

SENATE BILL NO. 90

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - FIRST SESSION

BY SENATOR LEMAN

Introduced: 2/5/93
 Referred: O&G, RES

A BILL

FOR AN ACT ENTITLED

1 "An Act clarifying powers and duties of state officials in relation to a disaster
 2 emergency caused by a catastrophic oil discharge or the release of a hazardous
 3 substance."

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

5 * Section 1. AS 46.04.080(a) is amended to read:

6 (a) The commissioner of environmental conservation or the commissioner
 7 of military and veterans' affairs may request the governor to determine that an
 8 actual or imminent occurrence of a catastrophic oil discharge constitutes a disaster
 9 emergency under AS 26.23. If the governor declares a disaster emergency under
 10 AS 26.23 because of the actual or imminent occurrence of a catastrophic oil
 11 discharge, the commissioner of environmental conservation and the commissioner
 12 of military and veterans' affairs shall respond appropriately in the relief of the
 13 emergency under the relevant provisions of the [WITHOUT A DECLARATION OF
 14 DISASTER BY THE GOVERNOR UNDER AS 26.23.020. THE DEPARTMENT

1 AND THE ALASKA DIVISION OF EMERGENCY SERVICES, DEPARTMENT OF
2 MILITARY AND VETERANS' AFFAIRS, SHALL COORDINATE THEIR DUTIES
3 UNDER AS 26.23.040 AND AS 46.08.100 - 46.08.190 AS THEY APPLY TO
4 CATASTROPHIC OIL DISCHARGES, CONSISTENT WITH THE
5 RESPONSIBILITIES ASSIGNED TO THEM UNDER] applicable incident command
6 ~~system~~ [SYSTEMS].

7 * Sec. 2. AS 46.09.030 is amended to read:

8 Sec. 46.09.030. DISASTER EMERGENCIES. The commissioner of
9 environmental conservation or the commissioner of military and veterans' affairs
10 [DIRECTOR OF THE DIVISION OF EMERGENCY SERVICES, DEPARTMENT
11 OF MILITARY AND VETERANS' AFFAIRS,] may request the governor to determine
12 that an actual or imminent release of a hazardous substance constitutes a disaster
13 emergency under AS 26.23. If the governor declares a disaster emergency under
14 AS 26.23 because of an actual or imminent release of a hazardous substance, the
15 commissioner of environmental conservation and the commissioner of military and
16 veterans' affairs [DIVISION OF EMERGENCY SERVICES, DEPARTMENT OF
17 MILITARY AND VETERANS' AFFAIRS,] shall respond appropriately in the relief
18 of the emergency under [, IN ACCORDANCE WITH] the relevant provisions of the
19 applicable incident command system.