

AMENDMENT #2

OFFERED IN THE HOUSE
TO: CSHB 3(JUD)

BY REPRESENTATIVE EASTMAN

1 Page 1, line 1, following "Act": *(title amendment)*

2 Insert "relating to the powers of the governor during a disaster emergency;
3 relating to the powers of municipalities; and"

4

5 Page 1, following line 2:

6 Insert new bill sections to read:

7 **** Section 1.** AS 26.23.020(b) is amended to read:

8 (b) Except as provided in (l) of this section, the [THE] governor may issue
9 orders, proclamations, and regulations necessary to carry out the purposes of this
10 chapter, and amend or rescind them. These orders, proclamations, and regulations
11 have the force of law.

12 *** Sec. 2.** AS 26.23.020 is amended by adding new subsections to read:

13 (l) The governor may not issue an order, proclamation, or regulation that

14 (1) requires an individual to stay at home or shelter in place;

15 (2) prohibits or restricts the operations of a business or a place of
16 worship; or

17 (3) declares a person or a business as essential or nonessential based on
18 the trade or occupation of the person or business.

19 (m) In this section, "business" has the meaning given in AS 18.35.399.

20 *** Sec. 3.** AS 26.23.140 is amended by adding new subsections to read:

21 (d) Notwithstanding a local disaster emergency declared under (a) of this
22 section, a municipality may not issue an order, proclamation, or regulation that

23 (1) requires an individual to stay at home or shelter in place;

1 (2) prohibits or restricts the operations of a business or a place of
2 worship; or

3 (3) declares a person or a business as essential or nonessential based on
4 the trade or occupation of the person or business.

5 (e) In this section, "business" has the meaning given in AS 18.35.399."

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7 Page 1, line 3:

8 Delete "**Section 1**"

9 Insert "**Sec. 4**"