



Alaska State Legislature

Senator Hollis French

Representative Les Gara

Governor Frank Murkowski
P.O. Box 110001
Juneau, AK 99811-0001

August 26, 2004

Dear Governor Murkowski,

Many of our constituents object to your proposed purchase of a jet. In response to those objections, we have researched whether the Legislature has oversight in this area.

While the Legislature has a duty in providing authorization for the appropriation of funds to complete the purchase, that duty appears to have already been fulfilled, although in a somewhat backhanded manner. We have learned that the authority for that appropriation was granted in the 2003 budget in sec 6(a), ch 82, SLA 2003 (the 2003 capital appropriations bill). The appropriation made by sec 6(a) was a prospective appropriation of unanticipated federal and other program receipts that may be received by the state after the capital appropriation bill has passed.

The purpose of that section is to allow the state to spend money received by the state after the end of the legislative session without having to wait for the next regular session to appropriate the money, provided certain conditions are met. Those conditions having been satisfied, the discretion to purchase the jet rests with the Commissioner of Military and Veteran Affairs, Brig. Gen. Craig Campbell, and ultimately, with you. While the Legislative Budget and Audit Committee must review the purchase of the jet, it has no authority to alter your proposal.

The important point is that to date no legislative committee or other body has ever considered, debated, or voted on this specific proposal.

We are asking you to reconsider this purchase, and to submit the proposal to the Legislature for review and possible authorization. The public outcry over the jet is justified, in our view, given the many questions that surround the need for the new aircraft. The concerns: whether the jet should be a higher priority than other pressing Homeland Security needs, whether the jet is suitable for many Bush runways, and whether the jet is needed to transport prisoners, whether the jet is simply a faster and more expensive way move you and your staff around the state.

The state constitution requires that the Legislature appropriate funds spent by our state government. We believe that the spirit of that mandate is better served by submitting this specific appropriation – a proposed jet aircraft purchase – to the considered judgment of the Legislature. The public process will result in a higher public confidence in the outcome.

Yours truly,

Sen. Hollis French

Rep. Les Gara

CC:

Major General Craig Campbell, Commissioner of the Department of Military and Veterans Affairs

Representative Ralph Samuels, Chair of LB&A

Senator Gene Therriault, Senate President

Representative Pete Kott, Speaker of the House