

**HB**

**80**

HOUSE COMMITTEE REPC

Library  
1-28-09

(7)  
Date Referred to Committee: January 22, 2009

FURTHER REFERRALS:  
Rules

Date of Committee Action: 1-27-09

The STATE AFFAIRS Committee considered:

HOUSE BILL NO. 80

"An Act relating to the Joint Armed Services Committee and its Homeland Security and Emergency Management Subcommittee; and providing for an effective date."

HB 80 JOINT ARMED SERVICES COMMITTEE

Recommends it be replaced with  HCS or  CS for HB80 (STA)  
For Senate Bills with new title:  Technical Title  New Title: HCR \_\_\_\_\_  Same Title  New Title

- attach amendments
- add new referral to \_\_\_\_\_ Committee
- Letter of Intent \_\_\_\_\_ Committee

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

NEW FISCAL NOTES				
*Assigned by Chief Clerk's Office				
List by Dept(s):	*FN#	Fiscal	Indet.	Zero
Legislature	1	X		

PREVIOUS FISCAL NOTES				
List by Dept(s):	FN#	Fiscal	Indet.	Zero

Signing with recommendations	Printed Last Name	DF	DNP	NR	AM
	GALT	<input checked="" type="checkbox"/>			
	SEATON	<input checked="" type="checkbox"/>			
	GREENBERG	<input type="checkbox"/>			
	WILSON	<input checked="" type="checkbox"/>			
	PETERSEN	<input checked="" type="checkbox"/>			
Chair:	LYNN	<input checked="" type="checkbox"/>			
Chair:					

**CS FOR HOUSE BILL NO. 80(STA)**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-SIXTH LEGISLATURE - FIRST SESSION**

**BY THE HOUSE STATE AFFAIRS COMMITTEE**

**Offered:**  
**Referred:**

**Sponsor(s): REPRESENTATIVE DAHLSTROM**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the Joint Armed Services Committee; and providing for an effective**  
2 **date."**

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

4 **\* Section 1.** Sections 3 and 4, ch. 6, SLA 1999, are repealed.

5 **\* Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to  
6 read:

7 **RETROACTIVITY AND REVIVAL.** Under AS 01.10.090 and 01.10.100(c), the  
8 repeals made in this Act are retroactive to January 1, 2009, and revive AS 24.20.650,  
9 24.20.655, 24.20.660, 24.20.665, 24.20.670, and 24.20.675, and sec. 1, ch. 6, SLA 1999.

10 **\* Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).

26-LS0394R  
Cook  
1/26/09

**CS FOR HOUSE BILL NO. 80( )**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-SIXTH LEGISLATURE - FIRST SESSION**

**BY**

**Offered:**  
**Referred:**

**Sponsor(s): REPRESENTATIVE DAHLSTROM**

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10 **\* Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).



# LAWS OF ALASKA

1999

Source  
CSHB 77(FIN) am.S

Chapter No.  
6

## AN ACT

Relating to the Joint Armed Services Committee; a permanent interim committee of the Alaska State Legislature; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1

Approved by the Governor: April 12, 1999  
Actual Effective Date: July 1, 1999

AN ACT

1 Relating to the Joint Armed Services Committee, a permanent interim committee of the Alaska  
2 State Legislature; and providing for an effective date.

3

4 \* Section 1. LEGISLATIVE FINDINGS. The legislature finds that

5 (1) the Secretary of Defense, in both the Quadrennial Defense Review and the  
6 Defense Reform Initiative, has called for the reestablishment of a Base Realignment and

7 Closure Commission to conduct two new rounds of military base closures;

8 (2) all military bases in Alaska are scheduled for review and evaluation for  
9 potential placement on the closure list;

10 (3) the strategic location of the state's military bases, their unparalleled training  
11 and maneuver areas, and their modern facilities represent an asset of unmatched military value  
12 to the nation;

13 (4) the total economic value that the military adds to the state exceeds  
14 \$1,700,000,000 annually;

*Still accurate  
Per McCugh*

1 (5) any new base closure or realignment actions in the state would create  
 2 serious economic and socioeconomic effects for the communities where they are located;  
 3 (6) the closure of Adak Naval Air Facility and realignment of army activities  
 4 at Fort Greely by the 1995 Base Realignment and Closure Commission continue to create  
 5 challenges for communities committed to their productive reuse and integration into the state's  
 6 economy;  
 7 (7) the unprecedented proliferation of weapons of mass destruction and ballistic  
 8 missiles constitutes a growing threat to the United States, which has begun to develop a  
 9 weapons system capable of defending the nation against ballistic missile attack;  
 10 (8) sites in Alaska are under consideration for the deployment of that system  
 11 that offer the unmatched military value of strategic location from which all 50 states can be  
 12 defended as required by the United States Constitution; and  
 13 (9) as our nation's armed forces continue to shift from a forward deployed  
 14 force based overseas to a power projection force stationed within the United States, Alaska's  
 15 modern bases, extensive training areas, and established tradition of joint operations between  
 16 the individual services offer the United States Department of Defense an unequalled location  
 17 to organize, train, and deploy the integrated forces the United States requires in the Twenty-  
 18 First Century.

\* Sec. 2. AS 24.20 is amended by adding new sections to read:

Article 5. Joint Armed Services Committee.

20 **Sec. 24.20.650. Joint Armed Services Committee established.** (a) The Joint  
 21 Armed Services Committee is established as a permanent interim committee of the  
 22 legislature.

23 (b) The committee is composed of  
 24 (1) five members of the senate, at least one of whom is a member of  
 25 the minority, appointed by the president of the senate;  
 26 (2) five members of the house of representatives, at least one of whom  
 27 is a member of the minority, appointed by the speaker of the house of representatives;  
 28 (3) a state resident, other than a member of the state legislature, who  
 29 is appointed jointly by the president of the senate and the speaker of the house of  
 30 representatives after considering the recommendations of the Alaska chapters of each

of the following organizations:

- (A) the Association of the United States Army;
- (B) the Air Force Association;
- (C) the Navy League of the United States;
- (D) the Marine Corps Association;

(4) a state resident, other than a member of the state legislature, who is appointed jointly by the president of the senate and the speaker of the house of representatives after considering the recommendation of the Seventeenth Coast Guard District Auxiliary;

(5) a state resident, other than a member of the state legislature, who is appointed jointly by the president of the senate and the speaker of the house of representatives after considering the recommendation of the mayor of the Municipality of Anchorage;

(6) a state resident, other than a member of the state legislature, who is appointed jointly by the president of the senate and the speaker of the house of representatives after considering the recommendation of the mayor of the Fairbanks North Star Borough;

(7) a state resident, other than a member of the state legislature, who is appointed jointly by the president of the senate and the speaker of the house of representatives after considering the recommendation of the adjutant general of the Department of Military and Veterans' Affairs; and

(8) a state resident, other than a member of the state legislature, who is appointed jointly by the president of the senate and the speaker of the house of representatives after considering the joint recommendations of the Alaska Federation of Natives and the Alaska Municipal League.

**Sec. 24.20.655. Terms of office; vacancies.** (a) Each legislative member serves for the duration of the legislature during which the member is appointed. Each public member serves for three years. An individual who has served on the committee may be reappointed.

(b) A legislator ceases to be a member of the Joint Armed Services Committee if the legislator ceases to be a member of the house from which the legislator was

1 appointed. When a seat on the committee becomes vacant, it shall be filled within 30  
2 days in the manner of the original appointment. An individual appointed to fill a  
3 vacancy serves for the remainder of the term to which appointed.

4 **Sec. 24.20.660. Travel and per diem allowances.** Members of the Joint  
5 Armed Services Committee are entitled to reimbursement for travel expenses.  
6 Members of the committee shall receive per diem allowances in accordance with the  
7 policy adopted by the legislative council under AS 24.10.130(c).

8 **Sec. 24.20.665. Meetings.** (a) Eight members of the Joint Armed Services  
9 Committee constitute a quorum.

10 (b) The committee members shall select one member from the senate and one  
11 member from the house of representatives to serve as co-chairs of the committee.

12 (c) The committee may meet during sessions of the legislature and during  
13 intervals between sessions at the times and places the co-chairs may determine.  
14 Whenever possible, meetings shall be teleconferenced to reduce travel cost.

15 **Sec. 24.20.670. Administration.** The legislative council shall provide  
16 administrative and other services to the Joint Armed Services Committee. Within the  
17 limits of the amounts made available to the committee by the legislative council, the  
18 committee may make expenditures and enter into contracts to carry out the purposes  
19 of AS 24.20.650 - 24.20.675. Contracts must be approved by a majority of the  
20 members of the committee and are otherwise subject to procedures adopted by the  
21 legislative council under AS 36.30.020.

22 **Sec. 24.20.675. Powers and duties.** (a) The Joint Armed Services Committee  
23 shall

24 (1) monitor the military base realignment and closure activities of the  
25 federal government for bases in the state;

26 (2) work on specific realignments and closures proposed by the federal  
27 government for bases in the state;

28 (3) work with the state's congressional delegation regarding federal  
29 military base realignments and closings in the state;

30 (4) attend meetings and hearings related to federal realignments and  
31 closures of military bases in the state and provide testimony as necessary;

1 (5) review the effect on the state and its communities of federal  
2 realignments and closures of military bases in the state;

3 (6) monitor the development of the national ballistic missile defense  
4 system and work with the congressional delegation of the state, other state and local  
5 government organizations, and community groups to advocate and expedite the  
6 deployment of the system in this state;

7 (7) investigate opportunities to increase joint and combined military  
8 training in the state;

9 (8) advocate the stationing of reconfigured power projection forces at  
10 bases located in the state; and

11 (9) prepare and submit a report of its activities to the legislature on the  
12 first day of each second regular session.

13 (b) The committee may appoint a citizens' advisory board. Individuals  
14 appointed to an advisory board may not receive reimbursement for travel expenses or  
15 per diem allowances.

16 \* Sec. 3. AS 24.20.650, 24.20.655, 24.20.660, 24.20.665, 24.20.670, and 24.20.675 are  
17 repealed January 1, 2009.

18 \* Sec. 4. Section 1 of this Act is repealed January 1, 2009.

19 \* Sec. 5. Chapter 31, SLA 1998, is repealed.

20 \* Sec. 6. This Act takes effect July 1, 1999.

Chapter 178

- 1 \* Sec. 7. The uncodified law of the State of Alaska is amended by adding a new section to
- 2 read:
- 3 SEVERABILITY. Under AS 01.10.030, the provisions of this Act are severable.



LAWS OF ALASKA

2004

Source  
HCS (SSB 385)(RLS) am II

Chapter No.  
179

AN ACT

Relating to homeland security, to civil defense, to emergencies and to disasters, including disasters in the event of attacks, outbreaks of disease, or threats of attack or outbreak of disease; establishing the Alaska division of homeland security and emergency management in the Department of Military and Veterans' Affairs and relating to the functions of that division and that department; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE I

Approved by the Governor: July 26, 2004  
Actual Effective Date: Section 19 takes effect March 1, 2005; remainder of Act takes effect July 27, 2004

AN ACT

1 Relating to homeland security, to civil defense, to emergencies and to disasters, including  
 2 disasters in the event of attacks, outbreaks of disease, or threats of attack or outbreak of  
 3 disease; establishing the Alaska division of homeland security and emergency management in  
 4 the Department of Military and Veterans' Affairs and relating to the functions of that division  
 5 and that department; and providing for an effective date.

6  
 7 \* Section 1. The uncodified law of the State of Alaska is amended by adding a new section  
 8 to read:

9 PURPOSE. The purpose of the establishment of the Alaska division of homeland  
 10 security and emergency management in sec. 6 of this Act and the repeal of AS 26.23.030 in  
 11 sec. 22 of this Act is to further the consolidation of the Department of Military and Veterans'  
 12 Affairs' emergency services and homeland security functions into a single division in order to

1 provide for more efficient administration of those functions and to transfer functions of the  
2 division of emergency services into the division of homeland security and emergency  
3 management.

4 \* Sec. 2. AS 24.20 is amended by adding a new section to article 5 to read:

5 **Sec. 24.20.680. Legislative review.** (a) The Homeland Security and  
6 Emergency Management Subcommittee is established as a subcommittee of the Joint  
7 Armed Services Committee established under AS 24.20.650. The subcommittee shall  
8 be organized within 15 days after the organization of the committee each legislature.  
9 The subcommittee is established to review confidential activities, plans, reports,  
10 recommendations, and other materials of the Alaska division of homeland security and  
11 emergency management established in AS 26.20.025, or of other agencies or persons,  
12 relating to matters concerning homeland security and civil defense, emergencies, or  
13 disasters in the state or to the state's preparedness for or ability to mount a prompt  
14 response to matters concerning homeland security and civil defense, emergencies, or  
15 disasters.

16 (b) Subject to (c) of this section, the subcommittee is composed of six to eight  
17 members, as follows:

18 (1) the president of the senate and the speaker of the house of  
19 representatives;

20 (2) the respective chairs of the subcommittees of the House and Senate  
21 Finance Committees that consider the military and veterans' affairs budget;

22 (3) if the chair of the senate subcommittee described in (2) of this  
23 subsection is

24 (A) not a member of the Joint Armed Services Committee  
25 established in AS 24.20.650, two senate members of the Joint Armed Services  
26 Committee, selected by the president of the senate, one of whom is not a  
27 member of the political party to which a majority of members of the senate  
28 belong;

29 (B) a member of the Joint Armed Services Committee  
30 established in AS 24.20.650, one senate member of the Joint Armed Services  
31 Committee selected by the president of the senate;

1 (4) if the chair of the house subcommittee described in (2) of this  
2 subsection is

3 (A) not a member of the Joint Armed Services Committee  
4 established in AS 24.20.650, two house members of the Joint Armed Services  
5 Committee selected by the speaker of the house of representatives, one of  
6 whom is not a member of the political party to which a majority of members of  
7 the house of representatives belong;

8 (B) a member of the Joint Armed Services Committee  
9 established in AS 24.20.650, one house member of the Joint Armed Services  
10 Committee selected by the speaker of the house of representatives.

11 (c) To be eligible for service on the subcommittee, a member shall have a  
12 federal security clearance at the secret level at the time of entering service or shall  
13 have an interim security clearance at the secret level at the time of entering service and  
14 shall apply for and receive a federal security clearance at the secret level. Members  
15 holding a federal security clearance at the secret level at the time of entering service or  
16 receiving the clearance subsequent to entering service shall maintain the federal  
17 security clearance at the secret level to remain qualified to serve on the subcommittee.

18 (d) The president of the senate and the speaker of the house of representatives  
19 may condition service on the subcommittee by members upon the execution of  
20 appropriate confidentiality agreements by the members or by persons assisting those  
21 members. Information and documents received by members serving on the  
22 subcommittee or persons assisting members under a confidentiality agreement as  
23 described in this subsection are not public records and are not subject to public  
24 disclosure under AS 40.25.100 - 40.25.220.

25 (e) Members who remain qualified to serve on the subcommittee under this  
26 section serve for the duration of the legislature during which the members enter  
27 service. If a member is reelected or a member's term of office extends into the next  
28 succeeding legislature and the member remains qualified under this section, the  
29 member shall continue to serve until the member reenters service on the subcommittee  
30 through the operation of (b) of this section or until the member's successor enters  
31 service.

(f) When a member files a declaration of candidacy for an elective office other than that of member of either house of the legislature, and the member has not resigned from service, the member's service terminates on the date that the member leaves legislative office.

\* Sec. 3. AS 26.20.010 is amended to read:

**Sec. 26.20.010. Policy and purpose.** (a) Because of the [NATIONAL, EMERGENCY AND THE] possibility of [DISASTERS OR EMERGENCIES RESULTING FROM] enemy or terrorist attack, sabotage, or other hostile action against or in the state, and in order to ensure [INSURE] adequate preparations for attack [DISASTERS] or emergencies, and generally to provide for homeland security and the common defense, it is found and declared to be necessary

(1) to provide for a state homeland security and civil defense agency [AND TO AUTHORIZE THE CREATION OF LOCAL ORGANIZATIONS FOR CIVIL DEFENSE];

(2) to confer upon the governor [AND UPON THE EXECUTIVE HEADS OF THE DISTRICTS OF THE STATE] the emergency powers provided in this chapter;

(3) to provide for mutual aid and cooperation among the state, local, and private agencies [DISTRICTS] of the state, with the other states of the United States, [AND] with the federal government, and with the provinces of another country, for carrying out homeland security and civil defense functions;

(4) to authorize the [ESTABLISHMENT OF ORGANIZATIONS AND] taking of steps that are necessary and appropriate to carry out the provisions of this chapter.

(b) It is further declared that the purpose of this chapter and the policy of the state is that all homeland security and civil defense functions of this state be coordinated to the maximum extent with the comparable functions of the federal government, including its various departments and agencies, of the states of the United States and localities, and of private agencies of every type, so that the most effective preparation and use may be made of the state's manpower, resources, and facilities for dealing with any attack [DISASTER] that occurs.

\* Sec. 4. AS 26.20.010 is amended by adding a new subsection to read:

(c) It is further declared that the purpose of this chapter and the policy of the state is that all homeland security and civil defense functions of this state be coordinated by and through the Department of Military and Veterans' Affairs, with the cooperation and assistance of all state agencies.

\* Sec. 5. AS 26.20.020 is amended to read:

**Sec. 26.20.020. Homeland security and civil [CIVIL] defense powers of the Department of Military and Veterans' Affairs.** (a) The Department of Military and Veterans' Affairs is responsible for carrying out the provisions of this chapter [AND, IN THE EVENT OF DISASTER OR EMERGENCY BEYOND LOCAL CONTROL, MAY ASSUME DIRECT OPERATIONAL CONTROL OVER ALL OR ANY PART OF THE CIVIL DEFENSE FUNCTIONS WITHIN THIS STATE]

(b) In performing its duties under this chapter, the department may

(1) issue, adopt, amend, and rescind the necessary orders and regulations to carry out this chapter, with consideration of the plans and programs of the federal government;

(2) prepare and implement [A] comprehensive plans [PLAN] and programs [PROGRAM] for the homeland security and civil defense of this state, and coordinate with state agencies in the preparation and implementation of those plans and programs, which shall be integrated into and coordinated with the homeland security and civil defense plans and programs of the federal government and of each state of the United States to the fullest possible extent, and coordinate the preparation and implementation of plans and programs for homeland security and civil defense by political subdivisions and private agencies of the [DISTRICTS OF THIS] state, which shall be integrated into and coordinated with the homeland security and civil defense plans [PLAN] and programs [PROGRAM] of this state to the fullest possible extent;

(3) ascertain the requirements of the state [FOR THE DISTRICTS OF THE STATE] for food or clothing or other necessities of life in the event of attack and plan for and procure supplies, medicines, materials, and equipment, and use and employ any of the property, services, and resources within the state, for the purposes

1 set out [FORTH] in this chapter; make surveys of the industries, resources, and  
 2 facilities within the state that are necessary to carry out the purposes of this chapter;  
 3 institute training programs and public information programs; [1] and take all other  
 4 preparatory steps, including the partial or full mobilization of homeland security,  
 5 civil defense, and emergency organizations and personnel in advance of actual  
 6 attack [DISASTER], to ensure the furnishing of adequately trained and equipped  
 7 [FORCES OF CIVIL DEFENSE] personnel and adequate resources in time of need;  
 8 (4) coordinate [COOPERATE] with the [PRESIDENT AND HEADS  
 9 OF THE ARMED FORCES, AND THE CIVIL DEFENSE AGENCY OF THE  
 10 UNITED STATES, AND WITH THE:] officers and agencies of the United States and  
 11 the states of the United States, in matters pertaining to the homeland security and  
 12 civil defense of the state and nation [AND THE INCIDENTS THEREOF; AND IN  
 13 THIS CONNECTION, TO TAKE ANY MEASURES THAT IT CONSIDERS  
 14 PROPER TO CARRY INTO EFFECT A REQUEST OF THE PRESIDENT AND  
 15 THE APPROPRIATE FEDERAL OFFICERS AND AGENCIES FOR ACTION  
 16 LOOKING TO CIVIL DEFENSE, INCLUDING THE DIRECTION OR CONTROL  
 17 OF

18 (A) BLACKOUTS AND PRACTICE BLACKOUTS, AIR  
 19 RAID DRILLS, MOBILIZATION OF CIVIL DEFENSE FORCES, AND  
 20 OTHER TESTS AND EXERCISES;

21 (B) WARNINGS AND SIGNALS FOR DRILLS OR  
 22 ATTACKS AND THE MECHANICAL DEVICES TO BE USED IN  
 23 CONNECTION WITH THEM;

24 (C) THE EFFECTIVE SCREENING OR EXTINGUISHING  
 25 OF LIGHTS AND LIGHTING DEVICES AND APPLIANCES;

26 (D) SHUTTING OFF WATER MAINS, GAS MAINS,  
 27 ELECTRIC POWER CONNECTIONS AND THE SUSPENSION OF  
 28 OTHER UTILITY SERVICES;

29 (E) THE CONDUCT OF CIVILIANS AND THE  
 30 MOVEMENT AND CESSATION OF MOVEMENT OF PEDESTRIANS  
 31 AND VEHICULAR TRAFFIC DURING, BEFORE, AND AFTER DRILLS

OR ATTACK;

(F) PUBLIC MEETINGS OR GATHERINGS; AND

(G) THE EVACUATION AND RECEPTION OF THE  
CIVILIAN POPULATION];

(5) exercise additional authority delegated by the governor to the  
department [TAKE ACTION AND GIVE DIRECTIONS TO STATE AND LOCAL  
 LAW ENFORCEMENT OFFICERS AND AGENCIES AS ARE REASONABLE  
 AND NECESSARY] to secure compliance with this chapter and with the orders and  
 regulations issued or adopted under this chapter;

(6) employ measures and give directions to the state or local  
 [BOARDS OF] health agencies as are reasonably necessary for the purpose of  
 securing compliance with this chapter or with the findings or recommendations of  
 state or local [BOARDS OF] health agencies due to conditions arising from  
 [ENEMY] attack or the threat of [ENEMY] attack [OR OTHERWISE];

(7) obtain and utilize the services, [AND] facilities, and information  
 of existing officers [,] and agencies of the state and of the political subdivisions  
 [DISTRICTS] of the state, whose duty it is to cooperate with and extend their services,  
 [AND] facilities, and information to the department as requested by it;

(8) ESTABLISH AGENCIES AND OFFICES AND APPOINT  
 EXECUTIVE, TECHNICAL, CLERICAL, AND OTHER PERSONNEL  
 NECESSARY TO CARRY OUT THIS CHAPTER, INCLUDING, WITH  
 CONSIDERATION TO THE RECOMMENDATION OF THE LOCAL  
 AUTHORITIES, FULL-TIME STATE AND DISTRICT DIRECTORS;

(9) delegate authority vested in the department under this chapter, and  
 provide for the subdelegation of this authority;

(2) [(10)] sponsor and develop mutual aid and cooperation plans and  
 agreements among [BETWEEN] the agencies [DISTRICTS] of the state, the political  
subdivisions of the state, and private agencies and organizations;

(10) [(11)] ESTABLISH DISTRICTS IN THE STATE AS ARE  
 NEEDED TO CARRY OUT THE PURPOSES AND INTENT OF THIS CHAPTER;

(12) sell, lend, transfer, or deliver supplies or medicines to carry out

the policy and purposes set out [FOUR] in this chapter on terms and conditions that the department considers reasonable;

(11) participate in and conduct exercises to implement homeland security plans and to prepare for a potential attack;

(12) advise the governor and the legislature on appropriate policy of the state for matters of homeland security and civil defense; and

(13) coordinate with state agencies in providing a recommendation to the governor for state action in response to changes in threat levels 1, BUT SUBJECT TO THE FOLLOWING:

(A) MONEY DERIVED FROM THE SALE OF SUPPLIES AND MEDICINES SHALL BE DEPOSITED IN A SPECIAL FUND, WHICH SHALL BE USED BY THE DEPARTMENT TO REPLENISH AND PURCHASE THE NECESSARY SUPPLIES AND MEDICINES;

(B) A SALE UNDER THIS PARAGRAPH MAY NOT BE FOR AN AMOUNT BELOW 10 PER CENT OF THE REQUISITION COST UNLESS FIRST APPROVED BY THE DEPARTMENT).

\* Sec. 6. AS 26.20 is amended by adding a new section to read:

**Sec. 26.20.025. Creation and duties of the Alaska division of homeland security and emergency management.** (a) There is established in the department the Alaska division of homeland security and emergency management, possessing the powers and duties as set out in this section and as delegated by the adjutant general of the department.

(b) The Alaska division of homeland security and emergency management, with the concurrence and approval of the adjutant general of the department, shall prepare and maintain a state homeland security plan and keep it current. The plan may include provisions for

(1) investigation and assessment of attack threats to persons, facilities, systems, infrastructure, and other property in this state;

(2) identification of geographical areas, municipalities, facilities, systems, infrastructure, or other property or persons especially vulnerable to an attack;

(3) prioritization of measures to protect persons, facilities, systems,

infrastructure, and other property in the state from attack;

(4) organization of personnel, including chains of command, and other resources;

(5) coordination and deployment of personnel, including the organized militia, state and local agency personnel, and authorized volunteers, and other resources to protect persons, facilities, systems, infrastructure, and other property in the state from attack or to respond to an attack;

(6) assistance to local officials and private agencies in designing local and private security plans;

(7) coordination of federal, state, local, and private agencies' homeland security activities;

(8) coordination of the state homeland security plan with the state emergency plan and with the homeland security and disaster plans of the federal government;

(9) other planning, prevention, preparedness, response, and mitigation measures designed to eliminate or reduce the threat or effect of an attack; and

(10) other actions necessary to carry out the purposes of this chapter.

(c) With the concurrence and approval of the adjutant general of the department, the Alaska division of homeland security and emergency management shall

(1) develop, coordinate, and maintain a prioritized list of critical infrastructure in the state;

(2) determine requirements of the state and its political subdivisions for food, medicine, clothing, and other necessities in the event of an attack;

(3) procure and pre-position personnel, supplies, medicines, materials, and equipment;

(4) plan and make arrangements for the availability and use of private facilities, services, and property and, if necessary and used, provide for payment for use under terms and conditions agreed upon by the state and the other parties or as provided under AS 26.20.045;

(5) establish a register of persons with types of training and skills

important in homeland security and emergency response functions;

(6) prepare, for issuance or adoption by the governor, orders, proclamations, and regulations as necessary or appropriate in coping with attacks;

(7) cooperate with the federal government and public or private agencies or entities in achieving the purposes of this chapter and in implementing programs for homeland security, civil defense, and attack prevention, preparedness, response, recovery, and mitigation;

(8) do other things necessary or proper for the implementation of this chapter.

(d) The division has the additional powers and duties set out in AS 26.23.040.

\* Sec. 7. AS 26.20.030 is amended to read:

Sec. 26.20.030. Reciprocal aid agreements with other governments. In accordance with this chapter, the [THE] governor may enter into reciprocal aid agreements with other states, [AND WITH] the federal government, and provinces [ETTER ON A STATEWIDE BASIS OR LOCAL DISTRICT BASIS OR WITH A NEIGHBORING STATE OF THE UNITED STATES OR A PROVINCE] of a foreign country. [THESE MUTUAL AID AGREEMENTS SHALL BE LIMITED TO THE FURNISHING OR EXCHANGE OF FOOD, CLOTHING, MEDICINE, AND OTHER SUPPLIES; ENGINEERING SERVICES; EMERGENCY HOUSING; POLICE SERVICES; NATIONAL OR STATE GUARDS WHILE UNDER THE CONTROL OF THE STATE; HEALTH, MEDICAL AND RELATED SERVICES; FIRE FIGHTING, RESCUE, TRANSPORTATION, AND CONSTRUCTION SERVICES AND EQUIPMENT; PERSONNEL NECESSARY TO PROVIDE OR CONDUCT THESE SERVICES; AND OTHER SUPPLIES, EQUIPMENT, FACILITIES, PERSONNEL, AND SERVICES THAT ARE NEEDED; THE REIMBURSEMENT OF COSTS AND EXPENSES FOR EQUIPMENT, SUPPLIES, PERSONNEL, AND SIMILAR ITEMS FOR MOBILE SUPPORT UNITS, FIRE-FIGHTING UNITS, POLICE UNITS, AND HEALTH UNITS. THE AGREEMENTS SHALL BE ON TERMS AND CONDITIONS THAT ARE CONSIDERED NECESSARY.]

\* Sec. 8. AS 26.20.040 is amended to read:

Sec. 26.20.040. Emergency powers of the governor. In the event of actual enemy or terrorist attack in or against the state, or a credible threat of imminent enemy or terrorist attack, the governor may declare that a state of emergency exists, and, during the period of time that the state of emergency exists or continues, the governor has and may exercise the additional emergency power

(1) to enforce all laws and regulations relating to homeland security and civil defense and assume direct operational control of all homeland security and civil defense forces and helpers in the state;

(2) to seize, take, or condemn property if, and only to the extent that, the governor determines that the property is needed for the protection of the public [OR AT THE REQUEST OF THE PRESIDENT, THE ARMED FORCES OR THE CIVIL DEFENSE AGENCY OF THE UNITED STATES], including

(A) [ALL MEANS OF] transportation and communication equipment, except newspapers and news services;

(B) [ALL STOCKS OF] fuel [OF WHATEVER NATURE];

(C) food, clothing, equipment, materials, medicines, and supplies; and

(D) facilities including buildings and plants;

(3) to sell, lend, give, or distribute the fuel, food, clothing, medicines, and supplies among the inhabitants of the state and account to the commissioner of revenue for funds received for the property;

(4) to make compensation for the property seized, taken, or condemned on the basis described in AS 26.20.045;

(5) to suspend the provisions of a regulatory statute prescribing procedures for the conduct of state business or the order or regulation of a state agency if compliance with the provisions of the statute, order, or regulation would prevent, or substantially impede or delay, action necessary to cope with the emergency;

(6) to use all available resources of the state government and of each political subdivision of the state as reasonably necessary to cope with the emergency;

1 (1) to transfer personnel or alter the functions of state departments  
 2 and agencies or units of them for the purpose of responding to or facilitating the  
 3 response to the emergency;

4 (2) to perform and exercise other functions, powers, and duties that are  
 5 considered necessary to promote and secure the safety and protection of the civilian  
 6 population.

7 \* Sec. 9. AS 26.20.040 is amended by adding new subsections to read:

8 (a) A state of emergency declared under (a) of this section may not remain in  
 9 effect longer than 30 days unless extended by the legislature by law and may be  
 10 terminated by law or withdrawal of the declaration.

11 (c) In this section, "credible threat of imminent enemy or terrorist attack"  
 12 means a threat of attack against persons or property in the state that the adjutant  
 13 general of the department or a designee of the adjutant general, in consultation with  
 14 the commissioner of public safety or a designee of the commissioner of public safety,  
 15 certifies to the governor has a high probability of occurring in the near future; the  
 16 certification must be based on specific information received from a local, state,  
 17 federal, or international agency, or another source that the adjutant general or the  
 18 designee of the adjutant general, in conjunction with the commissioner of public safety  
 19 or a designee of the commissioner of public safety, determines is reliable.

20 \* Sec. 10. AS 26.20.100 is amended to read:

21 Sec. 26.20.100. Traffic control. In coordination with the Department of  
 22 Public Safety and the Department of Transportation and Public Facilities, the

23 [THE] department may  
 24 (1) formulate and execute plans and regulations for the control of  
 25 traffic for the rapid and safe movement of evacuation over public highways and streets  
 26 of people, troops, or vehicles and materials for homeland security and civil defense;  
 27 and

28 (2) establish and operate checkpoints along private or public  
 29 roadways serving critical property or facilities in the state, at the direction of the  
 30 governor when the governor determines that a sufficiently high threat of enemy  
 31 or terrorist attack exists to warrant the action; the checkpoints established under

1 this paragraph may be in conjunction with closure of the roadway under  
 2 AS 19.10.100; operation of a checkpoint shall include the posting of checkpoint  
 3 signs in a manner that provides advance notice of the checkpoint so that persons  
 4 are afforded a reasonable opportunity to turn around without passing through  
 5 the checkpoint; operation of a checkpoint shall be limited to enforcement of the  
 6 roadway closure or reasonable inspection of persons and vehicles passing  
 7 through the checkpoint for weapons, explosives, chemicals, biological or  
 8 biochemical agents, or other instruments capable of causing widespread severe  
 9 injury to persons or property; however, at a checkpoint authorized under this  
 10 paragraph, a person is entitled to retain possession of an amount of deadly  
 11 weapons or defensive weapons that is reasonably justifiable for the person's  
 12 lawful use, so long as those weapons are not prohibited weapons; in this  
 13 paragraph, "deadly weapon" and "defensive weapon" have the meanings given  
 14 in AS 11.81.900(b), and "prohibited weapon" has the meaning given in  
 15 AS 11.61.200 [NATIONAL DEFENSE OR FOR USE IN A DEFENSE INDUSTRY,  
 16 AND MAY COORDINATE THE ACTIVITIES OF THE DEPARTMENTS OR  
 17 AGENCIES OF THE STATE AND OF THE DISTRICTS CONCERNED WITH  
 18 PUBLIC HIGHWAYS AND STREETS, IN A MANNER THAT WILL BEST  
 19 CARRY OUT THOSE PLANS].

20 \* Sec. 11. AS 26.20.110 is amended to read:

21 Sec. 26.20.110. Lease or loan of state property and transfer of personnel.  
 22 Notwithstanding any inconsistent provision of law,

23 (1) whenever the governor considers it is in the public interest [,] and  
 24 the urgency of the situation demands, the governor may

25 (1) [(A)] authorize a department or agency of the state to lease or lend,  
 26 on the terms and conditions that the governor considers necessary to promote the  
 27 public welfare and protect the interests of the state, real or personal property of the  
 28 state government to the president, the heads of the armed forces, or to the homeland  
 29 security or civil defense agency of the United States;

30 (2) [(B)] enter into an agreement on behalf of the state for the use or  
 31 loan to any political subdivision [DISTRICT] of the state, on terms and conditions

1 the governor considers necessary to promote the public welfare and protect the  
 2 interests of the state, of real or personal property of the state government, or the  
 3 temporary transfer or employment of personnel of the state government, to or by any  
 4 political subdivision [DISTRICT ] of the state ];

5 (2) THE DIRECTOR OF EACH DISTRICT OF THE STATE MAY  
 6 (A) ENTER INTO A CONTRACT OR LEASE WITH THE  
 7 STATE, OR ACCEPT A LOAN, OR EMPLOY PERSONNEL, AND THE  
 8 DISTRICT MAY EQUIP, MAINTAIN, UTILIZE, AND OPERATE THE  
 9 PROPERTY AND EMPLOY NECESSARY PERSONNEL FOR THAT  
 10 PURPOSE IN ACCORDANCE WITH THE PURPOSES FOR WHICH THE  
 11 CONTRACT IS EXECUTED;

12 (B) DO ALL THINGS AND PERFORM ALL ACTS THAT  
 13 THE GOVERNOR CONSIDERS NECESSARY TO CARRY OUT THE  
 14 PURPOSE FOR WHICH THE CONTRACT IS MADE ]

15 \* Sec. 12. AS 26.20.145 is amended to read:

16 Sec. 26.20.145. Immunity of owners of public shelters. A person owning or  
 17 controlling real estate who voluntarily and without compensation permits the  
 18 designation or use of the whole or part of the real estate for the purpose of sheltering  
 19 persons during an actual or practice attack or homeland security or civil defense  
 20 emergency or practice drill shall, together with the person's successors in interest, be  
 21 immune from suit for negligence arising out of the construction or maintenance of the  
 22 property causing the death of, or injury to, any person using the shelter during an  
 23 actual or practice attack or homeland security or civil defense emergency or  
 24 practice drill

25 \* Sec. 13. AS 26.20.150 is amended to read:

26 Sec. 26.20.150. Authority to accept services, gifts, grants, and loans. (a)  
 27 Whenever the federal government or an agency or officer of the federal government  
 28 offers to the state ], OR THROUGH THE STATE TO A DISTRICT, ] services,  
 29 equipment, supplies, materials, or funds by way of gift, grant, or loan, for the purpose  
 30 [PURPOSES] of homeland security or civil defense, the department [STATE  
 31 ACTING THROUGH THE GOVERNOR, OR THE DISTRICT, ACTING WITH

1 THE CONSENT OF THE GOVERNOR AND THROUGH ITS EXECUTIVE  
 2 OFFICER OR GOVERNING BODY,] may accept the offer and [UPON  
 3 ACCEPTANCE THE GOVERNOR OR THE EXECUTIVE OFFICER OR  
 4 GOVERNING BODY OF THE DISTRICT MAY AUTHORIZE AN OFFICER OF  
 5 THE STATE OR THE DISTRICT, AS THE CASE MAY BE, TO] receive the  
 6 services, equipment, supplies, materials, or funds on behalf of the state [OR THE  
 7 DISTRICT], subject to the terms of the offer and the regulations, if any, of the agency  
 8 making the offer.

9 (b) Whenever a person offers to the state [OR TO A DISTRICT] services,  
 10 equipment, supplies, materials, or funds by way of gift, grant, or loan, for purpose of  
 11 homeland security or civil defense, the department [STATE ACTING THROUGH  
 12 THE GOVERNOR, OR THE DISTRICT ACTING THROUGH ITS EXECUTIVE  
 13 OFFICER OR GOVERNING BODY,] may accept the offer and [UPON  
 14 ACCEPTANCE THE GOVERNOR OR THE EXECUTIVE OFFICER OR  
 15 GOVERNING BODY OF THE DISTRICT MAY AUTHORIZE AN OFFICER OF  
 16 THE STATE OR OF THE DISTRICT, AS THE CASE MAY BE, TO] receive the  
 17 services, equipment, supplies, materials, or funds on behalf of the state, [OR  
 18 DISTRICT, AND] subject to the terms of the offer.

19 \* Sec. 14. AS 26.20 is amended by adding a new section to read:

20 Sec. 26.20.195. Federal regulation of homeland security. The requirements  
 21 of this chapter do not apply to facilities, aircraft, vessels, and other means and modes  
 22 of transportation that are subject to federal homeland security requirements, including  
 23 aviation security requirements at 49 C.F.R. Chapter XII Subchapter B, Part 1520, and  
 24 Subchapter C, Parts 1540 - 1550, and maritime and land security requirements at 33  
 25 C.F.R. Chapter 1 Subchapter II, Parts 101 - 106, and 49 C.F.R. Chapter XII  
 26 Subchapter D, Parts 1570 - 1572.

27 \* Sec. 15. AS 26.20.200 is amended by adding new paragraphs to read:

28 (4) "attack" means the use of weapons, explosives, chemicals,  
 29 biological or biochemical agents, or other instruments with the potential for major  
 30 force or impact, with apparent intent to inflict widespread or severe injury to persons  
 31 or property;

(5) "homeland security" means the detection, prevention, preemption, and deterrence of, protection from, and response to attacks targeted at territory, population, or infrastructure in this state;

(6) "political subdivision" means

(A) a municipality; or

(B) another unit of local government;

(7) "private agency" means a for-profit or nonprofit corporation, unincorporated village, association, or other group or entity operating in the state.

\* Sec. 16. AS 26.23.020(g) is amended to read:

(g) In addition to any other powers conferred upon the governor by law, the governor may, under AS 26.23.010 - 26.23.220,

(1) suspend the provisions of any regulatory statute prescribing procedures for the conduct of state business, or the orders or regulations of any state agency, if compliance with the provisions of the statute, order, or regulation would prevent, or substantially impede or delay, action necessary to cope with the disaster emergency;

(2) use all available resources of the state government and of each political subdivision of the state as reasonably necessary to cope with the disaster emergency;

(3) transfer personnel or alter the functions of state departments and agencies or units of them for the purpose of performing or facilitating the performance of disaster emergency services;

(4) subject to any applicable requirements for compensation under AS 26.23.160, commandeer or utilize any private property, except for all news media other than as specifically provided for in AS 26.23.010 - 26.23.220, if the governor considers this necessary to cope with the disaster emergency;

(5) direct and compel the relocation of all or part of the population from any stricken or threatened area in the state [ ] if the governor considers relocation necessary for the preservation of life or for other disaster mitigation purpose;

(6) prescribe routes, modes of transportation, and destinations in connection with necessary relocation;

(7) control ingress to and egress from a disaster area, the movement of persons within the area, and the occupancy of premises in it;

(8) suspend or limit the sale, dispensing, or transportation of alcoholic beverages, [FIREARMS,] explosives, and combustibles;

(9) make provisions for the availability and use of temporary emergency housing;

(10) allocate or redistribute food, water, fuel, [OR] clothing, medicine, or supplies; and

(11) use money from the oil and hazardous substance release response account in the oil and hazardous substance release prevention and response fund, established by AS 46.08.010, to respond to a declared disaster emergency related to an oil or hazardous substance discharge.

\* Sec. 17. AS 26.23.040 is amended by adding a new subsection to read:

(g) The Alaska division of homeland security and emergency management has the additional powers and duties set out in AS 26.20.025.

\* Sec. 18. AS 26.23.170 is amended to read:

Sec. 26.23.170. Communications. The Department of Military and Veterans' Affairs [ALASKA DIVISION OF EMERGENCY SERVICES] shall ascertain what means exist for rapid and efficient communications in times of disaster emergency. The department [DIVISION] shall consider the desirability of supplementing these communications resources, or of integrating them into a comprehensive state or state-federal telecommunications network or other communication system or network. In studying the character and feasibility of any system or its several parts, the department [DIVISION] shall evaluate the possibility of multi-purpose use of it or its parts for general state and local governmental purposes. The department [DIVISION] shall make recommendations to the governor as appropriate.

\* Sec. 19. AS 26.23.170 is amended by adding a new subsection to read:

(b) A statewide 911 coordinator is established within the Department of Military and Veterans' Affairs to coordinate and facilitate the implementation of 911 systems throughout the state. The 911 coordinator shall

(1) participate in efforts to set uniform statewide standards for automatic number identification and automatic location identification data transmission for telecommunications systems;

(2) make recommendations as necessary for implementation of basic and enhanced 911 service.

\* Sec. 20. AS 26.23.210 is repealed and reenacted to read:

**Sec. 26.23.210. Relationship to homeland security and civil defense law.**

(a) In the event of a conflict between this chapter and AS 26.20, including in the event the governor declares a disaster under this chapter due to an attack or credible threat of imminent enemy or terrorist attack as described in AS 26.23.900(2), the provisions of this chapter shall govern.

(b) The provisions of AS 26.20.140, providing for immunity of government, employees, and other authorized persons in certain circumstances, apply when the entities or persons covered by AS 26.20.140 perform duties under AS 26.23.010 - 26.23.220, except as otherwise provided in AS 26.23.136 for entities or other persons providing assistance to the state under a compact in a form substantially as contained in AS 26.23.136.

\* Sec. 21. AS 26.23.900(2) is amended to read:

(2) "disaster" means the occurrence or imminent threat of widespread or severe damage, injury, loss of life or property, or shortage of food, water, or fuel resulting from

(A) an incident such as storm, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, avalanche, snowstorm, prolonged extreme cold, drought, fire, flood, epidemic, explosion, or riot;

(B) the release of oil or a hazardous substance if the release requires prompt action to avert environmental danger or mitigate environmental damage; [OR]

(C) equipment failure if the failure is not a predictably frequent or recurring event or preventable by adequate equipment maintenance or operation.

(D) enemy or terrorist attack or a credible threat of imminent enemy or terrorist attack in or against the state that the adjutant general of the Department of Military and Veterans' Affairs or a designee of the adjutant general, in consultation with the commissioner of public safety or a designee of the commissioner of public safety, certifies to the governor has a high probability of occurring in the near future; the certification must meet the standards of AS 26.20.040(c); in this subparagraph, "attack" has the meaning given under AS 26.20.200; or

(E) an outbreak of disease or a credible threat of an imminent outbreak of disease that the commissioner of health and social services or a designee of the commissioner of health and social services certifies to the governor has a high probability of occurring in the near future; the certification must be based on specific information received from a local, state, federal or international agency, or another source that the commissioner or the designee determines is reliable;

\* Sec. 22. AS 26.20.050, 26.20.060, 26.20.070, 26.20.080, 26.20.090, 26.20.120, 26.20.130, 26.20.160, 26.20.170, 26.20.180, 26.20.200(3), AS 26.23.030, and 26.23.900(4) are repealed.

\* Sec. 23. AS 24.20.680 is repealed January 1, 2009.

\* Sec. 24. The uncodified law of the State of Alaska is amended by adding a new section to read:

**PREPARATION AND PRESENTATION OF PROPOSED LEGISLATION.** If the adjutant general of the Department of Military and Veterans' Affairs determines that additional qualifications for service on the Homeland Security and Emergency Management Subcommittee under AS 24.20.680, added by sec. 2 of this Act, would significantly enhance the security of sensitive materials or information to be reviewed under AS 24.20.680, the adjutant general shall prepare a bill proposing amendments to AS 24.20.680, enacted by sec. 2 of this Act, for consideration by each house of the legislature, and shall deliver the bill to the Secretary of the Alaska State Senate and the Chief Clerk of the Alaska State House of Representatives not later than 30 days following the convening of the First Regular Session of the Twenty-Fourth Alaska State Legislature.

Chapter 179

1 \* **Sec. 25.** The uncodified law of the State of Alaska is amended by adding a new section to  
 2 read:  
 3 **TRANSITION.** Notwithstanding AS 24.20.680(a), enacted by sec. 2 of this Act, the  
 4 Homeland Security and Emergency Management Subcommittee established in AS 24.20.680,  
 5 enacted by sec. 2 of this Act, shall be organized for the first time within 15 days after the  
 6 effective date of this section.  
 7 \* **Sec. 26.** The uncodified law of the State of Alaska is amended by adding a new section to  
 8 read:  
 9 **REVISOR'S INSTRUCTIONS.** (a) The revisor of statutes is instructed to change the  
 10 heading of  
 11 (1) AS 26.20 from "Chapter 20. Civil Defense" to "Chapter 20. Homeland  
 12 Security and Civil Defense";  
 13 (2) AS 26.23.040 from "Duties of the Alaska division of emergency services."  
 14 to "Homeland security duties of the Alaska division of homeland security and emergency  
 15 management."  
 16 (b) Wherever in the Alaska Statutes and the Alaska Administrative Code the term  
 17 "division of emergency services," which is in the Department of Military and Veterans'  
 18 Affairs, is used, it shall be read as the "division of homeland security and emergency  
 19 management" when to do so would be consistent with the purpose of this Act.  
 20 (c) Under AS 01.05.031, the revisor of statutes shall implement this section in the  
 21 statutes  
 22 (d) Under AS 44.02.125(b)(6), the regulations attorney shall implement (b) of this  
 23 section in the Alaska Administrative Code.  
 24 \* **Sec. 27.** Section 19 of this Act takes effect March 1, 2005.  
 25 \* **Sec. 28.** Except as provided in sec. 27 of this Act, this Act takes effect immediately under  
 26 AS 01.16.070(c).

LAWS OF ALASKA

2004



Source  
CSSB 254(FIN)(cfd)(d)

Chapter No.  
180

AN ACT

Relating to tourism marketing contracts.

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

THE ACT FOLLOWS ON PAGE 1

Approved by the Governor: August 12, 2004  
Actual Effective Date: November 10, 2004

# ALASKA STATE LEGISLATURE

*Co-Chair:*  
Joint Armed Services Committee

*Vice-Chair:*  
Legislative Budget and Audit  
Judiciary Committee

*Member:*  
Economic Development, Trade & Tourism  
Energy



*Session:*  
Alaska State Capitol  
Juneau, AK 99801-1182  
Phone: (907) 465-3783  
Fax: (907) 465-2293  
Toll Free (877) 460-3783

*Interim:*  
10928 Eagle River Road  
Eagle River, Alaska 99577  
Phone: (907) 622-3783  
Fax: (907) 622-3784

## REPRESENTATIVE NANCY DAHLSTROM

ELMENDORF AFB • FORT RICHARDSON • BIRCHWOOD • FIRE LAKE • GOVERNMENT HILL • MULDOON  
Representative\_Nancy\_Dahlstrom@legis.state.ak.us

### Sponsor Statement House Bill 80

“An act relating to the Joint Armed Services Committee and its Homeland Security and Emergency Management Subcommittee; and providing for an effective date.”

In 1999, the Joint Armed Services Committee (JASC) was formed with a 10 year sunset. At the time Alaska was being considered as the site for deployment of a national missile defense system. During the same time the base realignments and closures commission (BRAC) were expected to consider closing vital military installations in Alaska.

Making the committee a permanent interim committee in 1999 allowed for legislative oversight on the military around the state year round. It also showed how serious Alaska is in supporting the defense of our country. With the strategic location of Alaska in the pacific theatre and the large military presence that continues to grow, military leaders and local elected officials across Alaska know that the Joint Armed Services Committee serves an important venue for education and oversight for the state.

When the committee was formed there was no way to know if we would continue to face BRAC complications or if the missile defense system site would be built in Alaska, which is why there was a 10 year sunset put in place. As we all know, we faced a challenging BRAC process in 2005 and we predict a future BRAC discussion under the Obama Administration in the near future. Since inception of JASC the Missile Defense site was built in Fort Greely and the committee continues to be apprised of the vital role it plays in our national defense.

Many communities in Alaska rely on the local military installations to support their economy and population of the community. With Alaska's strategic location we continue to provide safety and security to our Nation. Therefore, we feel making this committee permanent is in the best interest of our State and the security of our Nation.

The JASC has served the people of Alaska well by allowing the legislature to have an active role in the decisions and activities the military conducts in our state. I respectfully ask for the committees favorable support of HB 80.

Thank you.

# FISCAL NOTE

**STATE OF ALASKA**  
**2009 LEGISLATIVE SESSION**

Fiscal Note Number: HB80  
 Bill Version: \_\_\_\_\_  
 () Publish Date: \_\_\_\_\_

Identifier (file name): HB80-LEG-COU-1-23-09 Dept. Affected: Legislature  
 Title: \_\_\_\_\_ RDU: Legislative Council  
 Component: Council and Subcommittees  
 Sponsor: Representative Dahlistrom  
 Requester: House State Affairs Component Number: 783

**Expenditures/Revenues** (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Contractual	0.0	81.5	81.5	81.5	81.5	81.5	81.5	81.5
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>81.5</b>	<b>81.5</b>	<b>81.5</b>	<b>81.5</b>	<b>81.5</b>	<b>81.5</b>	<b>81.5</b>

<b>CAPITAL EXPENDITURES</b>								
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<b>CHANGE IN REVENUES ( )</b>								
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF	0.0	81.5	81.5	81.5	81.5	81.5	81.5	81.5
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
<b>TOTAL</b>	<b>0.0</b>	<b>81.5</b>	<b>81.5</b>	<b>81.5</b>	<b>81.5</b>	<b>81.5</b>	<b>81.5</b>	<b>81.5</b>

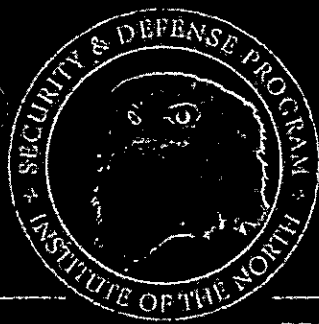
Estimate of any current year (FY2009) cost: \_\_\_\_\_

**POSITIONS**

Full-time								
Part-time								
Temporary								

**ANALYSIS:** (Attach a separate page if necessary)  
 Funding for the Joint Armed Services Committee is included in the Legislative Affairs Agency FY10 Budget Request. If this bill passes, funding for this Committee will be included in future budget requests. This legislation has zero fiscal impact on the Legislative Affairs Agency Budget.

Prepared by: Karla Schofield, Deputy Director Phone 465-6626  
 Division: Legislative Affairs Agency Date/Time 1/23/09 3:12 PM  
 Approved by: Pamela Varni, Executive Director Date 1/23/2009  
 Legislative Affairs Agency



# VANGUARD

PROVIDING INFORMATION ON NATIONAL SECURITY FOR STATE & LOCAL POLICYMAKERS

21 January 2009

## Missile Defense Program in Alaska Boosts State's Economy Directly, and the Nation's Economy Overall

By Mead Treadwell and Jeremy Thompson, editors

A recent study by Hans Geier at the University of Alaska Fairbanks measures the economic impact that the Ground-based Midcourse Defense (GMD) Program is having on the local Alaska economy. The study, entitled *Economic Impact of the Boeing Ground-based Midcourse Defense (GMD) Program; Alaska Operations 2007*, surveyed four regions of the state and estimated the impact of GMD on both on the local rural economies and the gross domestic product of Alaska. The results make a compelling case that while research and development of GMD occurs in other parts of the United States, construction and operations is providing a boost to Alaska's still-developing economy.

Economic impact was classified into two categories. The first kind of impact stems from expenditures by the GMD program itself: direct, indirect and induced. The direct effects are the changes in the industries associated with GMD expenditures. The indirect effects are changes in inter-industry purchases as they respond to the new demands of GMD-affected industries. Induced effects reflect the changes in spending from households as income increases or decreases due to the change in spending by Boeing, the prime contractor for the GMD program and sponsor of the study. All effects combined showed the defense program boosted the state's economy by \$246 million.

The second kind of impact considers household earnings income, tax revenue generated for state and local government, property and sales. The GMD program directly employs 323 people. For each employee, the study finds that an additional 1.2 jobs are created, giving a total of 716 jobs directly and indirectly created. The cumulative total of household earnings based on the factors of payroll and benefits was \$71.8 million, directly and indirectly, with many of the jobs located in areas where few employment opportunities exist. These jobs and income generated \$9.6 million in state and local tax revenue and \$19.4 million for the federal government.

In addition to the role it plays in national defense, the GMD Program is one of Alaska's largest construction projects with economic effects which trickle down to the local level in some of the most isolated rural economies in the world. Ft. Greely, where interceptors are based, was set to be closed entirely before the GMD site decision was made in the Clinton Administration. The Aleutian port of Adak, home port of the GMD's X-Band radar, is one of the most remote places in America, and the local economy had taken a dive after a U.S. Navy base had closed there. Remote Kodiak, with a state-owned launch facility that serves as part of the test-bed for both GMD and other elements of

the layered national system – which envisions sea, air, and ultimately space-based defenses – is also benefitting from GMD construction in Alaska.

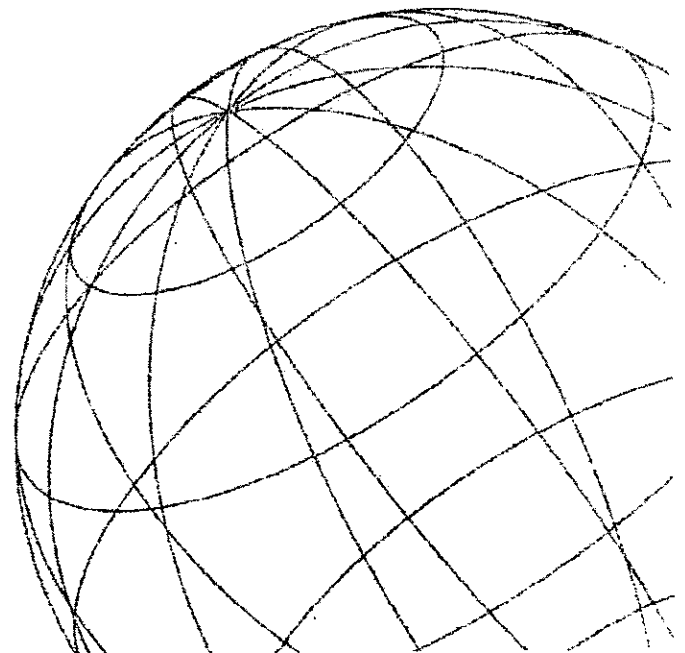
At the Institute of the North's Security and Defense Program, we seldom discuss the economic impact of missile defense construction. The right policy is to defend the homeland against any threat using the best means from the best location. The wrong policy is to support missile defense as a project for creating jobs. Alaskans simply called for a missile defense that would defend all 50 states through a legislative resolution in 1999. The resolution was first introduced in the state legislature in 1997, years before it was known that Alaska might host one layer of the nation's missile defense system. An effective missile defense is essential to deter missile attack on the United States, its forward forces, our friends and allies, especially from "asymmetric" or anonymous sources – states like North Korea, Iran, or from other rogue sources who might launch from ships at sea with no known "national" return address for a retaliatory response. Whatever the economic impact in Alaska, Alabama, California, Hawaii or Colorado, the ultimate impact is to provide an umbrella for the entire U.S. economy. *Link to study:* [http://www.uaf.edu/snras/afes/pubs/misc/R\\_08\\_01.pdf](http://www.uaf.edu/snras/afes/pubs/misc/R_08_01.pdf)

*This article was taken from the Vanguard, a weekly publication of the Security and Defense program at the Institute of the North. It is edited by Senior Fellow Mead Treadwell and Research Associate Jeremy Thompson. For more information or to subscribe, send an email to [jthompson@institutenorth.org](mailto:jthompson@institutenorth.org). The Security and Defense program at the Institute of the North conducts research and educates policymakers on strategic issues relating to the defense of the United States that particularly concern decision makers in Alaska and at the state and local level throughout the nation.*

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*The Institute of the North, based in Anchorage, Alaska, is a non-profit educational and research organization founded in 1994 by former Secretary of the Interior and twice Governor of Alaska Walter J. Hickel, focusing on strategic and natural resource issues.*

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Phone: 907.771.2446 · Fax: 907.771.2466*



**Missile Defense Program Overview For The  
Joint Armed Services Committee  
Alaska State Legislature**



**14 FEB 07**

**Lt Gen Trey Obering, USAF  
Director**

**Missile Defense Agency**

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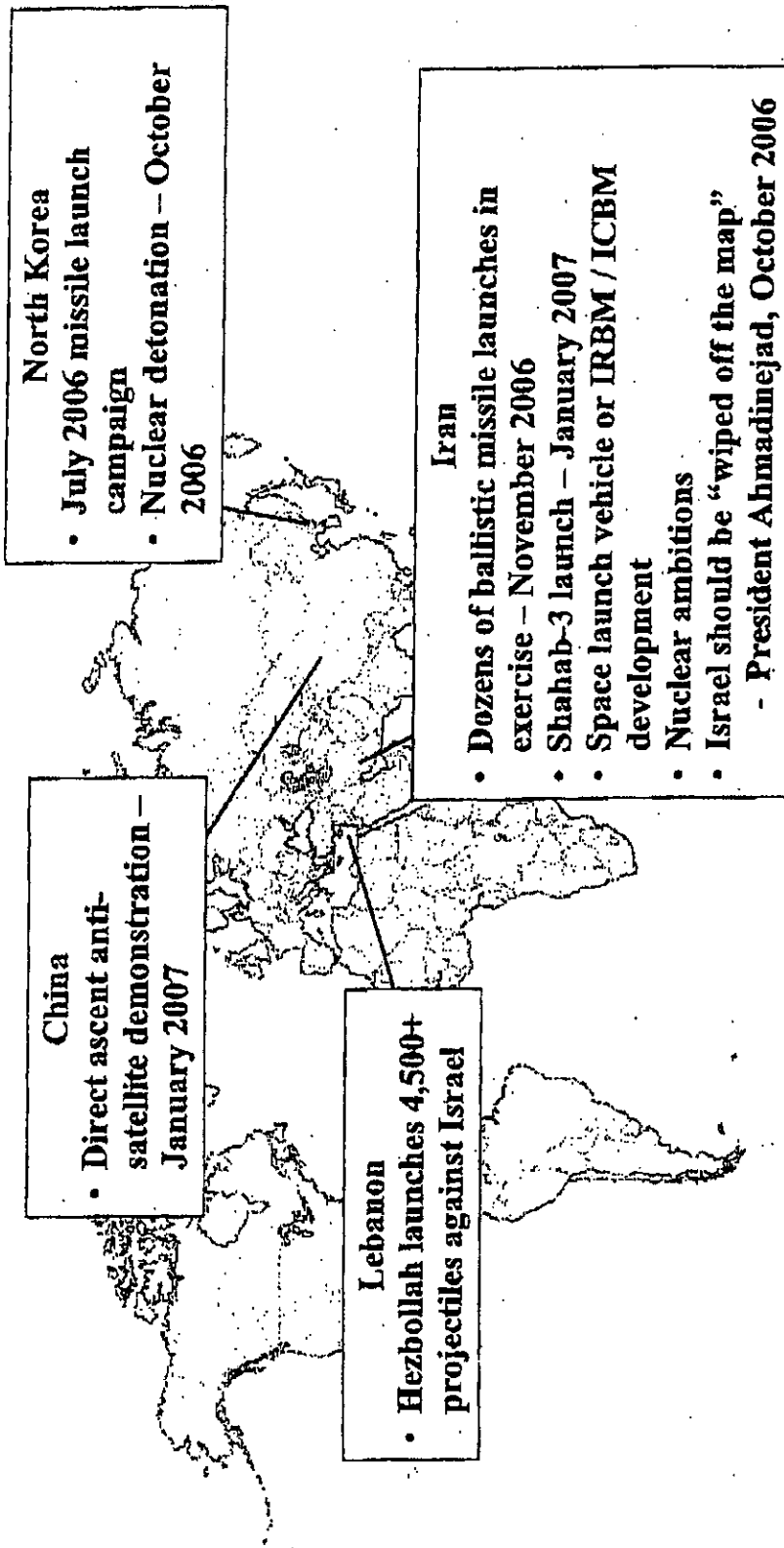


## Challenges And Uncertainties

- Rogue states view ballistic missiles as a means for gaining or maintaining their own freedom of action
  - North Korea uses missiles for coercion, intimidation and deterrence -- proliferates to other nations
  - Iran views ballistic missiles as element of asymmetric strategy against U.S. and allies -- proliferates to both state and non-state actors
- Emerging Threats
  - Several nations are pursuing ballistic missiles of all ranges, increasing missile numbers and sophistication -- emphasis on countermeasures
  - Future threats difficult to predict but likely to arise -- both technical and political surprises
- Evolving role for ballistic missiles and possibly cruise missiles
  - Lebanon crisis demonstrated
    - Rogue state support of non-state actors
    - Use of ballistic missiles and rockets as terror weapons



# Real World Events – Causes For Concern



**Since 2002, There Has Been an Average of 90 Foreign Ballistic Missile Launched Per Year – Last Year, There Were About 100**



# Ballistic Missile Defense Policy And Mission

## Policy

“... The United States plans to begin deployment of a set of missile defense capabilities in 2004. These capabilities will serve as a starting point for fielding improved and expanded missile defense capabilities later.”

*National Security Presidential Directive / NSPD-23  
16 DEC 02*

## Direction

- Establish a single program to develop an integrated system under a newly titled Missile Defense Agency
- Apply a capability-based requirements process for missile defense

*SecDef Memorandum  
Missile Defense Program Direction, 2 JAN 02*

## Mission

- Develop an integrated layered Ballistic Missile Defense System
  - To defend the United States, its deployed forces, allies and friends
  - From ballistic missiles of all ranges
  - Capable of engaging them in all phases of flight



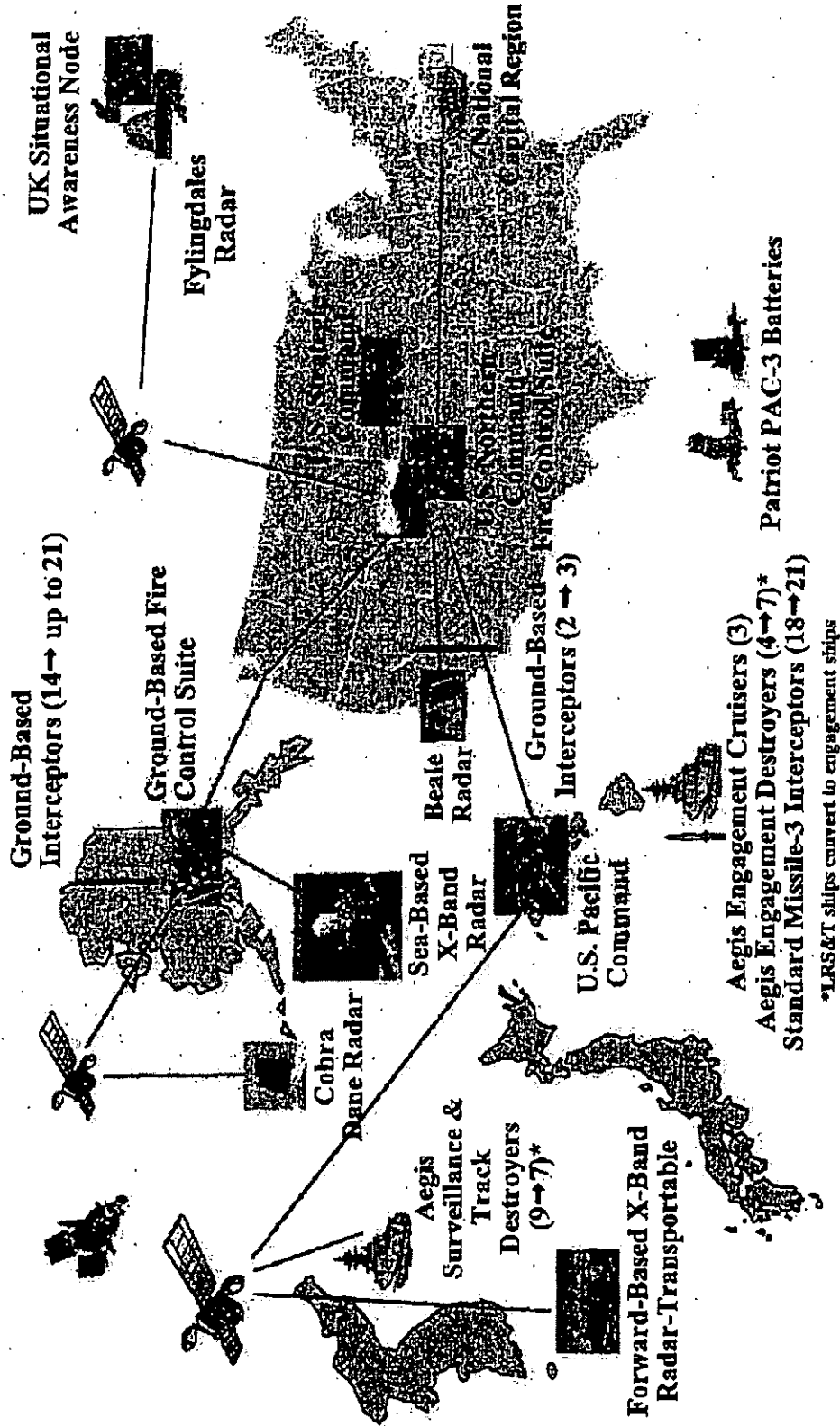
## Missile Defense Program Strategy

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- **Field an initial increment (2004-2005) of capability to provide**
  - **Initial protection of entire U.S. from North Korea, partial protection of the U.S. from Middle East threat**
  - **Protection of deployed forces, allies and friends with terminal defenses**
  
- **Field next increment (2006-2007) of capability to provide**
  - **Complete protection of U.S. from Middle East**
  - **Expand coverage to allies and friends**
  - **Increase countermeasure resistance, and increase capability against shorter-range threats**
  
- **Follow on increments (2008+) begin to increase robustness of interceptor inventory and sensors**
  - **Addresses unconventional attacks**



# System Configuration End February 2007 → End 2007





# Missile Defense Tests

- 14 test successes in last 15 flight tests (with one no test)
  - Aegis Standard Missile-3 intercepts separating warheads (November 2005 and June 2006)
  - Successful Terminal High Altitude Area Defense (THAAD) intercepts of unitary targets (July 2006, January 2007)
  - Successful intercept of target with long-range interceptor (September 2006)
- Upcoming tests in 2007
  - Two intercept flight tests (1 endo-atmospheric, 1 exo-atmospheric) of THAAD interceptor at Pacific Missile Range Facility against short-range unitary targets in middle and late 2007
  - Three Aegis Standard Missile-3 intercepts against short-and medium-range targets in middle and late 2007
  - Two intercept tests of long-range ground-based interceptors in late Spring and early Fall 2007

**24 Hit-to-Kill Intercepts In Low And High Endo-atmosphere,  
Midcourse And Terminal Exo-atmosphere Since 2001**



## Strategic Objectives

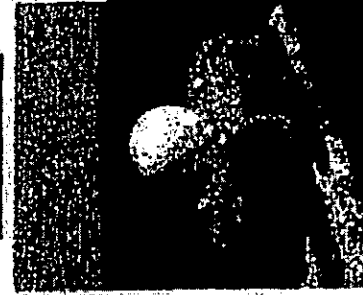
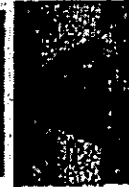
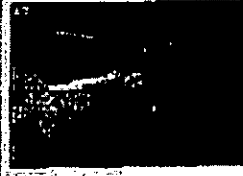
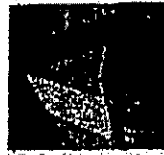
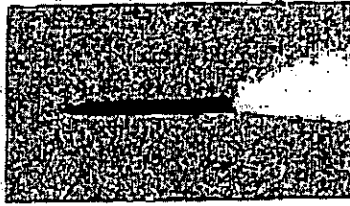
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- *Maintain and sustain an initial capability to defend the U.S., allies and our deployed forces against rogue nation attacks*
  - Homeland defense against long-range missiles from North Korea
  - Develop initial defense for deployed forces and allies in regional conflicts
- *Close gaps and improve this capability against rogue states*
  - Expand homeland defense against Iran
  - Defeat larger and more complicated attacks (e.g., decoys, multiple warheads)
  - Extend deterrence, enhance defenses for deployed forces and allies, and increase international cooperation
  - Extend U.S. decision time and complicate enemy planning
- *Develop options to dissuade and stay ahead of current and emerging threats*
  - Leverage technological advantage to increase defense effectiveness
  - Build a foundation for global access and response



## Capabilities Through 2013

- Increased capability against long-range threats
  - Up to 54 Ground-Based Interceptors (44 in U.S., 10 in Europe)
  - Persistent surveillance and tracking capabilities across western hemisphere and Europe – Alaska, California, Greenland, United Kingdom, Central Europe
- Increased capability against regional and asymmetric threats
  - 18 Aegis engagement ships
  - 132 Standard Missile-3 interceptors
  - 4 Terminal High Altitude Area Defense fire units with 96 interceptors
  - Up to 100 sea-based Standard Missile-2 terminal interceptors
- Greater mobility to address current and surprise threats
  - Sea-based X-band radar (Pacific Ocean)
  - 4 forward-based X-band radars, plus adjunct radar





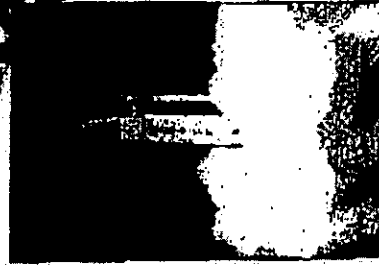
# Alaska Sites



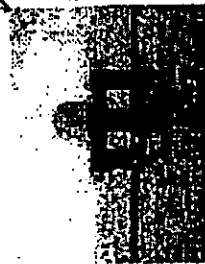
Eareckson Air Station



Kodiak



Adak





## Economic Impact On Delta Junction

- Fort Greely workforce has contributed significantly to the local economy, improving business revenues by 35%
- Fort Greely federal workforce comprises 25% of working population in Upper Tanana Valley – contractors comprise 15%
  - 360 federal workers on Fort Greely
- Allen Army Airfield construction, upgrades and improvements in FY 2007 amount to about \$20 million
- Fort Greely garrison operations annual operating budget is \$43.6 million
  - Workforce consists of 114 Army civilians and 184 contract employees

**From 2000-2005, The Missile Defense Agency  
Has Spent \$625,901,000 In Alaska**



# Alaska Business Data

- **Army Corps of Engineers**
  - \$312M Contract (Projected Final Value)
  - 9 Native Alaska Companies
  - \$213 in Subcontracts and Purchase Orders
    - \$192M (90%) with Alaska Businesses
  
- **Boeing**
  - \$160.2M Projected Final Value
    - \$140.1M (87%) with Alaska Businesses
      - Excluding Cobra Dane and Long-Haul Comm at EAS
  - 4 Native Alaska Companies

*Alaska Companies And Residents Performing Alaska Work*

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FD-106141 / 02/2007 35



# Boeing Company Alaska Business Data

- Total dollars projected final value: \$160.2M
  - \$92.9M (58%) Large Business
  - \$67.3M (42%) Small Business
    - \$2.88M (1.8%) Small Disadvantaged Business
    - \$11.2M (7%) Women Owned Business
    - \$28.8M (18%) Hub Zone Business
    - \$0.64M (0.4%) Veteran Business
    - \$0M (0%) Disabled Veteran Business

*87% of Subcontracts Plus Purchase Orders Are With Alaskan Businesses  
(\$140.1M of \$160.2M)*

*Of \$160.2M In Subcontracts: \$118.8M Are Native Including Small And  
Large business, Partnerships, And Other Companies*

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## Summary

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- Major progress towards meeting Presidential Direction
- Capabilities are in the warfighters' arsenal while concurrently supporting further development efforts
- We will build on the current system to close performance gaps and improve its capabilities over time
- Alaska plays a central role in the U.S. Ballistic Missile defense System