles D. Sweet, Jr., Technical Sergeant, USAF
Airborne Radar Technician -

Brian K. Vanleer, Technical Sergeant, USAF
Advanced Air Surveillance Technician

Mark Alan Bramer, Technical Sergeant, USAF
Flight Engineer

Timothy B. Thomas, Technical Sergeant, USAF
Computer Display Maintenance Technician

Mark A. Collins, Technical Sergeant, USAF
Communications Systems Operator

J. P. Legault, Master Corporal, CAF
Communications Technician

Scott A. Bresson, Staff Sergeant, USAF
Airborne Radar Technician

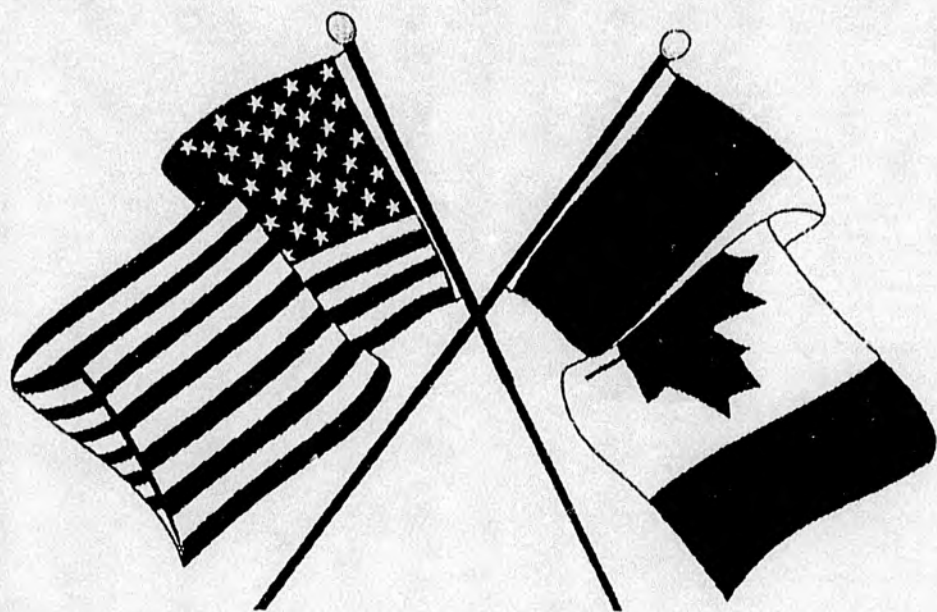
Raymond O. Spencer, Jr., Staff Sergeant, USAF
Airborne Surveillance Technician

Joshua N. Weter, Senior Airman, USAF
Computer Display Maintenance Technician

Lawrence E. DeFrancesco, Senior Airman, USAF
Communications Systems Operator

Darien F. Watson, Airman, USAF
Airborne Surveillance Technician

Jeshua C. Smith, Airman, USAF
Airborne Surveillance Technician



"HIGH FLIGHT"

by

John Gillespie Magee, Jr.

Oh, I have slipped the surly bonds of earth
And danced the skies on laughter-silvered wings;
Sunward I've climbed, and joined the tumbling mirth
Of sun-split clouds--and done a hundred things
You have not dreamed of--wheeled and soared and swung
High in the sunlit silence, Hov'ring there,
I've chased the shouting wind along, and flung
My eager craft through footless halls of air.
Up, up the long, delirious, burning blue
I've topped the windswept heights with easy grace
Where never lark, or even eagle flew,
And, while with silent, lifting mind I've trod
The high untrespassed sanctity of space,
Put out my hand, and touched the face of God.

SCOMM

97:6

STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

ALASKA MARINE HIGHWAY SYSTEM / SYSTEM DIRECTOR

TONY KNOWLES, GOVERNOR

P.O. BOX 25535
JUNEAU, ALASKA 99802-5535
PHONE: (907) 465-3959
FAX: (907) 465-2474

February 22, 1996

No: L0367-96

The Honorable Gary L. Davis
Alaska State Legislature
State Capitol, Room 420
Juneau, Alaska 99801-1182

Dear Representative Davis:

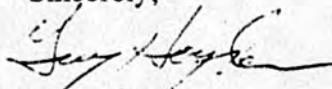
Thank you for your recent letter regarding the possibility of space available travel for members of the Alaska National Guard. I do believe that the connection between the Air Force space available program and the National Guard is easier understood than one with the Marine Highway System might be.

In recent years escalating operational costs have caused us to revisit free passage programs and to eliminate them where possible. On some runs 30% of the passengers were on pass and the associated costs for ticket administration, loading and off-loading, general housekeeping and emergency medical response were eating into our ability to provide all passengers with an acceptable level of service. We have made a relatively smooth transition to the current policy of offering seniors and handicapped persons passage at 50% of the posted tariff dependant on time of year and vessel. Vehicles associated with these itineraries have been charged at the normal rate.

It is my understanding that there are less than a hundred active National Guardsmen in Southeast and that training seldom takes place in the summer months. With that in mind I would propose that the AMHS provide reserved space transportation (walk on and vehicle passage) at 50% of the posted tariff for Alaska National Guard members traveling to and from training.

Thank you for suggesting the accommodation and for your continuing support.

Sincerely,



Gary L. Hayden
System Director

NATLGARD.LET

Alaska State Legislature

House of Representatives



Transportation Committee

February 9, 1996

Gary Haden, System Director
Alaska Marine Highway
3132 Channel Drive
Juneau, AK 99801-7898

Dear Gary,

I received the attached letter from the Alaska National Guard requesting travel on a space available basis for guardsman traveling to training in the Southeast on the Alaska Marine Highway. The idea is one worth exploring.

Currently the Air Force offers space available seating to soldiers, and airmen, including the National Guard. I am wondering if a similar program could be set up with the State Ferry System on a space available basis. Would it be possible to offer this privilege to guardsman and their vehicles?

Thank you for your consideration. If I can be of any assistance in this matter, please don't hesitate to call.

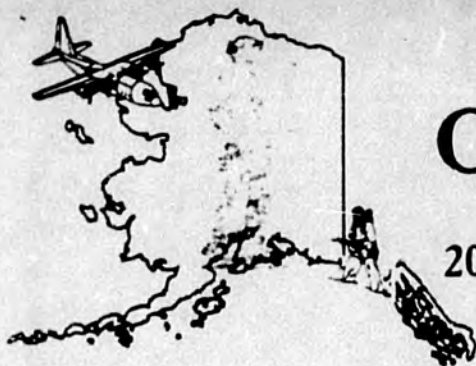
Regards,

A handwritten signature in dark ink, appearing to read "Gary L. Davis".

Gary L. Davis, Representative

cc: Co-Chairs, Military and Veteran's Affairs
Representative Ivan
Representative Kott

jkt



ALASKA NATIONAL GUARD OFFICER'S ASSOCIATION

200 West 34th Avenue, Suite 727 Anchorage, Alaska 99503

(907) 333-3259

February 1, 1996

Honorable Gary Lee Davis
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

SUBJECT: National Guard Space-Available Travel on Alaska Ferry
System

Dear Gary Davis,

On behalf of the Alaska National Guard Officer's Association, I am requesting your support in sponsoring a bill authorizing members of the Alaska National Guard to travel to their training location on the Alaska Ferry System, at no cost, on a space available basis. The Ferry services eighteen (18) communities that do not have National Guard units. Providing space-available travel would facilitate recruitment in these communities and expand the National Guard presence in the state.

Travel on a space-available basis can be accomplished with negligible impact on the cost of operating the State Ferry System. The Air Force has provided space available to all soldiers and airmen including the National Guard for many years. A similar program could be easily applied to the ferry system. Space-available privilege should extend to the individual and his or her privately owned, noncommercial vehicle.

Thank you for your continued support of the Alaska National Guard. If you can help us on this issue, our legislative affairs committee stands ready to assist with draft proposals or additional information you may require. Our local representative in Juneau is Captain Duff Mitchell who can be contacted at 789-8393 (page) or 790-2722 (home).

Sincerely,

Frank L. Boguslawski
Frank L. Boguslawski
CW3 (Ret), ANGOA
President

FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO. HB 496

Revision Date: 3/1/96 Dept. Affected: DOT&PF
Title: "An Act relating to transportation of members of BRU: Marine Operations
the Alaska National Guard by the Alaska Marine Highway System." Component: Southeast Vessel Operations
Sponsor: House Special Committee on Southwest Vessel Operations
Requester: Military & Veterans' Affairs, Transportation COMPONENT SERIAL NO. 630 & 631

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES	1.0	1.1	1.2	1.3	1.5	1.6
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	1.0	1.1	1.2	1.3	1.5	1.6

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()	(3.0)	(3.3)	(3.6)	(4.0)	(4.4)	(4.8)
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
1076 AMHS Fund	4.0	4.4	4.8	5.3	5.9	6.4
TOTAL	4.0	4.4	4.8	5.3	5.9	6.4

Estimate of any current year (FY96) cost: \$ 0.0

POSITIONS

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

In recent years escalating operational costs have caused us to revisit free passage programs and to eliminate them where possible. On some runs, 30% of the passengers were on free passes. The associated costs for ticket administration, loading and off-loading of vehicles, general housekeeping, and emergency medical response impacts our ability to provide all passengers with an acceptable level of service.

Currently, seniors, handicapped, passengers experiencing disabilities, and youth groups pay at 50% of the posted tariff for their passage. Taken individually, the cost to the state of providing free passage may seem insignificant. Collectively, however, it has an eroding effect on the revenues AMHS requires to maintain a reasonable operating schedule.

Prepared by: Gary L. Hayden, Director
Division: Alaska Marine Highway System
Approved by: [Signature]
Agency: Department of Transportation and Public Facilities

Phone: 465-3959
Date: 3/1/96
Date: 3/1/96

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HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS AFFAIRS

HB 496 SPONSOR STATEMENT

Many potential recruits to the Alaska National Guard reside in isolated communities that are on the Alaska Marine Highway System. These individuals are not able to join the Guard without paying their own fare to and from drilling sites. As a result, Guard recruitment in these communities is difficult.

HB 496 would permit Guard members to travel to and from their drills without charge on the Alaska Marine Highway System, but only on a space available basis. These individuals perform great service to Alaska, for which they receive little compensation. It is not reasonable for the state to expect them to pay the prohibitively high costs of transportation in and out of their communities for what little they are paid. As a consequence, very few such individuals can afford to serve. The state, through the passage of this bill, would ameliorate this problem without incurring any additional expenses. Accordingly, your support is urged.

HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS AFFAIRS

HB 496 SECTIONAL ANALYSIS

Section 1 of HB 496 requires the Department of Transportation to provide, free of charge, transportation on the Alaska Marine Highway to members of the Alaska National Guard who are traveling to or from official training activities. This requirement is contingent on space being available. The privilege extends to the Guard member and one personal vehicle.

SCOMM

97:7

HOUSE COMMITTEE REPO.

referred: January 23, 1995

FURTHER REFERRALS:

Committee Action: 1-30-95HOUSE SPECIAL COMMITTEE ON MILITARY & VETERANS' AFFAIRS Committee considered:
HCR 5

E CONCURRENT RESOLUTION NO. 5

PEARL HARBOR REMEMBRANCE DAY

Commemorating the attack on Pearl Harbor by establishing Pearl Harbor Remembrance Day.

Amends it be replaced ☐ the same title
the following committee substitute _____ ☐ a new titleAdditional referral to _____ Committee
Attached amendment(s)

PTS: _____ Letter of Intent

ACHES NEW FISCAL NOTE(s): (Dept)

APPROVES PREVIOUS:

(Dept/Date)

Fiscal note(s) _____ ☐ fiscal note(s) _____Zero fiscal note(s) _____ ☒ zero fiscal note(s)

Office of Gov; DOT & IF;

MVA

SIGNING WITH RECOMMENDATIONS

	DP	DNP	NR	AM
<i>John H. ...</i>	✓			
<i>Richard ...</i>	*			
<i>John ...</i>	✓			
<i>John ...</i>	✓			
<i>John ...</i>	✓			
<i>John ...</i>	✓			

HIS SIGNATURE

John ...

FISCAL NOTE

STATE OF ALASKA

BILL NO. HCR 5

1995 LEGISLATIVE SESSION

Revision Date:

Dept. Affected: DOT&PF

Title:

A Resolution commemorating the attack on Pearl Harbor
by establishing Pearl Harbor Remembrance Day

BRU: Office of the Commissioner

Component:

Sponsor:

Special Committee on Military and Veteran's Affairs

Requester:

George Doser

COMPONENT SERIAL NO.

530

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES

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CHANGE IN REVENUES ()

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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY95) cost: \$

0.0

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Any impact to Department of Transportation and Public Facilities would be negligible.

Prepared by:

Sam Kito III

Phone: 465-3904

Division:

Office of the Commissioner

Date: 01/25/95

Approved by Commissioner:

Joseph L. Dubina
Department of Transportation and Public Facilities

Date: 1/26/95

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HCR 5

Revision Date: _____

Title: "Commemorating the attack on Pearl Harbor..."

Sponsor: _____

Requestor: Special Committee on Military and Veterans' AffairsDepartment Affected: Office of the GovernorBRU: Executive OperationsComponent: Executive OfficeCOMPONENT SERIAL NO. 0006

EXPENDITURES/REVENUES:

(Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL EXPENDITURES						
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CHANGE IN						
------------------	--	--	--	--	--	--

FUND SOURCE

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY95) cost: _____

ANALYSIS: (Attach a separate page if necessary.)

No fiscal impact

Prepared by: Michael A. Nizich, DirectorDivision: Division of Administrative ServicesPhone: 465-3876Date: 1/25/94Approved by Commissioner: Jim Ayers, Chief of StaffAgency: Office of the Governor

Date: _____

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HCR 5

Revision Date: 1/25/95 Dept. Affected: Military and Veterans Affairs
Title: Establishing Pearl Harbor Remembrance Day BRU: Alaska National Guard
Sponsor: House DMVA Committee Component: Commissioner's Office
Requestor: House DMVA Committee, Rep. Kott COMPONENT SERIAL NO. 414

Expenditures/Revenues		(Thousands of Dollars)				
OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE		(Thousands of Dollars)				
1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	8.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY95) cost: \$ _____

POSITIONS						
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Zero fiscal impact.

Prepared by: Jeff Morrison, Director Phone: 485-4730
Division: Administrative Support Services Division Date: 1/25/95
Approved by Commissioner: for MG Jake Lestenkof Date: 1/25/95
Agency: Military and Veterans Affairs

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HOUSE MILITARY AND VETERANS AFFAIRS COMMITTEE

SPONSOR STATEMENT HCR 5

On Sunday, December 7, 1941, Japan launched a surprise attack against the United States forces located at Pearl Harbor and nearby military facilities. This attack came without warning and without a declaration of war. Over 2,000 Americans were killed, and many others suffered grievous injuries. A major portion of the United States Pacific fleet was decimated, leaving many other Americans in the Pacific exposed to attack and capture.

Japan's action on this date ushered in our involvement in World War II. Thereafter, for over four years, the United States was engaged in a great global conflict, marked by the unimaginable suffering of untold millions, both military and civilian. The lives of an entire generation were disrupted, and many still bear scars from this conflict.

Over fifty years have elapsed since the attack on Pearl Harbor. Those Americans who were then old enough to remember that day are aging, and many are no longer with us. Someday, that generation will be gone, and no one will be available to bear witness to that pivotal event in our history.

As a people, we can not afford to forget what happened. Lessons were learned which remain relevant to this day. Suffering was endured for our freedom, and this cries out for recognition. Blood was spilled by a heroic generation so that we, today, can enjoy freedom. It would be a sacrilege to fail to acknowledge our continuing debt to those who gave so much to us.

Accordingly, it is proper---indeed, necessary--- to continually remind ourselves and future generations of the events of December 7, 1941. HCR does just that, by designating that day as Pearl Harbor Day and calling on the Governor to issue an appropriate proclamation. Your support is appreciated.