



THE STATE  
*of* **ALASKA**  
GOVERNOR MICHAEL J. DUNLEAVY

**Department of Law**

CIVIL DIVISION

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March 29, 2019

The Honorable Michael J. Dunleavy  
Governor  
State of Alaska  
P.O. Box 110001  
Juneau, AK 99811

RE: CSSB 38(FIN): making supplemental appropriations for unemployment assistance, fire suppression activities, and restoration projects related to earthquake disaster relief; capitalizing funds

Our file: 2019200259

Dear Governor Dunleavy:

At the request of your legislative director, we have reviewed CSSB 38(FIN), an Act making supplemental appropriations for unemployment assistance, fire suppression activities, and restoration projects related to earthquake disaster relief, and capitalizing funds. The legal review of the supplemental disaster relief appropriation is as follows.

Section 1 of the Senate Finance committee substitute for SB38 was added by the committee. This new section would provide for a supplemental appropriation to the Department of Labor and Workforce Development for unemployment insurance for fiscal year 2019 and 2020. This appropriation is from the amount received from federal receipts for disaster unemployment assistance benefit payments.

Section 2 of the bill provides for a supplemental appropriation of \$7,900,000 from the general fund to the Department of Natural Resources for land and water resources for fire suppression activities in fiscal year 2019.

Section 3 would provide supplemental appropriations to the Department of Transportation and Public Facilities for various restoration projects related to the November 30, 2018, earthquake. Section 3(a) would appropriate \$65,000,000 of federal receipts for federal highway surface transportation disaster repair during fiscal years 2019 and 2020. Section 3(b) would appropriate \$6,500,000 from the general fund to match federal funds. Section 3(c) would appropriate \$1,000,000 from the general fund for costs related to damage to state facilities that

were caused by the earthquake and not reimbursed by insurance. Section 3(d) was also an addition from the Senate Finance Committee, and this subsection would appropriate \$1,000,000 from the general fund for costs related to non-covered surface transportation that were caused by the earthquake and not reimbursed by federal receipts.

Section 4 of the bill, fund capitalization, would amend language used in the existing fiscal year 2019 appropriation, appropriating funds from federal receipts to the disaster relief fund. This section would also appropriate \$21,901,715 from the general fund to the disaster relief fund.

Section 5 of the bill, lapse of appropriation, would provide that appropriations in sec. 3 are for capital projects and would lapse under AS 37.25.020 and that appropriations in sec. 4 are for the capitalization of a fund and do not lapse.

Section 6 of the bill provides for an immediate effective date under AS 01.10.070(c).

This bill presents no legal issues.

Sincerely,

KEVIN G. CLARKSON  
ATTORNEY GENERAL

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KC/SRP/hjh