

Introduced in the House: January 21, 2003
Referred: Resources

Introduced in the Senate: January 21, 2003
Referred: State Affairs

EXECUTIVE ORDER NO. 105

1 Under the authority of art. III, sec. 23, of the Alaska Constitution, and in accordance
 2 with AS 24.08.210, I order the following:

3 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
 4 to read:

5 FINDINGS. As governor, I find that it is in the best interest of efficient administration
 6 to transfer the Alaska Seismic Hazards Safety Commission from the Office of the Governor to
 7 the Department of Natural Resources. This transfer will facilitate access to knowledge and
 8 expertise of staff at the Department of Natural Resources on seismic hazards.

9 * **Sec. 2.** AS 44.37 is amended by adding new sections to read:

Article 2. Alaska Seismic Hazards Safety Commission.

11 **Sec. 44.37.065. Commission established; membership.** (a) The Alaska
 12 Seismic Hazards Safety Commission is established in the Department of Natural
 13 Resources. The Department of Natural Resources shall provide staff support to the
 14 commission.

15 (b) The commission is composed of nine members appointed by the governor
 16 for terms of three years. A member holds office until a successor is appointed. A
 17 vacancy is filled for the unexpired term.

18 (c) The governor shall appoint to the commission

19 (1) a representative from the University of Alaska;

20 (2) a representative from local government;

21 (3) a representative from the Department of Natural Resources;

22 (4) a representative from the Department of Military and Veterans'

23 Affairs;

1 (5) a representative from an appropriate federal agency;
2 (6) a representative of the insurance industry; and
3 (7) three members from members of the public who are expert in the
4 fields of geology, seismology, hydrology, geotechnical engineering, structural
5 engineering, emergency services, or planning.

6 (d) The commission shall elect annually from its members a chair and vice-
7 chair. A majority of the commission may vote to replace an officer of the
8 commission.

9 (e) Six members constitute a quorum.

10 (f) Members of the Alaska Seismic Hazards Safety Commission serve without
11 compensation but are entitled to per diem and travel expenses authorized for boards
12 and commissions under AS 39.20.180.

13 **Sec. 44.37.067. Powers and duties.** (a) The commission shall

14 (1) recommend goals and priorities for seismic hazard mitigation to the
15 public and private sectors;

16 (2) recommend policies to the governor and the legislature, including
17 needed research, mapping, and monitoring programs;

18 (3) offer advice on coordinating disaster preparedness and seismic
19 hazard mitigation activities of government at all levels, review the practices for
20 recovery and reconstruction after a major earthquake, and recommend improvements
21 to mitigate losses from similar future events;

22 (4) gather, analyze, and disseminate information of general interest on
23 seismic hazard mitigation;

24 (5) establish and maintain necessary working relationships with other
25 public and private agencies;

26 (6) review predictions and warnings issued by the federal government,
27 research institutions, and other organizations and persons and suggest appropriate
28 responses at the state and local levels; and

29 (7) review proposed seismic hazard notifications and supporting
30 information from state agencies, evaluate possible socioeconomic consequences,
31 recommend that the governor issue formal seismic hazard notifications when

1 appropriate, and advise state and local agencies of appropriate responses.

2 (b) The commission may

3 (1) advise the governor and the legislature on disaster preparedness
4 and seismic hazard mitigation and on budgets for those activities and may recommend
5 legislation or policies to improve disaster preparedness or seismic hazard mitigation;

6 (2) conduct public hearings;

7 (3) appoint committees from its membership and appoint external
8 advisory committees of ex-officio members; and

9 (4) accept grants, contributions, and appropriations from public
10 agencies, private foundations, and individuals.

11 **Sec. 44.37.069. Definitions.** In AS 44.37.065 - 44.37.069,

12 (1) "commission" means the Alaska Seismic Hazards Safety
13 Commission;

14 (2) "disaster preparedness" means establishing plans and programs for
15 responding to and distributing funds to alleviate losses from a disaster as defined in
16 AS 26.23.900;

17 (3) "seismic hazard mitigation" or "mitigation" mean activities that
18 prevent or alleviate the harmful effects of seismic hazards to persons and property,
19 including identification and evaluation of the seismic hazards, assessment of the risks,
20 and implementation of measures to reduce potential losses before a damaging event
21 occurs.

22 * **Sec. 3.** AS 44.66.010(a)(21) is amended to read:

23 (21) Alaska Seismic Hazards Safety Commission **(AS 44.37.065)**
24 [(AS 44.19.635)] -- June 30, 2005.

25 * **Sec. 4.** AS 44.19.635, 44.19.637, and 44.17.639 are repealed.

26 * **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to
27 read:

28 TERMS OF INITIAL MEMBERS. The provisions of sec. 4, ch. 109, SLA 2002,
29 regarding the terms of initial members of the Alaska Seismic Hazards Safety Commission
30 appointed under former AS 44.19.635, repealed by sec. 4 of this Order, apply to the terms of
31 any initial members of the Alaska Seismic Hazards Safety Commission appointed under

1 AS 44.37.065, set out in sec. 2 of this Order.

2 * **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to
3 read:

4 TRANSITION. Contracts, rights, liabilities, and obligations created by or under a law
5 amended or repealed by this Order, and in effect on March 22, 2003, remain in effect
6 notwithstanding this Order's taking effect. Records, equipment, appropriations, and other
7 property of an agency of the state whose functions are transferred under this Order shall be
8 transferred to implement the provisions of this Order.

9 * **Sec. 7.** This Order takes effect March 23, 2003.

DATED _____

Frank H. Murkowski
Governor