

SENATE BILL NO. 35
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - FIRST SESSION

BY SENATOR LEMAN

Introduced: 1/11/93
Referred: CRA, RES

A BILL

FOR AN ACT ENTITLED

1 "An Act providing immunity for the Alaska State Emergency Response
2 Commission, the local emergency planning committees, the Hazardous Substance
3 Spill Technology Review Council, and their members for official actions; and
4 providing for an 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. 46.13.140. IMMUNITY. A civil action for damages and costs may not
8 be brought against the council, the commission, a local emergency planning committee
9 established by the commission, or the members of the council, commission, or local
10 emergency planning committee for an act or omission occurring within the course and
11 scope of their official duties under this chapter, unless the act or omission constitutes
12 gross negligence or reckless or intentional misconduct. This section does not restrict
13 or expand a right that a person may have under a federal statute or federal common
14 law to seek enforcement of a requirement or to seek other relief.

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