

**SB**

**208**

<TARGET><BILL>SB 208</BILL><SUBJECT>SB  
208</SUBJECT><COMM>SSTA27</COMM></TARGET>

## SENATE COMMITTEE REPORT First Committee of Referral

DATE: 2/21/12

FURTHER: Finance

Date of 5-Day Notice: \_\_\_\_\_  
(in accordance with Uniform Rule 23)

DATE TURNED IN TO OFFICE: 3-13-12

State Affairs Committee considered SENATE BILL NO. 208

### SB 208-DISASTER PLANNING AND SERVICES

"An Act establishing an Alaska intrastate mutual aid system and relating to the duties of the Alaska division of homeland security and emergency management and the duties of the Alaska State Emergency Response Commission."

and recommends:

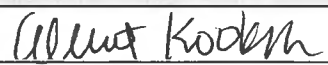
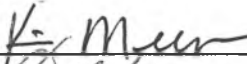
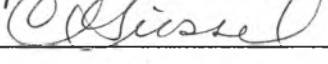

- be replaced with CS SB 200 (STA)  Same Title  New Title
- adopt previous CS SCS/CS- Forthcoming ( )  Same Title  New Title
- attached amendment(s)
- adopt \_\_\_\_\_ Letter of Intent
- further referral to \_\_\_\_\_ Committee

Dept Abbr.	
ADM	LEG
CED	LAW
COR	LWF
CRT	MVA
EED	DNR
DEC	DPS
DFG	REV
GOV	DOT
DHS	UA

NEW FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #
MVA			X	

PREVIOUS FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	Kookesh	X			
	Meyer	X			
	Giessel			X	
CHAIR: 	Wielechowski	✓			

27-LS0611\B  
Bullard  
3/2/12

**CS FOR SENATE BILL NO. 208( )**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY

Offered:  
Referred:

Sponsor(s): SENATOR PASKVAN

*Only states  
don't have  
such a system.  
of mutual aid.*

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act establishing an Alaska intrastate mutual aid system and relating to the duties of**  
2 **the Alaska division of homeland security and emergency management and the duties of**  
3 **the Alaska State Emergency Response Commission."**

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

5 \* **Section 1.** AS 26.23.040(b) is amended to read:

6 (b) The Alaska division of homeland security and emergency management  
7 shall play an integral part in the development and revision of local and  
8 interjurisdictional disaster plans prepared under AS 26.23.060 and 26.23.500 -  
9 26.23.549. To this end, it may employ or otherwise secure the services of professional  
10 and technical personnel capable of providing expert assistance to political  
11 subdivisions, their disaster agencies, and representatives of interjurisdictional disaster  
12 planning and service areas. These personnel shall consult with political subdivisions  
13 and agencies on a regular basis and shall make field examinations of the areas,  
14 circumstances, and conditions to which particular local and interjurisdictional disaster

1 plans are intended to apply and may suggest or require revisions.

2 \* **Sec. 2.** AS 26.23.040(e) is amended to read:

3 (e) The Alaska division of homeland security and emergency management  
4 shall

5 (1) determine requirements of the state and its political subdivisions  
6 for food, clothing, and other necessities in the event of a disaster emergency;

7 (2) procure and pre-position supplies, medicines, materials, and  
8 equipment;

9 (3) adopt standards and requirements for local and interjurisdictional  
10 disaster plans;

11 (4) periodically review local and interjurisdictional disaster plans;

12 (5) establish and operate, or assist political subdivisions, their disaster  
13 agencies, and representatives of interjurisdictional disaster planning and service areas  
14 to establish and operate, training programs;

15 (6) plan and make arrangements for the availability and use of any  
16 private facilities, services, and property and, if necessary and if in fact used, provide  
17 for payment for use under terms and conditions agreed upon by the parties;

18 (7) establish a register of persons with types of training and skills  
19 important in disaster prevention, preparedness, response, and recovery;

20 (8) prepare, for issuance by the governor, orders, proclamations, and  
21 regulations as necessary or appropriate in coping with disasters;

22 (9) cooperate with the federal government and any public or private  
23 agency or entity in achieving any purpose of this chapter and in implementing  
24 programs for disaster prevention, preparedness, response, and recovery;

25 (10) develop and carry out procedures and policies to effectively  
26 employ disaster relief funds made available by the governor's authority or by special  
27 legislative action; these procedures shall include application and documentation by  
28 disaster victims or applicants, review, verification and funding approval, and  
29 processing of appeals;

30 (11) do other things necessary or proper for the implementation of this  
31 chapter;

1                   (12) coordinate the operation of the Alaska intrastate mutual aid  
2 system among participating political subdivisions of the state and develop, in  
3 coordination with the political subdivisions and appropriate state and federal  
4 agencies, comprehensive guidelines and procedures for the Alaska intrastate  
5 mutual aid system, including record keeping and reimbursement procedures and  
6 forms for use by political subdivisions requesting and providing assistance;

7                   (13) to the extent that money is available from an appropriation for the  
8 purposes of this paragraph,

9                   (A) award grants for the purpose of forming local emergency  
10 planning committees under AS 26.23.073;

11                   (B) in order to comply with 49 U.S.C. 5116(a)(2)(B), make  
12 funds available to local emergency planning committees for developing and  
13 maintaining emergency plans under AS 26.23.073 and 26.23.075;

14                   (C) make funds available to local emergency planning  
15 committees to implement 42 U.S.C. 11022(e) and 42 U.S.C. 11044; and

16                   (D) award grants for training local emergency planning  
17 committees and for training and equipping the emergency response  
18 organizations identified in the local plans that execute the plans developed by  
19 the committees under AS 26.23.073 and 26.23.075.

20 \* **Sec. 3.** AS 26.23.071(e) is amended to read:

21                   (e) The commission shall

22                   (1) serve as the state emergency response commission required under  
23 42 U.S.C. 11001 - 11005;

24                   (2) facilitate the preparation and implementation of all emergency  
25 plans prepared by state agencies under other authorities; the statewide,  
26 interjurisdictional, and local plans prepared under this chapter, including the Alaska  
27 intrastate mutual aid system; and the state and regional plans prepared under  
28 AS 46.04.200 - 46.04.210;

29                   (3) review the plans described in (2) of this subsection according to the  
30 criteria established in AS 26.23.077;

31                   (4) designate, and revise as necessary, the boundaries of emergency

1 planning districts under AS 26.23.073;

2 (5) establish a local emergency planning committee under  
3 AS 26.23.073(d) for each emergency planning district;

4 (6) supervise and coordinate the activities of local emergency planning  
5 committees;

6 (7) establish procedures for receiving and processing requests from the  
7 public for information under 42 U.S.C. 11044, including tier II information under 42  
8 U.S.C. 11022; procedures established under this paragraph shall designate the  
9 Department of Environmental Conservation as the state agency to receive and process  
10 these requests on behalf of the commission;

11 (8) review reports about responses to disaster emergencies and make  
12 recommendations to the appropriate parties involved in the response concerning  
13 improved prevention and preparedness;

14 (9) perform other coordinating, advisory, or planning tasks related to  
15 emergency planning and preparedness for all types of hazards, community right-to-  
16 know reporting, toxic chemical release reporting, or management of hazardous  
17 substances;

18 (10) recommend procedures to integrate, as appropriate, hazardous  
19 substance response planning under 42 U.S.C. 11001 - 11005, federal contingency  
20 planning under 33 U.S.C. 1321 and other federal laws applicable to hazardous  
21 substance discharges, and state, regional, and local planning under this chapter and  
22 AS 46.04.200 - 46.04.210;

23 (11) to the extent consistent with the constitution and law of the state,  
24 perform all other functions prescribed for state emergency response commissions  
25 under 42 U.S.C. 11001 - 11005; and

26 (12) adopt regulations necessary to carry out the purposes of  
27 AS 26.23.071 - 26.23.077, 26.23.500 - 26.23.549, and 42 U.S.C. 11001 - 11005.

28 \* **Sec. 4.** AS 26.23.077(a) is amended to read:

29 (a) The commission shall review and make recommendations about local,  
30 interjurisdictional, regional, and state emergency plans, including the Alaska  
31 intrastate mutual aid system established in AS 26.23.500, other plans prepared

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under this chapter and AS 46.04.200 - 46.04.210, and all emergency plans prepared by state agencies under other authorities.

\* **Sec. 5.** AS 26.23 is amended by adding new sections to read:

**Article 3A. Alaska Intrastate Mutual Aid System.**

**Sec. 26.23.500. Alaska intrastate mutual aid system established.** (a) The Alaska intrastate mutual aid system is established to provide for mutual assistance among participating political subdivisions of the state in preparing for and responding to a disaster. Except as provided in (b) of this section, all political subdivisions of the state shall participate in the system.

(b) A political subdivision may withdraw from participation in the Alaska intrastate mutual aid system established in (a) of this section. To withdraw, the governing board of a political subdivision shall adopt a resolution declaring that the political subdivision elects not to participate in the system and provide a copy of the resolution to the Alaska division of homeland security and emergency management. A political subdivision that withdraws may later elect to participate by adopting a resolution declaring the election of the political subdivision to participate and by delivering a copy of the resolution to the Alaska division of homeland security and emergency management.

(c) The provisions in AS 26.23.500 - 26.23.549 may not be construed to affect other mutual aid systems or agreements authorized elsewhere by law, do not prohibit a participating political subdivision from entering into other agreements with another political subdivision, including agreements entered into under AS 26.23.070 - 26.23.077, 26.23.180, AS 46.04.200, or 46.04.210, and do not affect any other agreement to which a political subdivision may be a party now or in the future.

(d) The provisions of AS 26.23.500 - 26.23.549 may not be interpreted to preclude the eligibility of a political subdivision for state or federal disaster funding or disaster readiness funding.

**Sec. 26.23.510. Requests for assistance from another political subdivision.**

(a) Except as otherwise provided in this section, a political subdivision of the state that is a participating political subdivision under AS 26.23.500(a) may request and receive assistance from another participating political subdivision for

1 (1) response, mitigation, or recovery activities related to a local  
2 disaster emergency declared under AS 26.23.140;

3 (2) response to a disaster emergency declared by the governor under  
4 AS 26.23.020;

5 (3) disaster prevention training exercises conducted under  
6 AS 26.23.150; or

7 (4) other drills or exercises conducted in preparation for a disaster.

8 (b) The principal executive officer or an authorized designee of the principal  
9 executive officer of a participating political subdivision that is requesting assistance,  
10 shall request assistance directly from the principal executive officer or authorized  
11 designee of the principal executive officer of another participating political  
12 subdivision. Requests may be made orally or in writing and shall be reported directly  
13 to the Alaska division of homeland security and emergency management as soon as is  
14 practicable. A request for assistance that is made orally must be confirmed in writing  
15 within 30 days after the date of the initial oral request.

16 (c) A responding political subdivision shall have sole discretion to withhold or  
17 withdraw requested assistance to provide reasonable protection and services within its  
18 own territorial limits.

19 (d) Consistent with guidelines and procedures developed by the Alaska  
20 division of homeland security and emergency management under AS 26.23.040(e), a  
21 responding political subdivision shall document all assistance that is being provided to  
22 a requesting political subdivision at the time the assistance is provided and deliver  
23 copies of the documentation to the political subdivision that requested assistance  
24 within 30 days after the assistance is provided.

25 (e) The political subdivision requesting assistance shall have sole operational  
26 control over assistance provided under AS 26.23.500 - 26.23.549. This subsection  
27 does not prohibit a responding political subdivision from withdrawing assistance.

28 **Sec. 26.23.515. Qualifications of emergency responders.** An emergency  
29 responder holding a license, certificate, or other permit issued by a state agency, or a  
30 political subdivision of the state evidencing the responder's qualification in a  
31 professional, mechanical, or other skill shall be considered to be licensed, certified, or

1 permitted in the requesting political subdivision during the emergency, disaster, drill,  
2 or exercise, subject to limitations and conditions prescribed by the principal executive  
3 officer of the requesting political subdivision in writing.

4 **Sec. 26.23.520. Emergency responder not an employee of a requesting**  
5 **political subdivision.** An emergency responder from a political subdivision that  
6 responds to a political subdivision requesting assistance is not an employee of the  
7 political subdivision requesting assistance and is not entitled to any right, privilege, or  
8 benefit of employment from the requesting political subdivision, including  
9 compensation, wages, salary, leave, pension, health, or another benefit.

10 **Sec. 26.23.525. Workers' compensation and benefits following injury to or**  
11 **death of emergency responder.** An emergency responder that is responding to and  
12 rendering assistance in a political subdivision that has requested assistance under  
13 AS 26.23.510 who sustains an injury or dies in the course of providing assistance to  
14 the requesting political subdivision under AS 26.23.500 - 26.23.549 is entitled to  
15 receive only the benefits otherwise authorized by law for an injury sustained, or a  
16 death that occurs in the course of employment with, or while providing services to, the  
17 responding political subdivision. This section does not affect the right of a person to  
18 receive benefits to which the person would otherwise be entitled under any law, nor  
19 does it affect entitlement to any other benefits or compensation authorized by state or  
20 federal law.

21 **Sec. 26.23.530. Reimbursement for assistance provided and disputes**  
22 **relating to reimbursement.** (a) A political subdivision that has received assistance  
23 from another political subdivision under AS 26.23.510 shall reimburse the political  
24 subdivision that provided assistance for the true and full value of the assistance  
25 provided. Requests for reimbursement shall be made in accordance with procedures  
26 and guidelines developed by the Alaska division of homeland security and emergency  
27 management under AS 26.23.040(e). However, if authorized by law, a responding  
28 political subdivision may donate its assistance provided under AS 26.23.500 -  
29 26.23.549 to a requesting political subdivision.

30 (b) If a dispute regarding reimbursement arises between political subdivisions,  
31 the political subdivision asserting the dispute shall provide written notice to the other

1 political subdivision identifying the reimbursement issues in dispute. If the dispute is  
2 not resolved within 90 days after receipt of the dispute notice by the political  
3 subdivision asserting the dispute, either party to the dispute may request arbitration  
4 under AS 09.43.300 - 09.43.595 (Revised Uniform Arbitration Act) by giving written  
5 notice to the other party. Costs of the arbitration, including compensation for the  
6 arbitrator's services, must be borne equally by the political subdivisions participating  
7 in the arbitration, and each political subdivision shall bear its own costs and expenses,  
8 including legal fees and witness expenses, in connection with the arbitration  
9 proceeding.

10 **Sec. 26.23.540. Tort liability of participating political subdivisions and**  
11 **emergency responders.** For purposes of liability, all persons responding under the  
12 operational control of the requesting political subdivision shall be considered to be  
13 agents of the requesting political subdivision. An action for damages for an act or  
14 omission may not be brought against a responding political subdivision, or an officer  
15 or employee of a responding political subdivision, in providing assistance under  
16 AS 26.23.500 - 26.23.549. This section does not preclude liability for civil damages  
17 that are the result of gross negligence or reckless or intentional misconduct.

18 **Sec. 26.23.549. Definitions.** In AS 26.23.500 - 26.23.549,

19 (1) "assistance" means emergency responders and resources provided  
20 by a responding political subdivision in response to a request from a requesting  
21 political subdivision;

22 (2) "emergency responder" means an employee of a responding  
23 political subdivision or of a contractor under contract with a responding political  
24 subdivision or a member of a volunteer fire department registered with the state fire  
25 marshal that provides services to the responding political subdivision, who is  
26 designated in writing by that responding political subdivision as possessing skills,  
27 qualifications, training, knowledge, or experience that may be needed, under a request  
28 for assistance under AS 26.23.500 - 26.23.549, for

29 (A) response, mitigation, or recovery activities related to a  
30 disaster; or

31 (B) participation in drills or exercises in preparation for a

1 disaster;

2 (3) "operational control"

3 (A) means the limited authority to direct tasks, assignments,  
4 and use of assistance provided pursuant to a request for assistance under  
5 AS 26.23.500 - 26.23.549 for

6 (i) response, mitigation, or recovery activities related to  
7 a disaster; or

8 (ii) participation in drills or exercises in preparation for  
9 a disaster;

10 (B) does not include medical protocols or standard operating  
11 procedures observed in the responding political subdivision, or any right,  
12 privilege, or benefit of ownership or employment, including disposition,  
13 compensation, wages, salary, pensions, health benefits, leave, seniority,  
14 discipline, promotion, hiring, or firing;

15 (4) "resources" means supplies, materials, equipment, facilities,  
16 energy, services, information systems, and other assets, except for emergency  
17 responders, that may be needed, under a request for assistance from a political  
18 subdivision, for

19 (A) response, mitigation, or recovery activities related to a  
20 disaster; or

21 (B) participation in drills or exercises in preparation for a  
22 disaster;

23 (5) "state agency" has the meaning given in AS 37.05.990.

# ALASKA STATE LEGISLATURE

## Senator Joe Paskvan

Chair, Labor and Commerce  
Vice Chair, Health and Social Services  
Member, Transportation  
Member, State Affairs  
Member, Joint Armed Services

*Senate District E*  
*Fairbanks and Fort Wainwright*



State Capitol Building, Room 7  
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<http://paskvan.aksenate.org/>

### Explanation of Changes - CSSB 208\B vs. SB 208\M

- Page 7, line 11:
  - Delete “of a political subdivision”
- Page 7, line 16, following “with”:
  - Insert “, or while providing services to,”
- Page 7, lines 17-20:
  - Delete “Any benefits related to injury or death provided by a responding political subdivision to an emergency responder, or the heirs and assigns of an emergency responder, must be included in the true and full value of assistance provided for the purposes of reimbursement under AS 26.23.530.”
- Page 8, line 26, following “subdivision”:
  - Insert “or of a contractor under contract with a responding political subdivision or a member of a volunteer fire department registered with the state fire marshal that provides services to the responding political subdivision,”

# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

(907) 465-3867 or 465-2450  
FAX (907) 465-2029  
Mail Stop 3101


State Capitol  
Juneau, Alaska 99801-1182  
Deliveries to: 129 6th St., Rm. 329

## MEMORANDUM

March 2, 2012

**SUBJECT:** Sectional summary of CSSB 208( )  
(Work Order No. 27-LS0611\B)

**TO:** Senator Joe Paskvan  
Attn: Anna Sorensen

**FROM:** Alpheus Bullard   
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

**Section 1.** Requires the Alaska division of homeland security and emergency management ("division") to play an integral part in developing and implementing the Alaska Intrastate Mutual Aid System ("mutual aid system") established by sec. 5 of the bill.

**Section 2.** Requires the division to coordinate the operation of the mutual aid system and assist in the development of certain guidelines and procedures for the mutual aid system.

**Section 3.** Provides that the Alaska State Emergency Response Commission ("commission") will facilitate the preparation and implementation of the mutual aid system.

**Section 4.** Requires the commission to review and make recommendations about the mutual aid system.

**Section 5.** Establishes the mutual aid system between participating political subdivisions of the state. Provides that every political subdivision is a participating member of the mutual aid system unless the subdivision withdraws. Provides what assistance a political subdivision may request assistance for. Addresses qualifications and employment of, and workers' compensation for, emergency responders. Establishes reimbursement procedures for, and tort liability of, participating political subdivisions. Provides definitions for the provisions establishing the mutual aid system.

TLAB:plm  
12-146.plm

# ALASKA STATE LEGISLATURE

## Senator Joe Paskvan

Chair, Labor and Commerce  
Vice Chair, Health and Social Services  
Member, Transportation  
Member, State Affairs  
Member, Joint Armed Services

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### Memo

To: Senator Bill Wielechowski, Chair, Senate State Affairs Committee

From: Senator Joe Paskvan JP

Re: Hearing request for Senate Bill 208: Disaster Planning and Services

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I respectfully request that Senate Bill 208, "An Act establishing an Alaska intrastate mutual aid system and relating to the duties of the Alaska division of homeland security and emergency management and the duties of the Alaska State Emergency Response Commission," be scheduled for a hearing in the Senate State Affairs Committee.

Senate Bill 208 was developed using the National Emergency Management's model legislation for an intrastate mutual aid system as a guide. This system, detailed in SB208, will provide a framework for mutual assistance among the participating political subdivisions in the prevention of, response to, and recovery from any disaster that results in a formal declaration of local disaster emergency. The umbrella mutual aid system, provided for in SB208, would supplement existing and future mutual aid agreements by establishing a comprehensive, integrated system of mutual aid at the state level that will ensure an efficient and effective response to all hazards and disasters.

Please feel free to contact myself or my staff, Anna Sorensen, with any questions you may have.

Thank you for your consideration.

# ALASKA STATE LEGISLATURE

## Senator Joe Paskvan

Chair, Labor and Commerce  
Vice Chair, Health and Social Services  
Member, Transportation  
Member, State Affairs  
Member, Joint Armed Services

*Senate District E  
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### **SB 208: Disaster Planning and Services**

*"An Act establishing an Alaska intrastate mutual aid system and relating to the duties of the Alaska division of homeland security and emergency management and the duties of the Alaska State Emergency Response Commission."*

In 2004 the National Emergency Management Association (NEMA) in conjunction with the Federal Emergency Management Agency (FEMA) and a host of emergency response organizations, began developing and promoting model legislation for an intrastate mutual aid system (IMAS). The goal of IMAS is to provide a framework for all political subdivisions within a state to receive and render aid to other subdivisions within a state in times of need.

SB 208 will implement this model legislation in a manner that will be beneficial for Alaskan communities. The system detailed in SB 208 will provide a framework for mutual assistance among the participating political subdivisions – regions, boroughs, municipalities, and other local jurisdictions - in the prevention of, response to, and recovery from any disaster that results in a formal declaration of local disaster emergency.

The employees and volunteers who serve in emergency services recognize that emergencies transcend political jurisdictional boundaries. They, and the local agencies they serve, understand that intergovernmental coordination is essential for the protection of lives and property and for best use of available assets. Currently, the Alaska Disaster Act does provide for political subdivisions to create mutual aid agreements, which, in practice, works well for neighboring entities or service areas that have an established history of providing mutual aid to one another. These local mutual aid agreements vary widely in their scope and may not all address key issues of liability and compensation. Further, they may not encompass all emergency services. Through SB 208, a statewide agreement would be developed to supplement existing regional or local agreements by establishing a comprehensive, integrated system of mutual aid at a state level that will ensure an efficient and effective response to all hazards and disasters.

SB208 would allow all political subdivisions to automatically be included in the statewide mutual aid system. A political subdivision may elect to withdraw by enacting an appropriate resolution by its governing body. This legislation would not prevent participating entities from entering into supplementary agreements with other political subdivisions or impact any existing or future agreements. If a participating entity cannot provide assistance to a requesting entity, they are not obligated or bound to provide assistance.

Thank you for your consideration for SB 208. I urge you to support this vital piece of legislation which will provide meaningful support and structure for Alaska's emergency services.

# LEGAL SERVICES

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LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

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## MEMORANDUM

February 23, 2012

**SUBJECT:** Sectional summary of SB 208  
(Work Order No. 27-LS0611\M)

**TO:** Senator Joe Paskvan  
Attn: Anna Sorensen

**FROM:** Alpheus Bullard   
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

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**Section 2.** Requires the division to coordinate the operation of the mutual aid system and assist in the development of certain guidelines and procedures for the mutual aid system.

**Section 3.** Provides that the Alaska State Emergency Response Commission ("commission") will facilitate the preparation and implementation of the mutual aid system.

**Section 4.** Requires the commission to review and make recommendations about the mutual aid system.

**Section 5.** Establishes the mutual aid system between participating political subdivisions of the state. Provides that every political subdivision is a participating member of the mutual aid system unless the subdivision withdraws. Provides what assistance a political subdivision may request assistance for. Addresses qualifications and employment of, and workers' compensation for, emergency responders. Establishes reimbursement procedures for, and tort liability of, participating political subdivisions. Provides definitions for the provisions establishing the mutual aid system.

TLAB:plm  
12-126.plm

# FISCAL NOTE

**STATE OF ALASKA**  
**2012 LEGISLATIVE SESSION**

Bill Version SB208  
Fiscal Note Number \_\_\_\_\_  
( ) Publish Date \_\_\_\_\_

Identifier (file name) SB208-DMVA-MVA-DHSEM-3-5-12 Dept. Affected Dept. of Military & Veterans Affairs  
Title Disaster Planning and Services Appropriation Military and Veterans Affairs  
Allocation Homeland Security and  
Emergency Management  
Sponsor SENATOR PASKVAN  
Requester (S) State Affairs Committee OMB Component Number 2657

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

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

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates					
			FY13	FY14	FY15	FY16	FY17	FY18
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants, Benefits								
Miscellaneous								
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>FUND SOURCE</b>		(Thousands of Dollars)						
1002	Federal Receipts							
1003	GF Match							
1004	GF							
1005	GF/Prgm (DGF)							
1037	GF/MH (UGF)							
1178	temp code (UGF)							
<b>TOTAL</b>		<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>POSITIONS</b>								
Full-time								
Part-time								
Temporary								

<b>CHANGE IN REVENUES</b>								

Estimated **SUPPLEMENTAL (FY12) operating costs** 0.0 (separate supplemental appropriation required)  
(discuss reasons and fund source(s) in analysis section)

Estimated **CAPITAL (FY13) costs** 0.0 (separate capital appropriation required)  
(discuss reasons and fund source(s) in analysis section)

**Why this fiscal note differs from previous version (if initial version, please note as such)**

Not applicable, initial version.

Prepared by McHugh Pierre, Deputy Commissioner  
Division Office of the Commissioner, DMVA  
Approved by Major General Thomas H. Katkus, Commissioner  
Office of the Commissioner, DMVA

Phone (907) 428-6003  
Date/Time 3/5/12 12:00 PM  
Date 3/5/2012

FISCAL NOTE

STATE OF ALASKA  
2012 LEGISLATIVE SESSION

BILL NO. SB208

**Analysis**

This bill establishes the Alaska intrastate mutual aid system. The Division of Homeland Security and Emergency Management will coordinate the operation of the Alaska intrastate mutual aid system among participating political subdivisions of the state and develop, in coordination with the political subdivisions and appropriate state and federal agencies, comprehensive guidelines and procedures for the Alaska intrastate mutual aid system, including record keeping and reimbursement procedures and forms for use by political subdivisions requesting and providing assistance.

There is no fiscal impact to the Department of Military and Veterans Affairs for this bill.



## ALASKA FIRE CHIEF'S ASSOCIATION

2358 Bradway Road, North Pole, Alaska 99705

Phone: (907) 488-3400 FAX: (907) 488-6118

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March 5, 2012

Senator Joe Paskvan  
State Capitol Room 115  
Juneau AK, 99801

Reference: SB 208 "An Act establishing an Alaska intrastate mutual aid system and relating to the duties of the Alaska division of homeland security and emergency management and the duties of the Alaska State Emergency Response Commission."

Dear Senator Paskvan,

On behalf of the Alaska Fire Chiefs Association I want to thank you for introducing SB 208. The Alaska Fire Chiefs Association fully supports this bill and encourages its adoption.

The Alaska Fire Chiefs Association in conjunction with the International Association of Fire Chiefs, the Federal Emergency Management Agency (FEMA), and the Alaska Division of Homeland Security have been working over the last two years to develop an intrastate mutual aid system for the State of Alaska. Currently we are one of only four States who do not have a system in place or the statutory ability that allows communities to come to the aid of other communities in the time of an emergency.

Mutual aid is defined by FEMA as "...agreements between agencies, organizations, and jurisdictions that provide a mechanism to quickly obtain emergency assistance in the form of personnel, equipment, materials, and other associated services. The primary objective is to facilitate rapid, short-term deployment of emergency support prior to, during, and after an incident.

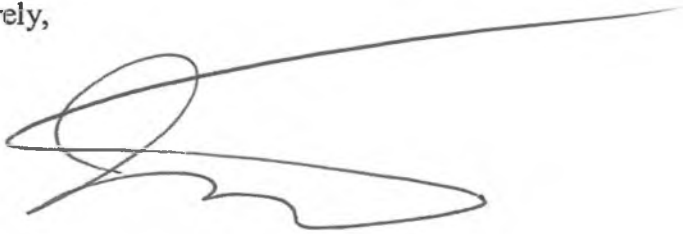
Currently local communities may have mutual aid agreements to provide Fire services to their neighboring communities as provided under AS 18.70.150 "Adoption of Mutual Fire Aid Agreements". However these agreements are limited in scope and do not provide for all of the potential needs of communities.

SB 208 gives us the needed framework that will allow us to develop a comprehensive intrastate mutual aid system. SB 208 addresses several key issues including liability and compensation that are not currently addressed in State Statutes. SB 208 will allow one Alaskan community to assist another Alaskan community no matter the location or need however, in no way are communities obligated or required to provide assistance.

The Alaska Fire Chiefs Association is committed to seeing a comprehensive intrastate mutual aid system work in Alaska and would like to see our organization included as one of the participating groups to whom which the Alaska Division of Homeland Security and Emergency Management would coordinate with in the operation of the Alaska Intrastate Mutual Aid System as amended in SB 208 Sec.2.AS 26.23.040(e).12.

The Alaska Fire Chiefs Association supports SB 208 and urges its adoption. We look forward to working with the State and local communities in the development of an Alaska Intrastate Mutual Aid System.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff Tucker', with a long horizontal line extending to the right.

Jeff Tucker, Fire Chief  
AFCA Legislative Committee Chair

March 9, 2012

The Honorable Bill Wielechowski, Chair  
Senate State Affairs Committee  
Alaska Capitol, Room 101  
Juneau, AK 99801-1182

RE: Support of SB 208

Dear Chair Wielechowski:

Bill

I'm writing on behalf of Food Bank of Alaska and the state-wide anti-hunger network, in support of SB 208 – Disaster Planning and Services, sponsored by Senator Joe Paskvan.

In times of disaster, access to safe food and water are a critical part of emergency response services. Food Bank of Alaska currently participates in Alaska VOAD (Volunteer Organizations Active in Disaster) and also responded in times of disaster at the Miller's Reach and Hooper Bay fires. SB 208 will create an infrastructure that provides for coordinated, comprehensive, and consistent emergency response throughout Alaska. Based on model legislation for intrastate mutual aid systems (IMAS), SB 208 is promoted by the National Emergency Management Association (NEMA), Federal Emergency Management Agency (FEMA) and other emergency response organizations.

Food Bank of Alaska believes that SB 208 will provide an efficient structure for emergency services that will benefit everyone in Alaska. I encourage members of the Senate State Affairs Committee to vote in favor of this legislation.

Should you have any questions or if I can be of any assistance, please feel free to contact me at 907-222-3111 or [smorgan@foodbankofalaska.org](mailto:smorgan@foodbankofalaska.org).

Thank you for your consideration.

Sincerely,

  
Susannah Morgan  
Executive Director

CC: Vice-Chair Joe Paskvan  
Senator Cathy Giessel  
Senator Albert Kookesh  
Senator Kevin Meyer



# STATE OF ALASKA

## DEPT. OF HEALTH & SOCIAL SERVICES

*Alaska Commission on Aging*

**SEAN PARNELL, GOVERNOR**

P.O. BOX 110693  
JUNEAU, ALASKA 99811-0693  
PHONE: (907) 465-3250  
FAX: (907) 465-1398

March 12, 2012

The Honorable Bill Wielechowski, Chair  
Senate State Affairs Committee  
Alaska State Capitol, Room 101  
Juneau, AK 99801-1182

**Subject: Support for SB 208, Disaster Planning and Services**

Dear Chair Wielechowski:

The Alaska Commission on Aging (ACoA) is pleased to offer our support of SB 208, a bill to establish a comprehensive intrastate mutual aid system (IMAS) that would allow all political subdivisions to transcend their jurisdictional boundaries to receive and render aid to other political subdivisions in the event of disasters and emergencies. This legislation is authored by Senator Joe Paskvan. We believe that this legislation is good public policy that will provide for a consistent and integrated mutual aid system to ensure an effective response in disaster situations.

Older persons with health problems are among the most vulnerable of Alaska's residents. When an emergency or natural disaster occur, they are the most likely to suffer from the direct impact of the force. Many have physical or cognitive impairments that limit their ability to respond and seek help. Frail older persons with special health problems on medication, equipment, or who have mobility needs are at heightened risk during a disaster and require special assistance to get to places offering food and emergency shelter. The horrific experiences of Hurricane Katrina and the loss of life of older adults who were abandoned in nursing homes and assisted living facilities highlight the need to improve disaster response preparedness and planning for vulnerable populations.

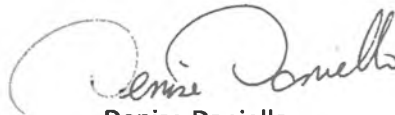
Disasters know no political boundaries. They can happen at any time, in any place, and to any one. SB 208 provides an integrated and structured framework to provide efficient and effective emergency aid and relief to older Alaskans and all Alaskan residents when the unthinkable strikes. Thank you for your consideration and support of SB 208. Please feel free to contact Denise Daniello, ACoA's executive director, by phone (465-4879) or email ([denise.daniello@alaska.gov](mailto:denise.daniello@alaska.gov)) should you have questions or require additional information.

Sincerely,



Sharon Howerton-Clark  
Chair, Alaska Commission on Aging

Sincerely,



Denise Daniello  
ACoA Executive Director

Cc: Senator Joe Paskvan, Vice Chair  
Senator Albert Kookesh

Senator Cathy Giessel  
Senator Kevin Meyer



217 Second Street, Suite 200 • Juneau, Alaska 99801

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February 29, 2012

Senator Joe Paskvan  
Alaska State Capitol Building  
Juneau, Alaska 99811

Dear Senator Paskvan,

Thank you for introducing SB 208; An Act establishing an Alaska intrastate mutual aid system and relating to the duties of the Alaska division of homeland security and emergency management and the duties of the Alaska State Emergency Response Commission.

The model legislation that has been put forth by the collaboration of NEMA and FEMA, to promote an Intrastate Mutual Aid System (IMAS), is legislation that the Alaska Municipal League believes should be implemented within the State of Alaska. The ability for one political subdivision to receive and/or render aid to another is both wise and important to all involved.

Emergencies have no respect for jurisdictional boundaries that we impose upon our state. Therefore, emergency responders must be able to depend on other political subdivisions for coordination in order to protect lives and property. SB 208, as we interpret it, would allow for a statewide agreement, rather than the Alaska Disaster Act which provides for mutual aid between neighboring political subdivisions.

The Alaska Fire Chief's Association is a member of AML and we support their hard work and commitment to enhancing all safety needs with regards to fire fighting. Because of this relationship and the importance to municipalities to be able to help protect their residents, we stand in strong support of SB 208.

Thank you for the opportunity to comment.

Sincerely,

Kathie Wasserman  
Executive Director

## Anna Sorensen

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**From:** Billie Bob Allen <bballen@mtaonline.net>  
**Sent:** Saturday, March 10, 2012 11:00 AM  
**To:** Sen. Joe Paskvan  
**Cc:** Ray Ritari  
**Subject:** SB 208 Disaster Planning and Services

Senator, due to a time conflict I will not be able to attend the Senate State Affairs Committee meeting on March 13th, however, I would like to offer a few comments to you, the sponsor, regarding the position of the Alaska State Fair on this issue.

The Alaska State Fair (ASF) supports your Bill. ASF management has been working with the Mat-Su Borough EMS (MSB) and the State Homeland Security and Emergency Management Division in regards to emergency planning in the event of a disaster. Signatory to an agreement to develop an initial plan to create shelter for the people of the Mat-Su Borough in the event of a disaster are MSB, State of Alaska, Department of Corrections, MSB School District, American Red Cross, City of Palmer and Mat-Su Regional Medical Center. The MOU purpose is to form a partnership to plan, prepare, and implement mass sheltering protocols for use on the Alaska State Fair grounds.

To that end Senator Paskvan, the ASF has pledged it's assets, where needed, to support the MSB in any fashion that they can. Primarily, in several meetings management of ASF has had with their partners, ASF has offered buildings and infrastructure to be considered for use in mass sheltering. ASF has approximately 130,000 sf under cover that could POTENTIALLY, be used for mass sheltering. Approximately 30,000 sf could be placed in service almost immediately for sheltering.

In summation Senator, the Alaska State Fair stands ready to support the local political subdivision in a statewide mutual aid system and pledge our assets as needed in the event of a disaster.

Thank you.

Sent from my iPad