

**SENATE BILL NO. 359**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**SEVENTEENTH LEGISLATURE - SECOND SESSION**

**BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR**

**Introduced: 1/16/91**  
**Referred: Resources, Judiciary**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act providing immunity for the Alaska State Emergency Response Commission, the  
2 local emergency planning committees, and the Hazardous Substance Spill Technology Review  
3 Council and their members for actions taken under AS 46.13; and providing for an  
4 effective date."

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 \* **Section 1.** AS 46.13 is amended by adding a new section to read:

7           Sec. 46.13.200. IMMUNITY. A civil action for damages and costs may not be brought  
8 against the Alaska State Emergency Response Commission (AS 46.13.010(a)), a local emergency  
9 planning committee established by the Alaska State Emergency Response Commission  
10 (AS 46.13.070), the Hazardous Substance Spill Technology Review Council (AS 46.13.110), or  
11 their members for any act or omission occurring within the course and scope of their official  
12 duties under AS 46.13, unless the act or omission constitutes gross negligence or intentional  
13 misconduct. Nothing in this section shall restrict or expand any right which any person may have  
14 under any federal statute or federal common law to seek enforcement of any requirement or to

1 seek any other relief.

2 \* Sec. 2. This Act takes effect immediately under AS 01.10.070(c).