

SCOMM

127:13

Special Committee on Military & Veteran Affairs
Representative Mike Chenault, Chair

Representative Bev Masek
Representative Lisa Murkowski
Representative Joe Green
Representative Pete Kott
Representative Sharon Cissna
Representative Joe Hayes

Representative Mike Chenault
Alaska State Capitol, Room 432
Juneau, Alaska 99801-1182
Phone 907-465-3779
Fax 907-465-2833
Email Representative_
Mike.Chenault@legis.state.ak.us

Special Committee on Military & Veteran Affairs
Representative Mike Chenault, Chair

MEMORANDUM

Date: April 10, 2002
To: Suzi Lowell, Chief Clerk
From: Representative Mike Chenault, Chair 
Subject: Schedule for MLV Meetings

MLV Committee Schedule

DATE: Tuesday, April 16, 2002

***+ HB 325** "An Act relating to civil defense and disasters; and providing for an effective date."

***+ HB 326** "An Act relating to state plans and programs for the safety and security of facilities and systems in the state; and providing for an effective date."

DATE: Thursday, April 18, 2002

Bills previously heard

If you have any questions, please contact Marie Riley Military & Veterans Affairs committee aide at #3772.

**Special Committee on Military & Veterans' Affairs
Representative Mike Chenault, Chair**

Committee Members

Representative Bev Masek
Representative Lisa Murkowski
Representative Joe Green
Representative Pete Kott
Representative Sharon Cissna
Representative Joe Hayes

Alaska State Capitol, Room 432
Juneau, Alaska 99801-1182
Phone 907-465-3779
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AGENDA

April 16, 2002



Capitol Room 124 3:00-5:00 p.m.

- I. Call to order
- II. Roll call
- III. Introductions
- IV. Bills previously heard
 - a. **HB 324** "An Act making supplemental and other appropriations for homeland security; and providing for an effective date."
- V. ***+ HB 325** "An Act relating to civil defense and disasters; and providing for an effective date."
- VI. ***+ HB 326** "An Act relating to state plans and programs for the safety and security of facilities and systems in the state; and providing for an effective date."
- VII. Adjournment

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: 2
Bill Version: HB 325
(H) Publish Date: 1/16/02

Revision Date/Time (Note if correction): _____
Title Relating to civil defense and disasters
Sponsor Rules
Requester Governor
Dept. Affected: DMVA
BRU Disaster Planning and Control
Component Disaster Planning and Control
Component No. 1808

Expenditures/Revenues

(Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2002) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal: ☐

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill will allow the Governor to declare a disaster if there is a credible threat or actual terrorist attack and also to declare a disaster if there is outbreak of disease or a credible threat of such an outbreak. There is no immediate fiscal impact to the statutory amendment.

Prepared by: Carol Carroll
Division: Administrative Services
Approved by: Phillip Oates
Agency: Military & Veterans Affairs

Phone 465-4730
Date/Time 1/10/02 9:56 AM
Date 1/10/2002

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: HB 325
 (H) Publish Date: 1/16/02

Revision Date/Time (Note if correction):

Title Terrorism & Disaster Civil Defense Act

Dept. Affected: Health & Social Services

BRU State Health Services

Component Public Health Administrative

Sponsor Rules

Services

Requester

Component No. 292

Expenditures/Revenues

(Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
1007 Inter-Agency Receipts						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2002) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal: ☐

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

In the event of a bioterrorist attack, imminent threat of attack, or a naturally occurring disease outbreak serious enough to warrant the declaration by the governor of a disaster emergency, the Division of Public Health would divert all necessary and available resources to responding to and controlling the disease. A zero fiscal note is shown because 1) there isn't a direct and immediate budgetary impact on the Division by the passage of this bill (in the event of a declared disaster emergency the Division would have access to the disaster relief fund), and 2) the governor has included a series of increments in the Homeland Security Budget Bill that would provide the Division of Public Health with additional resources necessary for strengthening the public health infrastructure and the Division's ability to identify and respond to a

Prepared by: Karen Pearson

Phone 465-3090

Division Public Health

Date/Time 1/11/02 4:29 PM

Approved by: Elmer A. Lindstrom, Deputy Commissioner

Date 1/11/2002

Agency Department of Health and Social Services

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

BILL NO. HB 325

ANALYSIS CONTINUATION

bioterrorist attack.

In order to identify and control a disease introduced into the population through a terrorist attack, the public health system must be staffed with well-trained, competent professionals and have sophisticated disease monitoring and reporting systems, state-of-the art laboratory testing capacity, advanced communication systems for rapid notification of emergency responders, resources to treat victims, and better trained and equipped first responders.

Homeland security in public health has four interdependent parts, all of which would be strengthened by the appropriation requested in the Homeland Security Budget Bill:

Public Health Nursing: Public health nurses are the front-line workers in the public health system. Additional capacity is needed to support the ability for immediate response by the public health system to a terrorist or bioterrorist event at the community level. These resources would be utilized on a routine basis for the ongoing management of naturally occurring infectious disease outbreaks. These funds would also provide support for bioterrorism preparedness training for PHN staff, as well as improved computer and communication system support for public health centers.

Epidemiology: State physician and nurse epidemiologists provide expert medical direction and oversight to public health nurses in the field and private health care providers across Alaska regarding disease identification and control. Homeland security funds will provide staff with expertise in detecting and responding to bioterrorist attacks (as well as chemical or nuclear attacks by terrorists). They would provide medical directives for guiding the response in the event of an attack, would provide oversight for the distribution and use of pharmaceuticals, and would be able to contract for the services of additional medical expertise in the event of an emergency.

Community Health & Emergency Medical Services: Disaster Communications specialists and technical support are required to develop and support a coordinated telecommunications systems required for rapid notification of first responders, private health care professionals, and state and local government agencies responsible for responding to disasters and public health emergencies. Additional funding for regional EMS grantees is required to provide specialized training and technical assistance in the area so bioterrorism and mass casualty response and responder safety.

Public Health Laboratories: Public health laboratories are a critical component of the public health system's ability to detect and address a disease outbreak, either naturally occurring or caused by a bioterrorist attack. Additional resources are required to provide full staffing, lab testing supplies and equipment necessary for a sudden influx of test requests, and additional microbiologists with virology and bacteriology expertise at both the Anchorage and Fairbanks labs. As with the other areas, strengthened capacity for responding to a bioterrorist attack would be used on a routine basis for support of on-going disease surveillance and response activities, as well as training in new testing technologies, especially testing for biological agents that might be used in a terrorist attack.

SECTIONAL ANALYSIS OF HB 325
Re civil defense and disasters

Section 1 amends AS 26.20.040 (civil defense; emergency powers of the governor) to provide that the governor may exercise his existing civil defense powers in the event of a terrorist attack against the state or a credible threat of such an attack. Presently, the statute provides that the governor can exercise these powers only in the event of an "actual enemy attack against the state." The governor's powers in a declared civil defense emergency are enumerated in existing AS 26.20.040(1)-(5) and are similar to the governor's powers in a declared disaster emergency under AS 26.23.020

Section 2 amends AS 26.23.020(g), listing the powers of the governor in the event of a disaster emergency, to add the power to allocate or redistribute pharmaceuticals, medicine, and supplies. Presently, the governor only is authorized to allocate or redistribute food, water, fuel, or clothing in the event of a disaster emergency. This amendment also authorizes the governor to access, inspect, and share health care and medical records as necessary to protect public health and safety in the event of a disaster emergency.

Section 3 amends the definition section of the disaster statutes, AS 26.23.900, to include in the definition of "disaster" a terrorist or enemy attack, an outbreak of disease, or a credible threat of either such event. This authorizes the governor to declare a disaster emergency and to exercise the existing disaster emergency powers if a terrorist or enemy attack, an outbreak of disease, or a credible threat of either such event, causes or imminently threatens widespread or severe damage, injury, loss of life or property, or shortage of food, water, or fuel. Presently, such events are not included within the definition of "disaster," which hampers the ability of the state to respond if they occur.

TONY KNOWLES
GOVERNOR
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STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

HB 325
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January 14, 2002

The Honorable Brian Porter
Speaker of the House
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear Speaker Porter:

I am transmitting a bill relating to disasters and civil defense, which results from recommendations of the Terrorism Disaster Policy Cabinet following the tragic events of September 11, 2001. It is one of six bills I am forwarding to the Legislature today to ensure Alaska is fully prepared in terrorism prevention and emergency response.

This bill would authorize the governor to declare that a state of emergency exists and to exercise emergency civil defense powers in the event of a terrorist attack or a credible threat of a terrorist attack on the state. Presently, the governor is authorized to declare a civil defense emergency and exercise these powers only in the event of an "actual enemy attack."

This bill also would amend the definition of "disaster" in state law to include a terrorist or enemy attack, an outbreak of disease, or a credible threat of such an event. This would authorize the governor to declare a disaster emergency and to exercise the disaster emergency powers if any of the above events occurred and causes or threatens severe damage, injury, loss of life or property, or shortage of food, water, or fuel. Presently, such incidents are not included within the definition of "disaster," hampering the state's ability to respond if they occur.

Finally, this bill would amend the enumerated powers of the governor in the event of a disaster emergency to include the ability to allocate or redistribute pharmaceuticals and other medicines and supplies. Presently, the governor is authorized to allocate or redistribute only food, water, fuel, or clothing in the event of a disaster emergency.

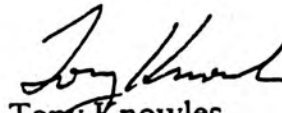
The Honorable Brian Porter

Page 2

It also would authorize the governor to access, inspect, and share health care and medical records as necessary to protect public health and safety in the event of a disaster emergency. Without this authority, the state is unable to effectively respond to a bioterrorist attack or an epidemic.

I urge your prompt and favorable action on this measure.

Sincerely,



Tony Knowles
Governor

HB 325 Civil Defense and Disasters

What does this bill accomplish?

1. This bill amends AS 26.20 (Civil Defense) to authorize the governor to declare a state of emergency and to exercise emergency civil defense powers in the event of a terrorist attack or the credible threat of a terrorist attack on the state.
2. This bill amends AS 26.23 (Alaska Disaster Act) to add terrorist or enemy attack, outbreak of disease or a credible threat of such an event to the definition of "disaster."
3. This bill amends AS 26.23 to include in the enumerated powers of the governor, in the case of a disaster emergency, the power to allocate or redistribute pharmaceuticals and other medicines and the power to access, inspect and share medical records as necessary to protect public health and safety.

Why are these changes necessary?

1. The current world situation and recent events in the United States indicate that the governor of Alaska needs greater flexibility in order not only to respond rapidly to a terrorist attack, but to prepare for one as well. These changes would provide that flexibility.
2. AS 26.20 currently allows the governor to declare a civil defense emergency only in the event of an actual enemy attack. This bill would change AS 26.20 to allow the governor to declare that a state of emergency exists in the event of an enemy or terrorist attack, or credible threat of an enemy or terrorist attack against Alaska. This change is necessary to allow the state to make adequate preparations for a threatened enemy or terrorist attack, and to be able to respond just as quickly to an actual terrorist attack as to an actual enemy attack by another country.
3. AS 26.23 currently allows the governor to declare a disaster emergency for a variety of natural and man-made events. However, the list does not specifically include either actual enemy or terrorist attack, or outbreak of disease, or the credible threat of enemy or terrorist attack, or outbreak of disease. The same rationale for changing AS 26.20 applies to the need to change AS 26.23. In addition, because bioterrorism is a potential threat to the state, even in a scenario where the state is not the primary target of an attack (that is the attack occurs in another state, but the disease has the potential to spread to Alaska), the state needs to add

the outbreak or threatened outbreak of disease to the list of specific disaster emergencies. This bill will allow the state to more quickly prepare for threatened enemy and terrorist attacks (to include bioterrorism attacks) and to more effectively respond if, despite our best efforts, one occurs.

4. Under AS 26.23, in the event of a disaster emergency, the governor has the power to allocate or redistribute food, water, fuel, and clothing. Given the threat of bioterrorism the governor should also have the power to allocate or redistribute medical supplies. A bioterrorism event could trigger shortages of critical medicines and therefore the governor would have to make decisions on which parts of the population should receive the limited quantities of medicine available.

5. Finally, in the event of a bioterrorism event, the governor needs the power to inspect medical records and share certain contents of them within the public health community. This power is a key component of the public health system's surveillance and detection capability. It is a necessary power in an emergency to help the public health system determine the geographic extent of a disease, which parts of the population are most at risk, the point or points of origin of the disease, and who has been exposed to the disease. The answers to these and other questions will allow the system to make predictions about the rate and extent of the spread of the disease and on how to contain its spread and eliminate it.

HOUSE COMMITTEE REPORT

(7)

Date Referred to Committee: January 16, 2002

FURTHER REFERRALS: State Affairs
HES

Date of Committee Action: 9-3-18-02

The HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS' AFFAIRS Committee considered: HB 325

HOUSE BILL NO. 325

TERRORISM, CIVIL DEFENSE, AND DISASTERS

"An Act relating to civil defense and disasters; and providing for an effective date."

Recommends it be replaced with CS HB325 (mlw) ☐ Same Title ☐ New Title
For Senate Bills with new title: ☐ Technical Title ☐ New Title: HCR_____

☐ attach amendments

[] add new referral to Committee

☐ Letter of Intent _____ Committee

*List of
Abbrev.
for
Depts.:*
ADM
CED
COR
CRT
EED
DEC
DFG
GOV
HSS
LAA
LAW
LWF
MVA
DNR
DPS
REV
DOT
UA

***NEW* FISCAL NOTES**

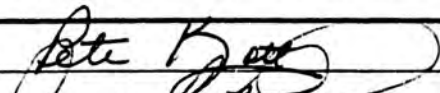
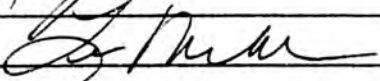
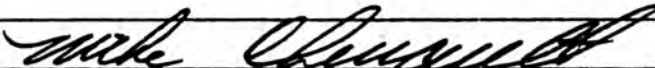
***For Chief Clerk's Office Use Only**

[illegible]

PREVIOUS FISCAL NOTES

[illegible]

Signing with recommendations

Signing with recommendations		Printed Last Name	DP	DNP	NR	AM
	Kott	✓				
	Green	✓				
	Murkowski	✓				
Chair: 	Chennault	✓				
Chair:						

**Special Committee on Military & Veterans' Affairs
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AGENDA

April 18, 2002



Capitol Room 124 3:00-5:00 p.m.

Call to order

Roll call

Introductions

HB 325 "An Act relating to civil defense and disasters; and providing for an effective date."

Committee Substitute discussion

HB 324 "An Act making supplemental and other appropriations for homeland security; and providing for an effective date."

Committee Substitute discussion

Adjournment