

SENATE BILL REPORT

SB 5875

AS PASSED SENATE, MARCH 15, 1993

Brief Description: Enacting the national guard mutual assistance counter-drug activities compact.

SPONSORS: Senators Gaspard, von Reichbauer, A. Smith, Winsley and M. Rasmussen; by request of Military Department

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

Signed by Senators A. Smith, Chairman; Quigley, Vice Chairman; Hargrove, McCaslin, Nelson, Niemi, and Roach.

Staff: Tom Fender (786-7414)

Hearing Dates: March 3, 1993

HOUSE COMMITTEE ON JUDICIARY

BACKGROUND:

Pursuant to Executive Memo, the Washington National Guard provides support to state law enforcement agencies for the purpose of counter-drug activities. This support of manpower and equipment is funded by the federal government. Presently, 144 guardsmen support 41 law enforcement agencies in 52 separate locations within the state. These efforts are directed at communication monitoring, data creation, cargo inspection, and various other skills where military training allows Guard personnel to replace certified law enforcement officers.

Congress has approved a constitutional compact format to replace the Executive Memo and thereby provide mutual assistance agreements between states effecting such a compact. It is believed that this proposal will clarify the Governor's general powers and provide for National Guard involvement in future activities. This nontraditional activity by National Guard soldiers would be limited to a response from an appropriate law enforcement agency and only in support of enforcement for controlled substance statutes.

SUMMARY:

Statutory authority is provided for the Governor to enter into a compact for the use of National Guard troops in support of local law enforcement agencies who are fulfilling controlled substance statutes. Washington is permitted to engage in mutual support agreements with other states. Standards for force deployment and withdrawal are defined and directed. A

one-year notice is required prior to withdrawal from the authorized compact.

Appropriation: none

Revenue: none

Fiscal Note: requested

TESTIMONY FOR:

This is a totally federally funded effort to support state law enforcement. Troops are used in support roles only freeing state officers Of technical duties. Aircraft, infra-red detection and communications systems are utilized without additional state funding to provide such services.

TESTIMONY AGAINST: None

TESTIFIED: Brigadier General Don Hagglund, Washington National Guard (pro); Judi Kosterman, Governor's office (pro); Tim Erickson, Washington State Patrol (pro)

HOUSE AMENDMENT(S):

Technical changes are made. Article III language prohibiting participation in illegal activities is restructured.