

ALASKA STATE LEGISLATURE  
**SENATE STATE AFFAIRS COMMITTEE**

January 31, 2002  
3:30 p.m.

**MEMBERS PRESENT**

Senator Gene Therriault, Chair  
Senator Randy Phillips, Vice Chair  
Senator Rick Halford  
Senator Ben Stevens  
Senator Bettye Davis

**MEMBERS ABSENT**

All Members Present

**COMMITTEE CALENDAR**

SENATE BILL NO. 235

"An Act relating to emergency and disaster relief forces as state employees for purposes of workers' compensation benefits; relating to the Emergency Management Assistance Compact and the implementation of the compact; and providing for an effective date."

MOVED CSSB 235(STA) OUT OF COMMITTEE

SENATE BILL NO. 236

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

HEARD AND HELD

SENATE BILL NO. 237

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

SCHEDULED BUT NOT HEARD

SENATE BILL NO. 238

"An Act relating to state plans and programs for the safety and security of facilities and systems in the state; and providing for an effective date."

SCHEDULED BUT NOT HEARD

SENATE BILL NO. 239

"An Act relating to state employees who are called to active duty as reserve or auxiliary members of the armed forces of the United States; and providing for an effective date."

MOVED SB 239 OUT OF COMMITTEE

SENATE BILL NO. 240

"An Act relating to the crimes of damaging an oil or gas pipeline or supporting facility, criminal mischief, and terroristic threatening; making conforming amendments; and providing for an effective date."

HEARD AND HELD

**PREVIOUS COMMITTEE ACTION**

SB 235 - See State Affairs minutes dated 1/24/02.

SB 236 - No previous action to record.

SB 237 - See State Affairs minutes dated 1/24/02.

SB 238 - See State Affairs minutes dated 1/24/02.

SB 239 - See State Affairs minutes dated 1/24/02.

SB 240 - See State Affairs minutes dated 1/24/02.

**WITNESS REGISTER**

Joe Balash  
Senate State Affairs Staff  
Alaska State Capitol, Room 121  
Juneau, AK 99801-1182

**POSITION STATEMENT:** Explained the proposed committee substitute for SB 235

Annie Carpeneti  
Department of Law  
PO Box 110300  
Juneau, AK 99811-0300

**POSITION STATEMENT:** Explained SB 240

Major General Phil Oates  
Department of Military &  
Veterans Affairs  
PO Box 5800  
Ft Richardson, AK 99505-0800

**POSITION STATEMENT:** Presentation to support SB 236

Del Smith, Deputy Commissioner  
Department of Public Safety  
PO Box 111200  
Juneau, AK 99811-1200

**POSITION STATEMENT:** Presentation to support SB 236

Boyd Brownfield, Deputy Commissioner  
Department of Transportation &  
Public Facilities  
3132 Channel Dr.  
Juneau, AK 99801-7898

**POSITION STATEMENT:** Presentation to support SB 236

Brad Thompson, Director  
Risk Management  
Department of Administration  
PO Box 110200  
Juneau, AK 99811-0200

**POSITION STATEMENT:** Answered questions on SB 236

Jay Livey, Deputy Commissioner  
Department of Health &  
Social Services  
PO Box 110601  
Juneau, AK 99801-0601

**POSITION STATEMENT:** Presentation on SB 236

Mike Conway,  
Department of Environmental Conservation  
410 Willoughby  
Juneau, AK 99801-1795

**POSITION STATEMENT:** Answered questions on SB 236

Wayne Rush  
Department of Military and Veterans Affairs  
P.O. Box 5750  
Ft. Richardson, AK 99505

**POSITION STATEMENT:** Testified on SB 236

#### **ACTION NARRATIVE**

#### **TAPE 02-4, SIDE A**

**CHAIRMAN GENE THERRIAULT** called the Senate State Affairs Committee meeting to order at 3:30 p.m. Present were Senators Davis, Stevens, Phillips and Chairman Therriault. Senator Halford arrived after the meeting began.

The first order of business was SB 235.

#SB 235

#### **SB 235-EMERGENCY MANAGEMENT ASSISTANCE COMPACT**

JOE BALASH, staff to the Senate State Affairs Committee, explained the work draft (C version) incorporates the technical

amendments requested at the previous meeting. The first appears on page 2 and the second occurs on page 10. The final change comes in response to a question raised concerning the activities a volunteer would be engaged in and whether or not that individual would be covered by the state's worker compensation program in the event of injury or death. Wording on page 2, lines 13 and 14 clarifies that the volunteer is providing emergency services that were requested by the Department of Military and Veteran's Affairs for that emergency.

CHAIRMAN THERRIAULT reminded members the question raised previously concerned freelance services versus services that were formally requested for a specific emergency. This establishes that such freelance services will not be covered under state worker compensation.

SENATOR PHILLIPS asked if the changes would impact the fiscal note.

MR. BALASH said they would not.

CHAIRMAN THERRIAULT added the final change should prevent fiscal impact.

He asked for a motion to accept the C version of SB 235 as the working document.

SENATOR PHILLIPS moved the C version as the working document. There was no objection.

CHAIRMAN THERRIAULT asked if there were any further amendments to come before the committee. There were none. He asked for the will of the committee.

SENATOR PHILLIPS moved CSSB 235(STA) and attached fiscal note from committee with individual recommendations.

There being no objection, CSSB 235(STA) moved from committee.

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#SB 239

**SB 239-STATE EMPLOYEES CALLED TO MILITARY DUTY**

CHAIRMAN THERRIAULT announced there were no outstanding questions from committee members and there were no requests for amendments from any agencies.

He then asked committee members whether they had any questions

and they did not. He asked for the will of the committee.

SENATOR PHILLIPS moved SB 239 and attached fiscal note from committee with individual recommendations.

There being no objection, SB 239 moved from committee.

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#SB240

### **SB 240-TERRORISTIC THREATENING/PIPELINE DAMAGE**

CHAIRMAN THERRIAULT announced there was a proposed committee substitute (CS) before the committee and a request from the departments to consider additional language. He asked for a motion to adopt the \C version as the working document.

SENATOR DAVIS moved to adopt the \C version of SB 240 as the working document. There was no objection.

CHAIRMAN THERRIAULT asked Annie Carpeneti to explain the proposed amendment.

ANNIE CARPENETI from the Department of Law explained the amendment before the committee was the result of additional conversations among state attorneys general who are identifying areas of the law that should be strengthened to provide for adequate response to crimes committed by terrorists.

The first is an amendment to the conspiracy laws to add three new target crimes to the present law. These additions are:

1. Conspiracy to intentionally cause damage to an oil or gas pipeline or supporting facility.
2. Terroristic threatening by conspiring to send a dangerous substance such as anthrax or an imitation substance to another person.
3. Conspiring to commit criminal mischief in the first degree such as tampering with an oil or gas pipeline or supporting facility.

The second suggestion would provide amendments to the statutes addressing murder in the first degree. It adds:

1. Intentionally causing damage to an oil or gas pipeline that directly results in the death of a person.
2. Committing terroristic threatening in the first degree and in the course of or furtherance of the offense or in immediate flight from that offense, the death of a person is the direct result.

CHAIRMAN THERRIAULT asked for clarification of, "death during flight from the scene."

MS. CARPENETI explained it refers to perpetrators fleeing the scene. It does not apply to one victim fleeing the scene who happens to run over another fleeing victim.

CHAIRMAN THERRIAULT then asked for clarification of, "a direct result of."

MS. CARPENETI replied it must happen in the course of or furtherance of the underlying crime. It can't be an accidental crime that's unconnected to the actions of the person perpetrating the underlying felony.

CHAIRMAN THERRIAULT said the meaning of, "a direct result" is clear if a pipeline facility is blown up and a worker is killed in the explosion, but what about an individual that has a heart attack?

MS. CARPENETI said if the individual is at the scene and has a heart attack as a result of being present and under the stress of the explosion then the law would apply. However, it would not apply to injured or killed firefighters who would come to put out the fire because that wouldn't be in the course of or furtherance of the felony.

CHAIRMAN THERRIAULT asked if there would be a connection if a bomb struck the Capitol Building and an individual in the State Office Building next door died of a heart attack.

MS. CARPENETI said it probably would not apply here because it would not be in the course of the explosion in the Capitol Building.

MS. CARPENETI said the last item covered in the amendment came as a suggestion from the legislative attorney, Jerry Luckhaupt, and may have been addressed in the CS. It is for terroristic threatening in the first degree to apply to real or imitation biological or chemical substances.

CHAIRMAN THERRIAULT said it was not covered in the CS and advised committee members the bill wording said, "an imitation substance."

MS. CARPENETI established if a real substance such as anthrax was sent and no one was harmed it wouldn't apply so the amendment makes the repair.

CHAIRMAN THERRIAULT noted section 2 of the CS creates a new category of conspiracy and he questioned why this wasn't

incorporated into the existing statutes on conspiracy.

MS. CARPENETI pointed out it isn't referring to conspiracy but criminal mischief by damaging an oil or gas pipeline or supporting facility. She explained they brought this up to criminal mischief in the first degree as a separate crime because it is only one act, not a series of acts. They could have incorporated this into existing statutes and had criminal mischief in five degrees rather than four degrees, but doing so would require changing all the other statutes. Additionally, such a change would be cause for some confusion in law enforcement because criminal mischief in the first degree, which is now a class B felony, would change to a class A felony.

CHAIRMAN THERRIAULT announced his intention to continue working with the legal department to address the drafting choice on section 2.

SENATOR PHILLIPS expressed the same concern.

CHAIRMAN THERRIAULT thought the final document would be ready next week.

CSSB 240 was held in committee.

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#SB236

#### **SB 236-HOMELAND SECURITY APPROPRIATIONS**

CHAIRMAN THERRIAULT advised committee members he intended to walk through the bill sections but would not pass it out of committee that day. He asked Major General Phil Oates to make the introduction.

MAJOR GENERAL PHIL OATES, Adjutant General for Alaska and Commissioner for the Department of Military and Veterans Affairs, testified as the chairman of the Disaster Policy Cabinet (DPC). He said representatives from the following five sub cabinets would give reports on terrorism preparations and requirements from their perspectives:

1. Security Overall: Del Smith, Department of Public Safety (DPS)
2. Energy Security: Del Smith, DPS
3. Information Technology Protection: Dan Spencer, Department of Administration (DOA)
4. Transportation Security: Boyd Brownfield, Department of Transportation and Public Facilities (DOT/PF)
5. Domestic Preparedness and Consequence Management: Jay Livey, Department of Health and Social Services (DHSS),

Mike Conway Department of Environmental Conservation  
(DEC), Wayne Rush, Department of Military and Veterans  
Affairs (DMV)

He recognized Mike Mitchell from the office of the Attorney General, Navy Captain Gary Klink who is the Alaska Defense Coordinating Officer, and John Pennington the FEMA director for region 10.

He gave a brief summary of the meeting with President Bush and the head of Homeland Security, Governor Tom Ridge. Every state was invited to send their Homeland Security point of contact person to the briefing.

Governor Ridge warned, "The threat of terrorist attacks and significant terrorist attacks against our nation is now a permanent part of our lives." Identification of individual points of contact has been helpful as states develop their plans. The immediate task at hand is to develop a comprehensive multi-year strategy with FEMA coordinating preparations, tasking and applications for training and exercises. They will be the agency to work with for both preparation for and recovery from attack.

Key first steps are:

- Build up of public health capacity
- Reinforce security and commerce across borders with Canada and Mexico
- Establish a language of alert to allow more specific warnings to citizens
- Develop protocols to deal with large events

The following principles are driving the policy process for the national security strategy.

1. Securing the homeland
2. Spending well
3. Building a package to raise Homeland Security to a permanent high level
4. Partnerships

The key elements of the Homeland Security strategy:

- A national and comprehensive approach
- Established priorities, goals and missions
- A cross cutting budget plan
- A comprehensible clear and not too long strategy

Following are the new national alert or threat warning levels

- Critical is the highest level
- Serious
- Alert

- Ready is the base level. Previously "normal" was the base level but there is no longer a normal.

The Alaska Office of Homeland Security will build the mechanisms for who dictates those threat levels and who is responsible at private and public levels to determine who responds and how they respond.

His assessment is that Alaska is in good shape but it is not prepared to deal with the weapons of mass destruction events.

To the frequently asked question, "Is there a threat to Alaska?" he responds:

- We can be attacked collaterally without being attacked directly. An anthrax or smallpox incident would be such an attack.
- Our oil infrastructure is significant to Alaska and the nation and it has points that are vulnerable.
- Homegrown high explosive events such as Oklahoma City are likely

SENATOR PHILLIPS asked whether all 50 states were represented.

MAJOR GENERAL OATES said participants included all 50 states, territories and the District of Columbia.

4:05 p.m.

MAJOR GENERAL OATES showed a video on terrorism.

4:12 p.m.

MAJOR GENERAL OATES told committee members the DPC is asking legislators for not just the appropriation but also for help in determining the level of risk the state is willing to take. Although a weapons of mass destruction (WMD) event is unlikely in Alaska, the consequences of such an event could be greater than the consequences of every event that has happened since statehood. To deal with such an event they have tried to develop capability and capacity that covers the entire spectrum of emergency management.

The Disaster Policy Cabinet used the following process to determine monetary allocations to deal with WMD and protection of the citizenry:

- Established five sub-cabinets who met and prepared a report to the Governor
- The Governor approved the report
- Legislators received a list of bills for statutory changes and appropriations

The principles established to guide efforts of the Disaster Policy Cabinet were:

1. Develop things to strengthen existing programs particularly those that protect and save lives.
2. Improve capabilities for responding to all emergencies
3. Identify and protect assets of national and statewide importance
4. Maintain continuity of government operations at all times.
5. Reinforce first responder capabilities
6. Use deployable resources to augment areas with inadequate capabilities
7. Maintain an appropriate balance between security and individual freedom
8. Maintain the ability to communicate at all times
9. Maximize the use of existing or anticipated federal programs and grants
10. Share costs at all levels both public and private

Key assets in Alaska that need to be protected are listed in the report and range from:

- Utilities and protecting water sources
- Protecting cruise ships and gatherings of tourists
- Protecting strategic position on the Pacific Rim
- Protecting military infrastructure and growing programs
- Protecting key state and federal buildings

The cabinet recognizes:

- There is no specific threat that exists against Alaska currently that requires calling out a greater level of protection but that could change at any time.
- The less protected you are, the more obvious you become as a target. Terrorist history is attacking targets that are less well protected.
- Terrorists are able to share and send information and mass rapidly.
- There are good interagency processes.
- The most likely attacks would be high explosive.
- Chemical, biological, nuclear and radiological attacks are less likely but more catastrophic.

What are the practiced procedures in place now for a strong response to an emergency?

1. A strong Office of the Governor
2. An Adjutant General who is also the emergency manager
3. A federal response plan that is reinforced from national, state, municipal and 1<sup>st</sup> responder level

4. A Disaster Policy Cabinet that meets and gives the governor and legislature coordinated recommendations on how to respond with resources currently in possession
5. The governor is able to declare a state disaster then ask for federal disaster designation
6. There is a State Emergency Operations Plan to cover primary and supporting departmental responsibilities
7. There is a State Emergency Coordination Center open 365/24/7's and a State Emergency Response Commission
8. There are hazardous materials working groups that can be deployed throughout the state
9. First responder money will provide level A HazMat units for Juneau and Valdez and police will receive level B protection

4:20 p.m.

**TAPE 02-4, SIDE B**

The Emergency Management Assistance Compact (EMAC) partners with all states. It puts resources on a duty roster basis so you know where you are in the queue to help other states and have mechanism where those resources are paid for and you're not responsible for any of the actions while they respond. A state may also keep those resources in state if there is an ongoing emergency there.

The National Guard offers a unique ability to respond to an emergency. It is uniquely postured and situated for critical site defense for operations in hazardous material and to have a WMD civil support team

The general State of Alaska priorities that flowed from DPC findings:

- The ability to respond depends on a strong public safety capability
- Public health, pharmaceutical and laboratory capability is inadequate for a large air disaster much less a WMD event
- Need the ability to deploy civil, government and military resources
- Need better training program and equipment for 1<sup>st</sup> responders
- Need to continue improving communication systems

The Office of Homeland Security is needed to get programs up and running.

- This office is not a permanent addition to the state infrastructure.
- This office provides a dedicated effort to get federal funding, grants and first responder money and not compete with emergencies that are handled on a day to day basis.

- The office has a director at the senior level and individuals from the key departments.
- This office will conduct a survey of key entities so the state will comply with the nationally designated warning systems. They will identify who is there to protect at each level of threat and who has the authority to identify threats and call up a higher level of protection.
- It will provide procedures for who to call, how to respond and how to practice or train.

MAJOR GENERAL OATES asked for direction to facilitate the deliberations on this important issue.

CHAIRMAN THERRIAULT asked if the points made were from the entire list or just the prioritized list that came through in the form of the Governor's bills.

MAJOR GENERAL OATES said the list includes the most urgent priorities and the recommendations for the longer term. They have established the State of Alaska priorities and these are "cross walked" with the actual physical requirements and the requests that they are presenting.

CHAIRMAN THERRIAULT then asked about notes in the spreadsheet margins that say, "may need legislation." He advised a fiscal note should be attached to a piece of legislation.

MAJOR GENERAL OATES said they would probably be addressed line by line during the next meeting. They do have the full budget submission backing up the spreadsheet that is included to give more information on each of the requirements.

CHAIRMAN THERRIAULT asked how much had been incorporated into the 2003 budget discussions.

MAJOR GENERAL OATES said this is a stand-alone package and is not included in the Governor's budget.

SENATOR PHILLIPS asked whether there are any other states that are better prepared than Alaska.

MAJOR GENERAL OATES replied the actions taken to date put Alaska at the head of the list, but Alaska has some unique challenges due to size and geography.

SENATOR PHILLIPS then asked if anyone has looked at the Israel model.

MAJOR GENERAL OATES said that's a great observation. Their procedures work well but they have more controls on freedoms than

in the United States.

SENATOR PHILLIPS said his point is that he wants to know whether their criteria for program development for self-defense has been examined and are those findings applied here.

MAJOR GENERAL OATES said from his experience it is. It is clear we need to learn from their experience.

CHAIRMAN THERRIAULT called for the first agency report.

4:30 p.m.

#### **PUBLIC SAFETY AND ENERGY SECURITY**

DEL SMITH, Deputy Commissioner of the Department of Public Safety, said his subcommittee report covers overall security and security in the energy industries.

Their considerations focused upon the Alyeska Pipeline, the infrastructure at its terminus and the infrastructure located for the production on the Slope. They involved both state officials and private pipeline security personnel in their discussions. As a result of their discussions, there is now a checkpoint on the Dalton Highway south of the Yukon River Bridge that provides needed security at a vulnerable point on the pipeline.

They focused primarily on national level implications for disasters or attack and determined the economic impact of losing the pipeline is most critical. There are production facilities on the Kenai Peninsula and other areas of the state where private companies provide most of the security resources. State troopers and local police augment those forces in times of concern.

One of their recommendations was to ensure that the border points manned by the federal government have continuous T-1 telephonic dial-up capabilities to the national database for checking identities.

They asked for additional state trooper personnel and equipment because there weren't the resources available in Anchorage on September 11 to respond to any emergency beyond that already identified.

They tried to determine points of national concern and security for Alaska and provide protection by:

1. Screening those who come into the state through INS
2. Establishing stations to practice with the military, FBI and others to respond to attacks on the pipeline
3. Supplementing pipeline security and the corridor and other areas of the state by having people who can respond

CHAIRMAN THERRIAULT asked about the recommendation listed on page 6 to add one civilian member to a permanent post south of the Yukon River Bridge on the Dalton Highway.

MR. SMITH explained this would be a post whose responsibility covers the entire pipeline corridor and this position would provide the clerical support.

CHAIRMAN THERRIAULT then asked if there was justification, other than simply increased presence, for adding six constables, 20 village public safety officers (VPSOs).

MR. SMITH replied they have tried to work with the Alaska State Troopers to establish a three-tier approach to law enforcement outside of cities. The VPSOs are the most local and are the first responders in many parts of Alaska.

CHAIRMAN THERRIAULT then commented he can see justification for the level B HazMat suit request for existing personnel, but not for increases in areas that aren't readily identified as areas of weakness.

SENATOR DAVIS asked for an interpretation of total costs.

MR. SMITH said the totals listed cover the requests for personnel for 2002 and 2003.

There were no additional public safety questions.

4:45 p.m.

#### **TRANSPORTATION SECURITY**

BOYD BROWNFIELD, Deputy Director for Operations for the Department of Transportation (DOT), informed members the following important aviation fundamentals have not changed since September 11 and are unlikely to do so.

1. Basic FAA process, regulations and funding programs are unchanged.
2. FAA concerns for airport safety, security, maintenance and operation, management and staff proficiency requirements are unchanged.

Security and safety now clearly share priority one.

The FAA has instituted many new, unfunded mandates demanding rapid response without regard to specific funding mechanisms or paybacks. They issued narrow parameters for the use of National Guard assets severely limiting airport managers to properly manage airport resources. There were significant increases in

demand for more law enforcement officers (LEOs) that were not available and not funded.

DOT has worked with the FAA to gain authorization for more liberal use of National Guard troops at airports, to obtain a waiver from both the 300-foot no use offset in front of all rural airports and the requirement that LEOs be physically present at the rural airports.

DOT must consider that rural airports could be viewed as a weak link whereby terrorists could enter into the secure side of the national airport system to position for an attack to a more lucrative target.

The Alaska Marine Highway and Alaskan road and bridge security and safety considerations are similar to aviation requirements. Vulnerabilities are being assessed and federal funding is being vigorously pursued.

The Homeland Transportation subcommittee has three sub groups.

1. Surface transportation including highways, bridges and railroad
2. Aviation including Ted Stevens Airport, Fairbanks International, and the rural airports
3. Marine highway system including the Alaska Marine Highway, ports and harbors and cruise ship security

Each subgroup focused on five particular issues.

1. Status of existing assets
2. Security currently in place
3. Vulnerability aspects
4. Establishment of security priorities
5. Long and short range recommendations for increased protection

Common themes across subgroups:

1. Prevention
2. Mitigation
3. Preparedness and contingency planning
4. Communication
5. Emphasis on security
6. Training

The final report explains the transportation security sub-cabinet efforts and conclusions in detail and has all the recommendations that they made.

DOT is taking on a high level, high visibility, proactive and responsive security role that, prior to September 11, was of minor consequence. There is a clear need for it to have a single focus point to address, coordinate and integrate the security

measures of all transportation modes throughout the department and coordinate with others such as Alaska Airlines.

SENATOR PHILLIPS asked what protection is provided for the Port of Anchorage, the railroad and Elmendorf.

MR. BROWNFIELD replied they have been working with the Port of Anchorage and it is a high priority.

SENATOR PHILLIPS expressed his opinion that protection of that area is second in importance only to the pipeline.

**TAPE 5, SIDE A**

5:10 p.m.

CHAIRMAN THERRIAULT asked for information on purchasing short-term war risk insurance because current insurance doesn't cover terrorist attacks.

MR. BROWNFIELD explained this isn't insurance on assets rather it is liability insurance.

**INFORMATION TECHNOLOGY PROTECTION**

BRAD THOMPSON, Director of Risk Management Division for the Department of Administration, explained war risk is a label used for the two insurances directly affected by the September 11 terrorist attack. The State of Alaska self-insures the normal and known anticipated loss and then acts as an insurer by reinsuring for catastrophic protection. Prior to 9/11, the state purchased \$500 million in limits of liability insurance annually to protect for the ownership and operation of aircraft, airports and spaceport. Aviation policies carry an exclusion for acts of vandalism and terrorism that are normally endorsed back. On the endorsement is a clause that the underwriter has the right of cancellation upon seven days notice. On September 17 the state received notice of such cancellation for both aviation and marine protection. Other policy forms were not affected and as yet have no exclusion for those types of events.

They have since purchased back the liability coverage they had prior to September 11. The marine policy has hull and machinery coverage as well as protection and indemnity coverage for crew and passenger injuries. Component costs are shown in the breakouts under the DOT payments for 2002 and estimations for 2003.

5:15 p.m.

**DOMESTIC PREPAREDNESS AND CONSEQUENCE MANAGEMENT**

JAY LIVEY, Deputy Commissioner for the Department of Health and Social Services, stated he is co-chair on the consequence management sub-group that examined biological and bio-terror events. Identifying that a bioterrorist attack is occurring is not always obvious and therefore some of the consequences are different.

They established the following objectives:

1. Mount a coordinated response to terrorist attacks from all levels of government.
2. Have sufficient trained personnel at the state and local level to respond to an attack.
3. Have a reliable communication system to support response to a terrorist attack.
4. Provide state and local first responders with material and equipment they need to safely and effectively respond.
5. Provide local and state responders and emergency planners the opportunity to practice coordinated responses to attacks.

Strategies developed to attain objectives:

1. Recognized the need for quick action to expand the state's response capability with regard to hazardous materials response.
  - a. Recommended the complete training and outfitting of the National Guard 103<sup>rd</sup> HazMat Unit for statewide deployment.
2. Recognized the need for reliable and rapid communication system particularly for health care providers and first responders.
  - a. Complete Alaska Health Alert Network
  - b. Phase in the implementation of the Alaska Land Mobile Radio System
3. Recognized the holes in the Public Health system that needed to be filled to respond to a bioterrorist attack.
  - a. Additional Public Health nursing, laboratory, epidemiological support
  - b. Identify the characteristic of any disease and plan a response to that disease
  - c. Measure whether the plan is having any mitigating effect
4. Recognized the need to do more training of first responders, local law enforcement and firefighters and to test all systems.

5:27 p.m.

SENATOR PHILLIPS asked whether they are coordinating with local

governments on water source and identifying potential weak spots.

MIKE CONWAY, Director of Statewide Public Service Division with the Department of Environmental Conservation, replied it is a federal, state and locally coordinated effort with the water utility as the primary floor for security protection.

They are hoping to receive federal funds to conduct drinking water source protection risk assessments. The Department of Natural Resources is working with the Municipality of Anchorage because it has the biggest surface water source.

SENATOR PHILLIPS asked what is being done now. He used the AWWU Eklutna Water Project as an example because it provides "about 90 percent of the water for most residents in Alaska."

MR. CONWAY said Eklutna Lake is under increased security efforts by the municipality and federal mandates have also targeted that source for stepped up measures.

SENATOR PHILLIPS stressed time is of the essence and he would like to see timelines established. Eklutna Lake simply illustrates the problem.

WAYNE RUSH, Division of Emergency Services with the Department of Military and Veterans Affairs (DMVA), stated the number one priority for the state is the creation of the Office of Homeland Security staffed with representatives from DMVA, DEC, DNR, HSS TRA, Public Safety and Administration. Questions about prioritization and coordination of effort highlight the need for this office.

The core duties of the Homeland Security Office are:

- Assist intelligence analysis and dissemination
- Maintain a specific threat assessment
- Develop protocols to respond to weapons of mass destruction events
- Work with the national office of Homeland Security and the many other federal agencies involved with that office such as FEMA, DOD, DOJ, Coast Guard, FAA, CDC, FBI
- Provide the governor expert Homeland Security advice
- Coordinate WMD planning, training and exercises
- Develop program budgets and manage WMD terrorism Homeland Security grants
- Provide a single Homeland Security communications conduit
- Develop and review legislative actions and proposals
- Establish and disseminate threat level criterion procedures
- Assist utilities and other infrastructure with security assessments

The Disaster Policy Cabinet envisioned the office as transitory with its continuing requirements handed off to the Division of Emergency Services.

At the close of his report he stressed the continued need to keep the State Emergency Coordination Center on an operational 365/24/7 schedule. It's imperative in light of the terrorist threat to Alaska and the country and was amply demonstrated during the September 11 disaster and subsequent bioterrorism incidents.

CHAIRMAN THERRIAULT held SB 236 in committee.

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CHAIRMAN THERRIAULT adjourned the meeting at 5:35 p.m.