

LEG. FINANCE - BILLS 1975 - 1976 573

SB 531 cont., thru SB 534

CHART A

ANALYSIS OF PSYCHIATRIC SECURITY  
UNIT BUDGET APPROPRIATION FOR FY 76

APPROPRIATION  
(Based on 6 Months Service)

Personal Services	\$185,000
Travel	10,400
Contractual Services	6,500
Commodities	5,500
Equipment	<u>10,800</u>
TOTAL	<u>\$218,200</u>

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PROJECTED CURRENT NEEDS  
(Based on 3 Months Service)

Personal Services	\$92,500
Travel	5,200
Contractual Services	3,250
Commodities	2,750
Equipment	<u>10,800</u>
TOTAL	<u>\$114,500</u>

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PROJECTED "LAPSE" - \$103,700 STATE GENERAL FUNDS

B. Transfer of \$249,500 in State General Funds to Medicaid Budget Request Unit

By Reimbursable Service Agreement #222, the Division of Mental Health transferred \$249,500 in State General Funds from its FY 76 Contract Institutions Appropriation to pay for the 50% required match for Title XIX Federal Funds for Medicaid eligibles in certified intermediate care facilities for the mentally retarded. The need for this transfer seems questionable:

1. Medicaid program is required by federal regulations to offer its complete service package equally to all of its eligibles. It could not deny services, or jeopardize federal reimbursement, to these individuals if they are eligible and are in Title XIX certified facilities, regardless of whether they had insufficient funding.
2. The Legislature indicated its intent to consider a supplemental for the Medicaid budget request unit in order to pay for all legally obligated services. The contract institutions budget request unit did not have such an assurance.
3. Original FY 76 Budget projections for Medicaid were based on 15% utilization increase over FY 75. Current statistics show that assistance caseloads are stable. The Medicaid budget seems to have been adequately funded to absorb the increase from these patients.

In light of the funding problems of the Atascadero Unit, the transfer of State funds for this purpose seem questionable. Interagency funds could still be gained for these clients without the transfer of State funds. The funds could have been put to use to offset the need for a supplemental request for this budget request unit.

I. SUMMARY

The Departments requests an supplemental appropriation of \$305,000, yet the following actions were taken:

\$103,700 General Fund	Delayed Start of Opening of API Psychiatric Security Unit would Result in Significant Decrease in Significant Decrease in Need of Funds.
\$249,500 General Fund	Transfer of State Funds to Public Assistance to Pay State Portion of Medicaid for Contract Institution Eligibles.
<u>\$353,200</u> General Fund	Total "Available" Funds
- 305,000 General Fund	Supplemental Appropriation Request
<u>\$ 48,200</u> General Fund	Additional Funds

SB 531

JAN 16 1976

The Honorable Chancy Croft  
President of the Senate  
Alaska State Legislature  
Juneau, Alaska 99811

Dear Mr. President:

In accordance with AS 24.30.060(b) and the Uniform Rules of the Alaska State Legislature, I am transmitting a bill making a supplemental appropriation to the Department of Health and Social Services for mental health contract institutions. This amount will fully fund the cost of care for persons in Atascadero State Hospital in California and in state institutions for care of the mentally retarded.

Sincerely,

Jay S. Hammond  
Governor


STATE  
of ALASKA

## MEMORANDUM

SB 531

TO:  FILE

DATE : January 6, 1976

FROM:   
Michael Orelove, Budget Analyst  
Division of Budget and Management  
Department of AdministrationSUBJECT: Department of Health and Social  
Services, FY 76 Supplemental Request  
of \$305.0 for Contract InstitutionsMental Retardation Program

\$65.0

The legislature funded this BRU as requested at the Governor's original level. By legislative intent, they funded two programs not approved, but they did not add the funding stating that "the remaining funds (will be) allocated at the Department's discretion". At the present time, there are no funds available within the Department. These facilities meet full cost of care and intent is expressed as: "The . . . two identified programs are to be fully funded - at \$20,000 (for Fairbanks Rehabilitation Program) and \$45,000 (ARCA)".

Atascadero State Hospital

\$240.0

The number and severity of mentally disordered offenders has exceeded the budgeted amount in this BRU. The Division was budgeted for 9 patients for 3 months. At the present time, 14 patients have been committed to this program and several more are expected before the end of this fiscal year. 75% of these cases have committed murder and require long periods of treatment.

The construction of the psychiatric security unit at API has been delayed because of the unavailability of certain supplies. Completion of the unit is now expected by April 1, 1976. This small unit will not be able to provide care for all the mentally disordered offenders referred by the courts.

MO/lw

STATE  
of ALASKA

# MEMORANDUM

TO: Francis S. L. Williamson  
Commissioner  
Department of Health and Social Services

Thru: Catherine Lloyd  
Deputy Commissioner  
Administrative Management

From: Jerry L. Schrader, M.D.  
Director  
Division of Mental Health

DATE : November 26, 1975

SUBJECT: Supplemental Request:  
Division of Mental Health

The Division of Mental Health is facing budgetary short-falls in three areas as a result of a) legislative intent without funding; b) continued care of several more mentally disordered offenders for a longer period of time than expected during FY 1976 budget preparations at Atascadero State Hospital; c) increase in inter-agency charges at Harborview Memorial Hospital from the Department of Highways for heat and rent, effective July 1, 1975, without advance notice for budgetary preparation.

The Budget Request Units (BRU) and the amounts involved are summarized below:

A. Contract BRU

1. Mental Retardation Program:

The Legislature funded this BRU as requested at the Governor's original level. By legislative intent, they funded two programs not approved, but they did not add the funding stating that "the remaining funds (will be) allocated at the Department's discretion". At the present time, there are no funds available within the Department. These facilities meet full cost of care and intent is expressed as: "The . . . two identified programs are to be fully funded - at \$20,000 (for Fairbanks Rehabilitation Program) and \$45,000 (ARCA)".

\$65,000

2. Atascadero State Hospital

The number and severity of mentally disordered offenders has exceeded the budgeted amount in this BRU. The Division was budgeted for 9 patients for 3 months. At the present time, 14 patients have been committed to this program and several more are expected before the end of this fiscal year. 75% of these cases have committed murder and require long periods of treatment.

The construction of the psychiatric security unit at API has been delayed because of the unavailability of certain supplies. Completion of the unit is now expected by April 1, 1976. This small unit will not be able to provide care for all the mentally disordered offenders referred by the courts.

The referrals just for pre-trial psychiatric evaluation have increased from 8/month to 12/month and must be given priority for the beds in this unit. The Division plans to provide long term treatment on this unit for approximately 5 to 7 mentally disordered offenders. This will require a continuation of treatment services purchased at the Atascadero State Hospital in the foreseeable future.

November 26, 1975

Page 2

In addition to the large increase in clients in this program, the Atascadero State Hospital increased its charges 10% as of July 1, 1975. Based on our past experience with them, the Division expects another 10% increase in January 1976. The Atascadero cost allocation system is complex and these increases are reflected in a variety of specific charges. For example, the current room charge for patients on a regular ward was increased in July from \$33.20 to \$38.75. Similar increases have occurred in laboratory, physician, clinic, dental, radiology, and other services.

Assumptions and computations in determining Atascadero short-fall:

Budget authorization was for three months at \$900/pt/mo. average for 9 patients. As of September 30, 1975 we had 14 patients at an average cost of 1,272.43 for that month for estimated total of \$47,581.15.

We anticipate:

1. Due to delays in construction and equipping, we do not now expect the Security Unit at API to be available before April 1, 1976.
2. A 10% increase in cost of care effective January 1, 1976.
3. Continued patient census increase at Atascadero: November Add 1, December Add 2, January-April Add 1 each month.
4. Patient load should stabilize in February at 18. Patient returns will depend upon patient condition and when the security unit actually becomes physically operational, and our actual capacity to absorb the existing patients at Atascadero.

Budget Appropriation	\$24,300
Existing Appropriation: 14 patients, end of September 1975	
Total expenditure	<u>47,521</u>
Existing shortage 9/30	<u>23,281</u>
October 1975 = at 14 patients	17,919.02
November 1975 = at 15 patients	19,086.45
December 1975 = at 17 patients	<u>21,631.31</u>
Sub Total	<u>58,536.78</u>
Total estimated short-fall, 6 mo.	81,818.

If 18 patients are hospitalized at Atascadero for the remaining 6 months, short-fall can be estimated at 10% increase per patient per month \$1,399.67.

Estimated total short-fall for Atascadero FY 76.	<u>\$151,164.36</u>
	<u>232,982.36</u>

B. Harborview Memorial Hospital

Interagency charges by Department of Highways for heat, steam and rent of space.

In July 1975, we were informed by the Department of Highways that the cost to Harborview for utilities and space rental in the boiler plant building was going to be immediately increased. A review of their accounts indicated:

November 26, 1975  
Page 3

Steam & Heat*	\$281,400
Space rental	<u>22,000</u>
Total	<u>303,400</u>
Appropriated	214,000
Short-fall Payable to Dept. of Highways	<u>89,400</u>
Total Supplemental Request:	<u>89,400</u>

\*(Using average consumption of 3,310,830 gals. of steam condensate return  
@ .085¢ per gal.)

JLS:CL:prv

STATE OF ALASKA  
 Dept. of Administration  
 Budget & Management Div.

REVISED PROGRAM  
 COST ANALYSIS SUMMARY  
 by BUDGET COMPONENT

SUPPLEMENTAL

AGENCY	Health and Social Services DIVISION	CATEGORY	03	Health
		PROGRAM	32	Mental Health
		SUB-PROGRAM	02	Contract Inst.
	Mental Health	ELEMENT		
		SUB-ELEMENT		

CODE	EXPENDITURE BY OBJECT	PRESENT AUTHORIZATION	REVISION INCREASE, (DECREASE)	AMENDED AUTHORIZATION
100	PERSONAL SERVICES			
200	TRAVEL	6.5	7.0	13.5
300	CONTRACTUAL SERVICES	1409.2	298.0	1707.2
400	COMMODITIES			
500	EQUIPMENT			
600	LANDS, BUILDINGS, NON-STRUCTURAL IMPROVEMENTS			
700	GRANTS, CLAIMS, SHARED REVENUE			
800	MISCELLANEOUS			
	INTER-AGENCY TRANSFERS (INCLUDED ABOVE)			
	<b>TOTAL</b>	<b>1415.7</b>	<b>305.0</b>	<b>1720.7</b>
NEW CODE	FEDERAL RECEIPTS			
	REQUIRED GENERAL FUND MATCHING			
	OTHER GENERAL FUND	1415.7	305.0	1720.7
	INTER-AGENCY TRANSFERS			
	OTHER:			
	<b>TOTAL</b>	<b>1415.7</b>	<b>305.0</b>	<b>1720.7</b>
	PERMANENT FULL-TIME POSITIONS	---	---	---
	PERMANENT PART-TIME POSITIONS			
	TEMPORARY (FULL-TIME EQUIVALENTS)			
	NUMBER OF MAN MONTHS	---	---	---

(CURRENT FY)

	FY ____	FY ____	FY ____	FY ____	FY ____	FY ____
EXPENDITURES - TOTAL						
SOURCE OF FUNDS						
FEDERAL						
REQ. G.F. MATCH						
OTHER G. F.						
OTHER (SPECIFY)						

Introduced: 1/19/76  
Referred: Health, Education  
and Social Services and  
Finance

1 IN THE SENATE

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 531

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making a supplemental appropriation to the  
7 Department of Health and Social Services for mental  
8 health contract institutions; and providing for an  
9 effective date."

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

11 \* Section 1. The sum of \$305,000 is appropriated from the general fund  
12 to the Department of Health and Social Services for mental health contract  
13 institutions.

14 \* Sec. 2. This Act takes effect immediately in accordance with AS 01.-  
15 10.070(c).

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Introduced: 1/19/76  
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# RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith  
Signature of Camera Operator

2/8/90  
Date

COMMITTEE REPORT

1/26/76

SENATE

Mr. President:

Date \_\_\_\_\_

The Committee on FINANCE has had SB 532 supplemental appropriation to the Harborview Memorial Hospital under consideration. A Majority of the members of the Committee

- ( ) recommends it DO PASS
- ( ) recommends it DO NOT PASS
- ( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)
- ( ) recommends it BE REPLACED WITH CS FOR \_\_\_\_\_ AND THAT  
CS FOR \_\_\_\_\_ DO PASS
- ( ) "and" recommends it BE REFERRED TO THE \_\_\_\_\_  
COMMITTEE
- ( ) reports it back WITHOUT RECOMMENDATION
- ( ) "other"

Members signing the Majority report:

\_\_\_\_\_  
 \_\_\_\_\_  
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 \_\_\_\_\_

Members NOT concurring in the Majority report:

\_\_\_\_\_ recommends:  
 \_\_\_\_\_ recommends:  
 \_\_\_\_\_ recommends:  
 \_\_\_\_\_ recommends:  
 \_\_\_\_\_ recommends:

\_\_\_\_\_ Chairman

COMMITTEE REPORT

\*\*FINANCE\*\*

1/19/76

SENATE

Mr. President:

Date 1-23-76

HEALTH, EDUCATION

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- ( ) "other"

Members signing the Majority report:

Seigerson \_\_\_\_\_

Colletta \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Members NOT concurring in the Majority report:

Eric Chance recommends: no rec

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

Seigerson Chairman

532

Introduced: 1/19/76  
Referred: Health, Education  
and Social Services and  
Finance

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

1 IN THE SENATE

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STATE  
of ALASKA

## MEMORANDUM

SB 532

TO: 

FILE

DATE : January 6, 1976

FROM:

*M. Orelove*  
Michael Orelove, Budget Analyst  
Division of Budget and ManagementSUBJECT: Department of Health and Social  
Services, Supplemental Request of  
\$89.4 for Harborview Memorial  
Hospital

In July 1975, the Department of Health and Social Services was informed by the Department of Highways that the cost to Harborview for utilities and space rental in the boiler plant building was going to be immediately increased. A review of their accounts indicated:

Steam and Heat*	\$281,400
Space Rental	22,000
Total	<u>303,400</u>
Appropriated	214,000
Short-fall payable to Dept. of Highways	<u>89,400</u>
Total Supplemental Request	\$ 89,400

\*(Using average consumption of 3,310,830 gals. of steam condensate return @ .85¢ per gal.)

MO/lw

# MEMORANDUM

TO: Francis S. L. Williamson  
Commissioner  
Department of Health and Social Services

DATE : November 26, 1975

Thru: Catherine Lloyd  
Deputy Commissioner  
Administrative Management

SUBJECT: Supplemental Request:  
Division of Mental Health

From: Jerry L. Schrader, M.D.  
Director  
Division of Mental Health

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\$65,000

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November 26, 1975

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B. Harborview Memorial Hospital

Interagency charges by Department of Highways for heat, steam and rent of space.

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JLS:CL:prv

STATE OF ALASKA  
 Dept. of Administration  
 Budget & Management Div.

REVISED PROGRAM  
 COST ANALYSIS SUMMARY  
 by BUDGET COMPONENT  
 SUPPLEMENTAL

AGENCY	Health	CATEGORY	03	Health
and Social Services		PROGRAM	32	Mental Health
DIVISION		SUB-PROGRAM	01	Inst.
Mental Health		ELEMENT	03	HMH
		SUB-ELEMENT		

CODE	EXPENDITURE BY OBJECT	PRESENT AUTHORIZATION	REVISION INCREASE, (DECREASE)	AMENDED AUTHORIZATION
100	PERSONAL SERVICES	2352.4		2352.4
200	TRAVEL	10.5		10.5
300	CONTRACTUAL SERVICES	576.6	89.4	666.0
400	COMMODITIES	331.0		331.0
500	EQUIPMENT	11.1		11.1
600	LANDS, BUILDINGS, NON-STRUCTURAL IMPROVEMENTS	3.0		3.0
700	GRANTS, CLAIMS, SHARED REVENUE	8.6		8.6
800	MISCELLANEOUS			
	INTER-AGENCY TRANSFERS (INCLUDED ABOVE)			
	<b>TOTAL</b>	<b>3293.2</b>	<b>89.4</b>	<b>3382.6</b>
NEW CODE	FEDERAL RECEIPTS			
	REQUIRED GENERAL FUND MATCHING			
	OTHER GENERAL FUND	2311.9	89.4	2401.3
	INTER-AGENCY TRANSFERS	878.4		878.4
	OTHER:	102.9		102.9
	<b>TOTAL</b>	<b>3293.2</b>	<b>89.4</b>	<b>3382.6</b>
	PERMANENT FULL-TIME POSITIONS	139.0		139.0
	PERMANENT PART-TIME POSITIONS			
	TEMPORARY (FULL-TIME EQUIVALENTS)			
	NUMBER OF MAN MONTHS	1870.3		1870.3

(CURRENT FY)

	FY ____	FY ____	FY ____	FY ____	FY ____	FY ____
EXPENDITURES - TOTAL						
SOURCE OF FUNDS						
FEDERAL						
REQ. G.F. MATCH						
OTHER G. F.						
OTHER (SPECIFY)						

JAN 16 1976

The Honorable Chancy Croft  
President of the Senate  
Alaska State Legislature  
Juneau, Alaska 99811

Dear Mr. President:

In accordance with AS 24.30.060(b) and the Uniform Rules of the Alaska State Legislature, I am transmitting a bill making a supplemental appropriation to the Department of Health and Social Services, Harborview Memorial Hospital, for the purpose of paying the increased cost of heat, steam and space rental charges due the Department of Highways.

Sincerely,

Jay S. Hammond  
Governor

ALASKA STATE LEGISLATURE

NINTH Legislature SECOND Session

SENATE BILL..... NO. 532....

By THE RULES COMMITTEE BY.....  
REQUEST OF THE GOVERNOR

"An Act making a supplemental appropriation to the Department of Health and Social Services, Harborview Memorial Hospital; and providing for an effective date."

supp. approp. Harborview Memorial Hospital

Introduced in the Senate ....., 19<sup>76</sup>....

HISTORY IN THE SENATE

19 76

Read first time and referred to Committee on

1 19

Health, Education and Social Services and Finance

Reported back with recommendation that

1 26

*He*  
*Sp. to Finance*

Read second time and

Read third time and

PASS Effective Date  
Yeas Yeas  
Nays Nays  
Absent Absent  
Excused Excused

Reconsideration

PASS Effective Date  
Yeas Yeas  
Nays Nays  
Absent Absent  
Excused Excused

Reported correctly engrossed  
Signed by President  
Sent to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS Effective Date  
Yeas Yeas  
Nays Nays  
Absent Absent  
Excused Excused

Reconsideration

PASS Effective Date  
Yeas Yeas  
Nays Nays  
Absent Absent  
Excused Excused

Reported correctly engrossed  
Signed by Speaker  
Returned to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Received from House

Reported correctly enrolled

Sent to Governor

..... By Governor

Filed with Lt. Governor

Chapter No. ....

POSITION PAPER  
SB 532

" An Act making a supplemental appropriation to the Department of Health and Social Services, Harborview Memorial Hospital; and providing for an effective date."


Effect of the Bill: It will increase the operating budget allocation for the Harborview Memorial Hospital by \$ 89,400. This amount will off-set the increased unit cost of steam purchased from the Department of Highways.

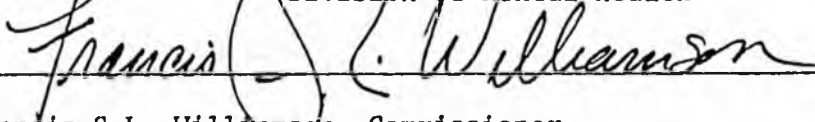
Discussion: The Fiscal Year 1976 budget for Harborview Memorial Hospital was funded to provide interagency payment for steam at a rate as projected by the supplying agency (the Department of Highways.) Subsequent to the funding of this budget, the supplying agency gave notice of unit cost increase which is projected to increase annual expense to Harborview Memorial Hospital by \$89,400.

No alternate source presently exists for this steam and the present operating budget is unable to support this increased expense.

A justification of this unit cost as supplied by the Department of Highways is attached.

Recommendation: Passage of Bill as introduced.

Recommended:  Thomas R. Branton, Assistant Director  
Division of Mental Health 1/23/1976  
Date

Approved:  Francis S.L. Williamson, Commissioner 1/23/1976  
Date

Introduced: 1/19/76  
Referred: Health, Education  
and Social Services and  
Finance

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

1 IN THE SENATE

2 SENATE BILL NO. 532

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making a supplemental appropriation to the  
7 Department of Health and Social Services, Harborview  
8 Memorial Hospital; and providing for an effective  
9 date."

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

11 \* Section 1. The sum of \$89,400 is appropriated from the general fund  
12 to the Department of Health and Social Services, Harborview Memorial Hospital,  
13 for the purpose of paying the increased cost of heat, steam, and space  
14 rental charges due the Department of Highways.

15 \* Sec. 2. This Act takes effect immediately in accordance with AS 01.-  
16 10.070(c).

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TO: Francis S. L. Williamson  
Commissioner of Health and  
Social Services

DATE : July 28, 1975

FROM: Bruce R. Freitag, P.E. *BRF*  
Management Services Officer

File: 40-1703

SUBJECT: WCF - Buildings  
FY76 Valdez Condensate  
Rate

A review of expenses for the Valdez Steam Plant shows that a substantial increase in the rate for condensate, used by the Valdez Hospital and Highways, is required for fiscal year 1976. The attached document "tells the story" of how wages and inflation have increased the cost of production. Thus, please be advised that should your department wish to continue to purchase steam from our plant the rate will be 8.5 cents per gallon for an approximate total of \$297,500 during this fiscal year.

A Reimbursable Services Agreement is also attached for your signature - please return, to this office, a signed copy of the RSA with a copy of your encumbrance document.

Attachments

BRF:ju



Valdez Steam Plant - FY76 Condensate Rate

Salaries

Five (5) firemen @ WG4:

Use 54C (8.27/hr)(5 men)(162 hr/mo)(12 mo/yr)	=	\$ 80,384
Subsistence (1.87/day)(5 steps)(5 men)(340 days/yr)	=	15,895
Overtime (5%)(Salary)	=	4,019
Benefits (18%)(Salary + Overtime)	=	15,192
Subtotal		<u>\$115,490</u>
FY76 Salary Increase (15%)(Subtotal)	=	17,324
Total for Firemen (FY76)		<u>\$132,814</u>

Foreman:

(5 men/13 men)* (10.67/hr)(162 hr/mo)(12 mo/yr)	=	\$7,978
(1.87)(5 steps)(340 days/yr)(5/13)	=	1,223
(18%)(Salary) = (.18)(7,978)	=	1,436
15% Salary Increase	=	1,596
Total for Foreman (FY76)		<u>\$ 12,232</u>

Total Salaries \$145,000

<u>Fuel Oil:</u> (FY75 = \$142,580)(20%)	=	\$171,100
<u>Telephone:</u> (FY75 = \$461)	=	500
<u>Electricity:</u> (FY75 = \$6,400)(20%)	=	7,700
<u>Misc. Supplies &amp; Freight:</u> (FY75 = \$5,100)(15%)	=	5,900
<u>Water:</u> (FY75 = \$1,500)(15%)	=	1,700
<u>Fire Insurance:</u> (\$1,000,000 evaluation)(0.50/\$100) x 75% (Value of Boiler Area)	=	3,800
<u>Space Rental:</u> (4,377 s.f.) @ 0.47/s.f. x 12 mo/yr	=	<u>24,700</u>
Total		<u>\$360,400</u>

Total Condensate Returned:

Hospital	(FY75 = 3,495,650 gal)	FY76 = 3,500,000 gal
Highways	(FY75 = <u>893,530</u> gal)	FY76 = <u>900,000</u> gal
Total	(FY75 = 4,389,180 gal)	FY76 = 4,400,000 gal

Condensate Rate:

$$\frac{\text{Total Costs}}{\text{Total Condensate}} = \frac{\$360,400}{4,400,000 \text{ gal}} = 0.0819 \quad \underline{\underline{\text{Use 8.5c/gal}}}$$

\*(5 of 13 man buildings crew directly responsible for boiler operation)

Introduced: 1/19/76  
Referred: Health, Education  
and Social Services and  
Finance

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BY THE RULES COMMITTEE BY  
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# RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith  
Signature of Camera Operator

2/8/90  
Date

COMMITTEE REPORT

SENATE

3/19/76

Mr. President:

Date 4/22/76

The Committee on Finance has had 35 min establishing a disaster relief tax & changing Rule 65 of Civil Procedure under consideration. A Majority of the members of the Committee

- ( ) recommends it DO PASS
- ( ) recommends it DO NOT PASS
- (X) recommends it DO PASS WITH ATTACHED AMENDMENT(S)
- ( ) recommends it BE REPLACED WITH CS FOR \_\_\_\_\_ AND THAT CS FOR \_\_\_\_\_ DO PASS
- ( ) "and" recommends it BE REFERRED TO THE \_\_\_\_\_ COMMITTEE
- ( ) reports it back WITHOUT RECOMMENDATION
- ( ) "other"

Members signing the Majority report:

W. R. Pollock \_\_\_\_\_

W. R. Pollock \_\_\_\_\_

W. R. Pollock \_\_\_\_\_

W. R. Pollock \_\_\_\_\_

Members NOT concurring in the Majority report:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

W. R. Pollock Chairman

A M E N D M E N T

Offered in the SENATE

By FINANCE

To: \_\_\_\_\_ SENATE BILL NO. 534

\_\_\_\_\_ HOUSE BILL NO. \_\_\_\_\_

AMENDMENT: Page 1 Line 7-9

Delete all material beginning with "establishing" and ending with "Procedure" on line 9.

Page 9, Line 21

Change "shall" to "may".

Page 25 & 26, Line 25

Delete all material beginning with "If" and ending with "litigation." on page 26, line 15.

Page 31, Line 23-28

Delete Sec. 11 and renumber sections accordingly.

Introduced: 1/19/76  
Referred: State Affairs and  
Finance

1 IN THE SENATE

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 534

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to powers and organization to cope  
7 with natural and man-made disasters; establishing  
8 a disaster relief tax; changing Rule 65, Rules of  
9 Civil Procedure; and providing for an effective  
10 date."

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

12 \* Section 1. AS 23.30 is amended by adding a new section to read:

13 Sec. 23.23.244. CIVIL DEFENSE AND DISASTER RELIEF FORCES AS STATE  
14 EMPLOYEES. A resident of Alaska temporarily engaged in a civil defense  
15 or disaster relief function in another state or country under the  
16 provisions of AS 26.23.130 is considered an employee of the state for  
17 purposes of this chapter.

18 \* Sec. 2. AS 26.20.010(a) is amended to read:

19 (a) Because of the national emergency and the possibility of  
20 disasters or emergencies resulting from enemy attack, sabotage or  
21 other hostile action, and in order to insure adequate preparations for  
22 such disasters or emergencies, and generally to provide for the  
23 common defense [AND TO INSURE THE PUBLIC PEACE, HEALTH, AND SAFETY,  
24 AND TO PRESERVE THE LIVES AND PROPERTY OF THE PEOPLE OF THE STATE], it  
25 is found and declared to be necessary

26 (1) to provide for a state civil defense agency, and to  
27 authorize the creation of local organizations for civil defense;

28 (2) to confer upon the governor and upon the executive  
29 heads of the districts of the state the emergency powers provided in

1 this chapter;

2 (3) to provide for mutual aid among the districts of the  
3 state, with the other states of the United States, and with the  
4 federal government for carrying out civil defense functions;

5 (4) to authorize the establishment of organizations and  
6 taking steps as are necessary and appropriate to carry out the pro-  
7 visions of this chapter.

8 \* Sec. 3. AS 26 is amended by adding a new chapter to read:

9 CHAPTER 23. ALASKA DISASTER ACT.

10 Sec. 26.23.010. PURPOSES. The purposes of this chapter are to:

11 (1) reduce the vulnerability of people and communities of  
12 this state to damage, injury, and loss of life and property resulting  
13 from a disaster;

14 (2) prepare for the prompt and efficient rescue, care, and  
15 treatment of persons victimized or threatened by a disaster;

16 (3) provide a setting conducive to the rapid and orderly  
17 start of restoration and rehabilitation of persons and property  
18 affected by a disaster;

19 (4) clarify and strengthen the roles of the governor, state  
20 agencies, and local governments in prevention of, preparation for,  
21 response to, and recovery from a disaster;

22 (5) authorize and provide for cooperation in disaster  
23 prevention, preparedness, response, and recovery;

24 (6) authorize and provide for the coordination of activities  
25 relating to disaster prevention, preparedness, response, and recovery  
26 by agencies and officers of the state, and similar state-local, inter-  
27 state, federal-state, and foreign activities in which the state and  
28 its political subdivisions may participate;

29 (7) provide a disaster management system embodying all

1 aspects of pre-disaster preparedness and post-disaster response; and

2 (8) assist in the prevention of disasters caused or aggra-  
3 vated by inadequate planning for, and regulation of, public and  
4 private facilities and land use.

5 Sec. 26.23.020. THE GOVERNOR AND DISASTER EMERGENCIES. (a) The  
6 governor is responsible for meeting the dangers presented by disasters  
7 to the state and its people.

8 (b) The governor may issue orders, proclamations, and regulations  
9 necessary to carry out the purposes of this chapter, and amend or  
10 rescind them. These orders, proclamations, and regulations have the  
11 force of law.

12 (c) A disaster emergency shall be declared by proclamation of  
13 the governor if he finds that a disaster has occurred or that such an  
14 occurrence is imminent or threatened. The state-of-disaster emergency  
15 continues until the governor finds that the threat or danger has  
16 passed or the disaster has been dealt with to the extent that emer-  
17 gency conditions no longer exist and he terminates the state-of-  
18 disaster emergency by proclamation; but no state-of-disaster emergency  
19 continues for longer than 30 days unless renewed by the governor. The  
20 legislature, by concurrent resolution, may terminate a state-of-  
21 disaster emergency at any time. All proclamations issued under this  
22 subsection shall indicate the nature of the disaster, the area or  
23 areas threatened or affected, and the conditions which have brought it  
24 about or which make possible the termination of the state-of-disaster  
25 emergency.

26 (d) An order or proclamation issued under this chapter shall be  
27 disseminated promptly by means calculated to bring its contents to the  
28 attention of the general public and, unless prevented or impeded by  
29 circumstances attendant upon the disaster, promptly filed with the

1 Alaska Division of Emergency Services, the lieutenant governor, and  
2 the borough clerk or city clerk, as the case may be, in the area to  
3 which it applies.

4 (e) A proclamation of a state-of-disaster emergency activates  
5 the disaster response and recovery aspects of the state, local, and  
6 interjurisdictional disaster emergency plans applicable to the politi-  
7 cal subdivisions or areas in question, and constitutes authority for  
8 the deployment and use of any forces to which the plan or plans apply  
9 and for use or distribution of any supplies, equipment, materials, and  
10 facilities assembled, stockpiled, or arranged to be made available  
11 under this chapter or any other provision of law relating to disaster  
12 emergencies.

13 (f) During a state-of-disaster emergency, the governor is  
14 commander in chief of the organized and unorganized militia and of all  
15 other forces available for emergency duty. To the greatest extent  
16 practicable, the governor shall delegate or assign command authority  
17 by prior arrangement embodied in appropriate orders or regulations,  
18 but this does not restrict his authority to do so by orders issued at  
19 the time of the disaster emergency.

20 (g) In addition to any other powers conferred upon the governor  
21 by law, he may, under this chapter:

22 (1) suspend the provisions of any regulatory statute pre-  
23 scribing procedures for the conduct of state business, or the orders  
24 or regulations of any state agency, if compliance with the provisions  
25 of any such statute, order, or regulation would prevent, or substan-  
26 tially hinder or delay action necessary to cope with the disaster  
27 emergency;

28 (2) use all available resources of the state government and  
29 of each political subdivision of the state as reasonably necessary to

1 cope with the disaster emergency;

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

6 (4) subject to any applicable requirements for compensation  
7 under sec. 160 of this chapter, commandeer or utilize any private  
8 property, except for all news media other than as specifically pro-  
9 vided for in this chapter, if he considers this necessary to cope with  
10 the disaster emergency;

11 (5) direct and compel the evacuation of all or part of the  
12 population from any stricken or threatened area within the state, if  
13 he considers this action necessary for the preservation of life or  
14 other disaster mitigation response or recovery;

15 (6) prescribe routes, modes of transportation, and destina-  
16 tions in connection with necessary evacuations;

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

20 (8) suspend or limit the sale, dispensing, or transporta-  
21 tion of alcoholic beverages, firearms, explosives, and combustibles;

22 (9) make provisions for the availability and use of tem-  
23 porary emergency housing; and

24 (10) allocate or redistribute food, water, fuel or clothing.

25 Sec. 26.23.030. CREATION OF THE ALASKA DIVISION OF EMERGENCY ,  
26 SERVICES. There is created, in the Department of Military Affairs,  
27 the Alaska Division of Emergency Services possessing the powers and  
28 duties delineated in sec. 40 of this chapter.

29 Sec. 26.23.040. DUTIES OF THE ALASKA DIVISION OF EMERGENCY

1 SERVICES. (a) The Alaska Division of Emergency Services shall  
2 prepare and maintain a State Disaster Plan and keep it current, which  
3 plan may include provisions for:

4 (1) prevention and minimization of injury and damage caused  
5 by disasters;

6 (2) prompt and effective response to disasters;

7 (3) emergency relief;

8 (4) identification of areas especially vulnerable to a  
9 disaster;

10 (5) recommendations for zoning, building, and other land-  
11 use controls, safety measures for securing mobile homes or other non-  
12 permanent or semi-permanent structures, and other preventive and pre-  
13 paredness measures designed to eliminate or reduce disasters or their  
14 impact;

15 (6) assistance to local officials in designing local emer-  
16 gency action plans;

17 (7) authorization and procedures for the construction of  
18 temporary works designed to protect against or mitigate danger, damage,  
19 or loss from a disaster;

20 (8) preparation and distribution to the appropriate state  
21 and local officials of state catalogs of federal, state, and private  
22 assistance programs;

23 (9) organization of manpower and chains of command;

24 (10) coordination of federal, state, and local disaster  
25 activities;

26 (11) coordination of the State Disaster Plan with the  
27 disaster plans of the federal government; and

28 (12) other matters necessary to carry out the purposes of  
29 this chapter.

1 (b) The Alaska Division of Emergency Services shall take an  
2 integral part in the development and revision of local and interjuris-  
3 dictional disaster plans prepared under sec. 60 of this chapter. To  
4 this end, it may employ or otherwise secure the services of profession-  
5 al and technical personnel capable of providing expert assistance to  
6 political subdivisions, their disaster agencies, and interjurisdiction-  
7 al planning and disaster agencies. These personnel shall consult with  
8 political subdivisions and agencies on a regular basis and shall make  
9 field examinations of the areas, circumstances, and conditions to  
10 which particular local and interjurisdictional disaster plans are  
11 intended to apply and may suggest or require revisions.

12 (c) In preparing and revising the State Disaster Plan, the  
13 Alaska Division of Emergency Services shall seek the advice and  
14 assistance of local government, business, labor, industry, agriculture,  
15 civic, and volunteer organizations and community leaders. In advising  
16 local and interjurisdictional agencies, the office shall encourage  
17 them also to seek advice from these sources.

18 (d) The State Disaster Plan or any part of it may be incorporated  
19 in regulations or orders of the Alaska Division of Emergency Services  
20 which have the force and effect of law.

21 (e) The Alaska Division of Emergency Services shall:

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

25 (2) procure and pre-position supplies, medicines, materials,  
26 and equipment;

27 (3) adopt standards and requirements for local and inter-  
28 jurisdictional disaster plans;

29 (4) periodically review local and interjurisdictional

1 disaster plans;

2 (5) provide for mobile support units;

3 (6) establish and operate, or assist political subdivisions,  
4 their disaster agencies, and interjurisdictional disaster agencies to  
5 establish and operate, training and public information programs;

6 (7) make surveys of industries, resources, and facilities  
7 within the state, both public and private, as are necessary to carry  
8 out the purposes of this chapter;

9 (8) plan and make arrangements for the availability and use  
10 of any private facilities, services, and property and, if necessary  
11 and if in fact used, provide for payment for use under terms and  
12 conditions agreed upon by the parties;

13 (9) establish a register of persons with types of training  
14 and skills important in disaster prevention, preparedness, response,  
15 and recovery;

16 (10) establish a register of mobile and construction equip-  
17 ment and temporary housing available for use in a disaster emergency;

18 (11) prepare, for issuance by the governor, orders, procla-  
19 mations, and regulations as necessary or appropriate in coping with  
20 disasters;

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

25 (13) do other things necessary or proper for the imple-  
26 mentation of this chapter.

27 Sec. 26.23.050. FINANCING. (a) It is the intent of the legis-  
28 lature, and declared to be the policy of the state, that funds to meet  
29 disaster emergencies will always be available.

1 (b) Whenever, and to the extent that, money is needed to cope  
2 with a disaster, the first recourse shall be to funds regularly appro-  
3 priated to state and local agencies. The second recourse shall be to  
4 funds available in the disaster relief fund. If money available from  
5 these sources is insufficient, and if the governor finds that other  
6 sources of money to cope with the disaster are not available or are  
7 insufficient, the governor may, notwithstanding any limitation imposed  
8 by AS 37.07.080(e), transfer and spend money appropriated for other  
9 purposes or, in situations involving natural disasters, borrow from  
10 the United States government or other public or private sources for a  
11 term not to exceed two years.

12 (c) Nothing in this section limits the governor's authority to  
13 apply for, administer, and spend grants, gifts, or payments in aid of  
14 disaster prevention, preparedness, response or recovery.

15 Sec. 26.23.060. LOCAL AND INTERJURISDICTIONAL DISASTER AGENCIES  
16 AND SERVICES. (a) Each political subdivision within the state is  
17 within the jurisdiction of, and shall be served by, the Alaska Division  
18 of Emergency Services and, if an incorporated municipality, also by a  
19 local or interjurisdictional agency responsible for disaster prepared-  
20 ness and coordination of response.

21 (b) Each borough shall maintain a disaster agency, or participate  
22 in a local or interjurisdictional disaster agency which, except as  
23 otherwise provided in this chapter, has jurisdiction over and serves  
24 the entire borough.

25 (c) The governor shall determine which political subdivisions  
26 need disaster agencies of their own, and require that they be estab-  
27 lished and maintained. He shall make his determinations on the basis  
28 of the political subdivision's disaster vulnerability and capability  
29 of response related to population size and concentration. The disaster

1 agency of a borough shall cooperate with the disaster agencies of  
2 political subdivisions situated within its borders, but does not have  
3 jurisdiction within a political subdivision having its own disaster  
4 agency. The Alaska Division of Emergency Services shall publish and  
5 keep current a list of political subdivisions required to have disaster  
6 agencies under this subsection.

7 (d) Each political subdivision which does not have a disaster  
8 agency, and has not made arrangements to secure or participate in the  
9 services of an agency, may satisfy the requirements of this chapter by  
10 having a liaison officer designated to facilitate the cooperation and  
11 protection of that city in the work of disaster prevention, prepared-  
12 ness, response, and recovery.

13 (e) The principal executive officer of each political subdivision  
14 in the state shall notify the Alaska Division of Emergency Services of  
15 the manner in which the political subdivision is providing or securing  
16 disaster planning and intends to provide or secure emergency services,  
17 identify the person who heads the agency from which the services are  
18 or will be obtained, and furnish additional information relating to  
19 the services as the Alaska Division of Emergency Services requires.

20 (f) Each local and interjurisdictional agency shall prepare and  
21 keep current a local or interjurisdictional disaster emergency plan  
22 for its area.

23 (g) The local or interjurisdictional disaster agency, as the  
24 case may be, shall prepare and distribute to all appropriate officials  
25 in written form a clear and complete statement of the emergency re-  
26 sponsibilities of all local agencies and officials and of the disaster  
27 chain of command.

28 Sec. 26.23.070. ESTABLISHMENT OF INTERJURISDICTIONAL DISASTER  
29 PLANNING AND SERVICE AREAS. (a) If the governor finds that two or

1 more adjoining political subdivisions would be better served by an  
2 interjurisdictional arrangement than by maintaining separate disaster  
3 agencies and services, he may delineate by order an interjurisdictional  
4 area adequate to plan for, prevent, or respond to a disaster in that  
5 area, and direct steps to be taken as necessary, including the creation  
6 of an interjurisdictional relationship, a joint disaster emergency  
7 plan, mutual aid, or an area organization for emergency planning and  
8 services. A finding by the governor under this subsection shall be  
9 based on one or more factors related to the difficulty of maintaining  
10 an efficient and effective disaster prevention, preparedness, response,  
11 and recovery system without an interjurisdictional relationship, such  
12 as:

- 13 (1) small or sparse population;
- 14 (2) limitations on public financial resources severe  
15 enough to make maintenance of a separate disaster agency and services  
16 unreasonably burdensome;
- 17 (3) unusual vulnerability to disaster as evidenced by a  
18 past history of disasters, topographical features, drainage charac-  
19 teristics, disaster potential, and presence of disaster-prone facilities  
20 or operations;
- 21 (4) the interrelated character of the political subdivisions  
22 in an area; or
- 23 (5) other relevant conditions or circumstances.

24 (b) If the governor finds that a vulnerable area lies only  
25 partly within the state and includes territory in a foreign juris-  
26 diction, and that it would be desirable to establish an international  
27 relationship, mutual aid, or an area organization for disaster, he  
28 shall take steps to that end as desirable. If this action is taken  
29 with jurisdictions that have enacted the Interstate Civil Defense and

1 Disaster Compact substantially as contained in sec. 130 of this chapter,  
2 any resulting agreement may be considered a supplemental agreement  
3 under Article 6 of that compact.

4 (c) If a jurisdiction with which the governor proposes to  
5 cooperate under (b) of this section has not enacted the Interstate  
6 Civil Defense and Disaster Compact, he may negotiate a special agree-  
7 ment with that jurisdiction.

8 Sec. 26.23.080. COMMUNITY DISASTER LOANS. Whenever, at the  
9 request of the governor, the President has declared a major disaster  
10 to exist in this state, the governor may:

11 (1) upon his determination that a local government of the  
12 state will suffer a substantial loss of tax and other revenues from  
13 the disaster and has demonstrated a need for financial assistance to  
14 perform its governmental functions, apply to the federal government,  
15 on behalf of the local government, for a loan; he may receive and  
16 disburse the proceeds of any approved loan to any applicant local  
17 government;

18 (2) determine the amount needed by any applicant local  
19 government to restore or resume its governmental functions, and to  
20 certify the amount to the federal government; however, no application  
21 amount may exceed 25 per cent of the annual operating budget of the  
22 applicant for the fiscal year in which the major disaster occurred;

23 (3) recommend to the federal government, based upon his  
24 review, the cancellation of all or any part of repayment when, for the  
25 first three full fiscal years following the major disaster, the  
26 revenues of the local government are insufficient to meet its operating  
27 expenses, including additional disaster-related expenses of a municipal  
28 operation character.

29 Sec. 26.23.090. STATE FINANCIAL PARTICIPATION IN GRANTS TO

1 DISASTER VICTIMS. (a) Whenever the President, at the request of the  
2 governor, has declared a major disaster to exist in this state, the  
3 governor may:

4 (1) upon his determination that financial assistance is  
5 essential to meet disaster-related necessary expenses or serious needs  
6 of individuals or families adversely affected by a major disaster that  
7 cannot be otherwise adequately met from other means of assistance,  
8 accept a grant by the federal government to fund that financial  
9 assistance, subject to the terms and conditions that may be imposed  
10 upon the grant;

11 (2) enter into an agreement with the federal government, or  
12 any officer or agency of it, pledging the state to participate in the  
13 funding of the financial assistance authorized in (1) of this subsec-  
14 tion, in an amount not to exceed 25 per cent of the assistance and, if  
15 state funds are not otherwise available to the governor, to accept an  
16 advance of the state's share from the federal government to be repaid  
17 when the state is able to do so.

18 (b) The governor is authorized to make financial grants (not to  
19 exceed \$5,000) to an individual or family in any single major disaster  
20 declared by the President, to meet disaster-related necessary expenses  
21 or serious needs of individuals or families adversely affected by a  
22 major disaster which cannot otherwise adequately be met from other  
23 means of assistance.

24 (c) A person who fraudulently or wilfully makes a misstatement  
25 of fact in connection with an application for financial assistance  
26 under this chapter is, upon conviction, punishable by a fine of not  
27 more than \$5,000, or imprisonment for not more than one year, or by  
28 both.

29 Sec. 26.23.100. TEMPORARY HOUSING. (a) Whenever the governor

1 has proclaimed a disaster emergency, or the President, at the request  
2 of the governor, has declared an emergency or a major disaster to  
3 exist in this state, the governor may:

4 (1) purchase, lease, or make other arrangements with any  
5 agency of the United States or state for temporary housing units to be  
6 occupied by disaster victims and to make those units available to any  
7 political subdivision of the state;

8 (2) assist any political subdivision of this state which is  
9 the location of temporary housing for disaster victims to acquire  
10 sites necessary for the temporary housing and do all things necessary  
11 to prepare the site to receive and use temporary housing units by:

12 (A) advancing or lending funds available to the  
13 governor from an appropriation made by the legislature or from  
14 any other source;

15 (B) "passing through" funds made available by any  
16 agency, public or private; or

17 (C) becoming a co-partner with a political subdivision  
18 for the execution and performance of any temporary housing for  
19 disaster victims projects and, for such purposes, pledging the  
20 credit of the state on such terms as deemed appropriate, having  
21 due regard for current debt transactions of the state;

22 (3) under such regulations as he may adopt, temporarily  
23 suspend or modify, for not more than 60 days, any public health,  
24 safety, zoning, transportation, or other requirement of law or regula-  
25 tion of the state, when, by proclamation, he declares such a suspension  
26 or modification essential to provide temporary housing for disaster  
27 victims.

28 (b) A political subdivision of this state may acquire, temporari-  
29 ly or permanently, by purchase, lease, or otherwise, sites required

1 for installation of temporary housing units for disaster victims, and  
2 to enter into whatever arrangements (including purchase of temporary  
3 housing units and payment of transportation charges) which are neces-  
4 sary to prepare or equip those sites to receive and use the housing  
5 units.

6 Sec. 26.23.110. DEBRIS AND WRECKAGE REMOVAL IN DISASTER EMERGENCY  
7 OR MAJOR DISASTER. (a) When the governor has declared a disaster  
8 emergency, or the President, at the request of the governor, has  
9 declared a major disaster or emergency to exist in this state, the  
10 governor may:

11 (1) through the use of state departments or agencies, or  
12 the use of any of the state's instrumentalities, clear from publicly  
13 or privately owned land or water, debris and wreckage which may  
14 threaten public health, safety, or property;

15 (2) accept funds from the federal government and use those  
16 funds to make grants to any local government for the purpose of  
17 removing debris or wreckage from publicly or privately owned land or  
18 water.

19 (b) Authority under (a)(1) of this section may not be exercised  
20 unless the affected local government, corporation, organization, or  
21 individual unconditionally authorizes the removal of the debris or  
22 wreckage from public and private property and, in the case of removal  
23 of debris or wreckage from private property, first agrees to indemnify  
24 the state government against claims arising from the removal.

25 Sec. 26.23.120. INTERGOVERNMENTAL ARRANGEMENTS. The Interstate  
26 Civil Defense and Disaster Compact is hereby enacted into law and  
27 entered into with all jurisdictions legally joining in it in a form  
28 substantially as contained in sec. 130 of this chapter.

29 Sec. 26.23.130. INTERSTATE CIVIL DEFENSE AND DISASTER COMPACT.

1 The terms and provisions of the compact referred to in sec. 120 of  
2 this chapter are as follows:

3 INTERSTATE CIVIL DEFENSE AND DISASTER COMPACT

4 The contracting states solemnly agree:

5 ARTICLE I.

6 PURPOSE.

7 The purpose of this compact is to provide mutual aid among the  
8 states in meeting any emergency or disaster resulting from enemy  
9 attack or other cause (natural or otherwise) including sabotage and  
10 subversive acts, direct attacks by bombs, shellfire, and nuclear,  
11 radiological, chemical or bacteriological means, and other weapons.  
12 The prompt, full, and effective utilization of the resources of the  
13 respective states, including such resources as may be available from  
14 the United States government or any other source, are essential to the  
15 safety, care, and welfare of the people of the respective states in  
16 the event of enemy action or other emergency, and any other resources,  
17 including personnel, equipment, or supplies, shall be incorporated  
18 into a plan, or plans, of mutual aid to be developed among the civil  
19 defense agencies or similar bodies of the states that are parties to  
20 this compact. The directors of civil defense of all party states  
21 constitute a committee to formulate plans to take all necessary steps  
22 for the implementation of this contract.

23 ARTICLE II.

24 CIVIL DEFENSE PLANS AND PROGRAMS.

25 It is the duty of each party state to formulate civil defense  
26 plans and programs for application within that state. There shall be  
27 frequent consultation between the representatives of the states and  
28 with the United States government, and the free exchange of information  
29 and plans, including inventories of any materials and equipment avail-

1 able for civil defense. In carrying out these civil defense plans and  
2 programs, the party states shall, so far as possible, provide and  
3 follow uniform standards, practices, and regulations, including:

4 (1) insignia, arm bands, and any other distinctive articles  
5 to designate and distinguish the different civil defense services;

6 (2) blackouts and practice blackouts, air raid drills,  
7 mobilization of civil defense forces, and other tests and exercises;

8 (3) warnings and signals for drills or attacks, and the  
9 mechanical devices to be used in connection with them;

10 (4) the effective screening or extinguishing of all lights  
11 and lighting devices and appliances;

12 (5) shutting off water mains, gas mains, electric power  
13 connections, and the suspension of all other utility services;

14 (6) all materials or equipment used, or to be used, for  
15 civil defense purposes, in order to assure that those materials and  
16 that equipment will be easily and freely interchangeable when used in,  
17 or by, any other party state;

18 (7) the conduct of civilians and the movement and cessation  
19 of movement of pedestrians and vehicular traffic, before, during, and  
20 after drills or attacks;

21 (8) the safety of public meetings or gatherings; and

22 (9) mobile support units.

23 ARTICLE III.

24 ASSISTANCE TO PARTY STATE.

25 Any party state requested to render mutual aid shall take the  
26 action necessary to provide and make available the resources covered  
27 by this compact in accordance with its terms; however, it is understood  
28 that the state rendering aid may withhold resources to the extent  
29 necessary to provide reasonable protection for itself. Each party

1 state shall extend to the civil defense forces of any other party  
2 state, while operating within its state boundaries under the terms and  
3 conditions of this compact, the same powers (except that of arrest,  
4 unless specifically authorized by the receiving state), duties, rights,  
5 privileges, and immunities as if they were performing their duties in  
6 their home state. Civil defense forces will continue under the command  
7 and control of their regular leaders, but the organizational units  
8 will come under the operational control of the civil defense authorities  
9 of the state receiving assistance.

10 ARTICLE IV.

11 INTERSTATE RECOGNITION OF INDIVIDUAL QUALIFICATIONS.

12 If a person holds a license, certificate, or other permit issued  
13 by any state or political subdivision of a state evidencing the  
14 meeting of qualifications for professional, mechanical or other skills,  
15 that person may render aid involving that skill in any party state to  
16 meet an emergency or disaster, and that state shall give due recog-  
17 nition to the license, certificate, or other permit as if issued in  
18 the state in which aid is rendered.

19 ARTICLE V.

20 LIABILITY.

21 No party state or its officers or employees rendering aid in  
22 another state pursuant to this compact is liable on account of any act  
23 or omission in good faith on the part of those forces while so engaged,  
24 or on account of the maintenance or use of any equipment or supplies  
25 in connection with rendering that aid.

26 ARTICLE VI.

27 SUPPLEMENTAL AGREEMENTS.

28 Inasmuch as it is probable that the pattern and detail of the  
29 machinery for mutual aid among two or more states may differ from that

1 appropriate among other party states, this compact contains elements  
2 of a broad base common to all states, and nothing in this compact pre-  
3 cludes any state from entering into supplementary agreements with  
4 other states. Such supplementary agreements may comprehend, but are  
5 not limited to, provisions for evacuation and reception of injured and  
6 other persons, and the exchange of medical, fire, police, public  
7 utility, reconnaissance, welfare, transportation, and communications  
8 personnel, equipment and supplies.

9 ARTICLE VII.

10 INJURY AND DEATH COMPENSATION.

11 Each party state shall provide for the payment of compensation  
12 and death benefits to injured members of the civil defense forces of  
13 that state and the representatives of deceased members of those forces,  
14 in case those members sustain injuries or are killed while rendering  
15 aid under this compact, in the same manner and on the same terms as if  
16 the injury or death were sustained within that state.

17 ARTICLE VIII.

18 COMPENSATION TO ASSISTING STATE.

19 A party state rendering aid in another state under this compact  
20 shall be reimbursed by the party state receiving the aid for any loss  
21 or damage to, or expense incurred in, the operation of any equipment  
22 answering a request for aid, and for the cost incurred in connection  
23 with the request; however, an aiding party state may assume in whole  
24 or in part the loss, damage, expense, or other cost, or may loan the  
25 equipment or donate the services to the receiving party state without  
26 charge or cost; in addition, any two or more party states may enter  
27 into supplementary agreements establishing a different allocation of  
28 costs as among those states. The United States government may relieve  
29 the party state receiving aid from any liability, and reimburse the

1 party state supplying civil defense forces for the compensation paid  
2 to and the transportation, subsistence, and maintenance expenses of  
3 those forces during the time of rendering the aid or assistance outside  
4 the state, and may also pay fair and reasonable compensation for the  
5 use of the supplies, materials, equipment, or facilities so used or  
6 consumed.

7 ARTICLE IX.

8 EVACUATION PLANS.

9 Plans for the orderly evacuation and reception of the civilian  
10 population as the result of an emergency or disaster shall be worked  
11 out from time to time between representatives of the party states and  
12 the various local civil defense areas of those states. These plans  
13 shall include the manner of transporting the evacuees, the number of  
14 evacuees to be received in different areas, the manner in which food,  
15 clothing, housing, and medical care will be provided, the registration  
16 of the evacuees, the provision of facilities for the notification of  
17 relatives or friends, the forwarding of evacuees to other areas, the  
18 bringing in of additional materials and supplies, and all other  
19 relevant factors. These plans shall provide that the party state  
20 receiving evacuees shall be reimbursed generally for the out-of-pocket  
21 expenses incurred in receiving and caring for those evacuees and for  
22 expenditures for transportation, food, clothing, medicines, medical  
23 care and like items. These expenditures shall be reimbursed by the  
24 party state of which the evacuees are residents, or by the United  
25 States government under plans approved by it. After the termination  
26 of the emergency or disaster, the party state of which the evacuees  
27 are residents shall assume the responsibility for the ultimate support  
28 or return of the evacuees.

29 ARTICLE X.

1 AVAILABILITY OF COMPACT.

2 This compact shall be available to any state, territory, or  
3 possession of the United States, and the District of Columbia. The  
4 term "state" also includes any neighboring foreign country or province  
5 or state of one.

6 ARTICLE XI.

7 NON-BORDERING STATES.

8 The governor may enter into this compact with any state which  
9 does not border this state if he finds that joint action with the  
10 state is desirable in meeting common intergovernmental problems of  
11 emergency disaster planning, prevention, response, and recovery.

12 ARTICLE XII.

13 UNITED STATES CIVIL DEFENSE AGENCY PARTICIPATION.

14 The committee established under Article 1 of this compact may  
15 request the Civil Defense Agency of the United States government to  
16 act as an informational and coordinating body under this compact, and  
17 representatives of that agency may attend meetings of the committee.

18 ARTICLE XIII.

19 ENTRY INTO FORCE.

20 This compact becomes operative immediately upon its ratification  
21 by any state as between it and any other state or states so ratifying,  
22 and is subject to approval by Congress, unless prior Congressional  
23 approval has been given. Duly authenticated copies of this compact,  
24 and of such supplementary agreements as may be entered into, shall, at  
25 the time of their approval, be deposited with each of the party states,  
26 the Civil Defense Agency and other appropriate agencies of the United  
27 States government.

28 ARTICLE XIV.

29 WITHDRAWAL.

1           This compact continues in force and remains binding on each party  
2 state until the legislature or the governor of such a state takes  
3 action to withdraw from it. Withdrawal is not effective until 30 days  
4 after notice of that action has been sent by the governor of the party  
5 state desiring to withdraw to the governors of all other party states.

6                           ARTICLE XV.

7                           SEVERABILITY.

8           This compact shall be construed to effectuate the purposes stated  
9 in Article 1. If any provision of this compact is held unconstitu-  
10 tional, or its applicability to any person or circumstance is held  
11 invalid, the constitutionality of the remainder of this compact and  
12 its applicability to other persons and circumstances are not affected  
13 by that holding.

14                          ARTICLE XVI.

15                          COVERAGE.

16           (a) This Article shall be in effect only as among those states  
17 which have enacted it into law or in which the governors have adopted  
18 it under constitutional or statutory authority sufficient to give it  
19 the force of law as part of this compact. Nothing contained in this  
20 Article or in any supplementary agreement made in implementation of it  
21 abridges, impairs, or supersedes any other provision of this compact  
22 or any obligation undertaken by a state pursuant to it, except that if  
23 its terms so provide, a supplementary agreement in implementation of  
24 this Article may modify, expand, or add to any such obligation as  
25 among the parties to the supplementary agreement.

26           (b) In addition to the occurrences, circumstances and subject  
27 matter to which preceding Articles of this compact make it applicable,  
28 this compact and its authorizations, entitlements, and procedures  
29 apply to:

1 (1) searches for and rescue of persons who are lost,  
2 marooned, or otherwise in danger;

3 (2) action useful in coping with disasters arising from any  
4 cause or designed to increase the capability to cope with any such  
5 disasters;

6 (3) incidents, or the imminence of them, which endanger the  
7 health or safety of the public and which require the use of special  
8 equipment, trained personnel, or personnel in larger numbers than are  
9 locally available in order to reduce, counteract or remove the danger;

10 (4) the giving and receiving of aid by political subdivi-  
11 sions of party states;

12 (5) exercises, drills or other training or practice acti-  
13 vities designed to aid personnel to prepare for, cope with, or prevent  
14 any disaster or other emergency to which this compact applies.

15 (c) Except as expressly limited by this compact or a supplemen-  
16 tary agreement in force pursuant to it, any aid authorized by this  
17 compact or such a supplementary agreement may be furnished by any  
18 agency of a party state, by a political subdivision of such a state,  
19 or by a joint agency; such an agency or political subdivision is  
20 entitled to reimbursement for the aid to the same extent and in the  
21 same manner as a state. The personnel of a joint agency, when ren-  
22 dering aid under this compact, have the same rights, authority and  
23 immunity as personnel of party states.

24 (d) Nothing in this Article excludes from the coverage of  
25 Articles I - XV of this compact any matter which, in the absence of  
26 this Article, could reasonably be construed to be covered by Articles  
27 I - XV.

28 ARTICLE XVII.

29 CONSTRUCTION.

1           Nothing in this compact limits previous or future entry into the  
2 Interstate Civil Defense and Disaster Compact of this state with other  
3 states.

4           Sec. 26.23.140. LOCAL DISASTER EMERGENCIES. (a) A local dis-  
5 aster emergency may be declared only by the principal executive  
6 officer of a political subdivision. It may not be continued or  
7 renewed for a period in excess of seven days, except by or with the  
8 consent of the governing board of the political subdivision. Any  
9 order or proclamation declaring, continuing, or terminating a local  
10 disaster emergency shall be given prompt and general publicity, and  
11 shall be filed promptly with the Alaska Division of Emergency Services  
12 and the borough clerk or the city clerk as the case may be.

13           (b) The effect of a declaration of a local disaster emergency is  
14 to activate the response and recovery aspects of any and all appli-  
15 cable local or interjurisdictional disaster emergency plans, and to  
16 authorize the furnishing of aid and assistance under those plans.

17           (c) No interjurisdictional agency or official of one may declare  
18 a local disaster emergency unless expressly authorized by the agreement  
19 under which the agency functions. An interjurisdictional disaster  
20 agency shall provide aid and services in accordance with the agreement  
21 under which it functions.

22           Sec. 26.23.150. DISASTER PREVENTION. (a) In addition to dis-  
23 aster prevention measures as included in the state, local, and inter-  
24 jurisdictional disaster plans, the governor shall consider, on a  
25 continuing basis, steps that could be taken to prevent or reduce the  
26 harmful consequences of disasters. At his direction, and under any  
27 other authority and competence they have, state agencies, including  
28 but not limited to those charged with responsibilities in connection  
29 with flood plain management, stream encroachment and flow regulation,

1 weather modification, fire prevention and control, air quality, public  
2 works, land use and land use planning and construction standards,  
3 shall make studies of disaster-prevention-related matters. The  
4 governor, from time to time, shall make recommendations to the legis-  
5 lature, local governments, and other appropriate public and private  
6 entities as may facilitate measures for the prevention or reduction of  
7 the harmful consequences of disasters.

8 (b) The Departments of Natural Resources and Public Works, in  
9 conjunction with the Alaska Division of Emergency Services, shall keep  
10 land uses and location of structures and other facilities under con-  
11 tinuing study, and identify areas which are particularly susceptible  
12 to severe land shifting, subsidence, flood, or other catastrophic  
13 occurrence. The studies under this subsection shall concentrate on  
14 means of reducing or avoiding the dangers caused by this occurrence or  
15 the consequences of it.

16 (c) If the Alaska Division of Emergency Services believes, on  
17 the basis of the studies or other competent evidence, and after con-  
18 sultation with the appropriate local planning agencies, that an area  
19 is susceptible to a disaster of catastrophic proportions without  
20 adequate warning, that existing building standards and land use con-  
21 trols in that area are inadequate and could add substantially to the  
22 magnitude of the disaster, and that changes in zoning regulations,  
23 other land use regulations, or building requirements are essential in  
24 order to further the purposes of this section, it shall specify the  
25 essential changes to the governor. If the governor, upon review of  
26 the recommendation, finds after public hearing that the changes are  
27 essential, he shall so recommend to the agencies or local governments  
28 with jurisdiction over the area and subject matter. If no action or  
29 insufficient action pursuant to his recommendations is taken within

1 the time specified by the governor, he shall so inform the legislature  
2 and request legislative action appropriate to mitigate the impact of  
3 disaster.

4 (d) The governor, at the same time that he makes his recommenda-  
5 tions under (c) of this section, may suspend the standard or control  
6 which he finds to be inadequate to protect the public safety, and by  
7 regulation place a new standard or control in effect. The new stan-  
8 dard or control remains in effect until rejected by concurrent resolu-  
9 tion of the legislature or amended or repealed by the governor.

10 During the time it is in effect, the standard or control contained in  
11 the governor's regulation shall be administered and given full effect  
12 by all relevant regulatory agencies of the state and local governments  
13 to which it applies. The governor's action is subject to judicial  
14 review in accordance with the Administrative Procedure Act (AS 44.62)  
15 but is not subject to temporary stay pending litigation.

16 Sec. 26.23.160. COMPENSATION. (a) No personal services may be  
17 compensated by the state or any political subdivision or agency of it,  
18 except in accordance with Alaska law or a local ordinance.

19 (b) Compensation for property shall be made only if the property  
20 was commandeered or otherwise used in coping with a disaster emergency,  
21 and its use or destruction was ordered by the governor or a member of  
22 the disaster emergency forces of this state.

23 (c) Any person claiming compensation for the use, damage, loss,  
24 or destruction of property occasioned by action taken under this  
25 chapter shall file a claim for it with the Alaska Division of Emergency  
26 Services in the form and manner that agency provides.

27 (d) Unless the amount of compensation on account of property  
28 damaged, lost, or destroyed is agreed upon between the claimant and  
29 the Alaska Division of Emergency Services, the amount of compensation

1 shall be calculated in the same manner as compensation due for a  
2 taking of property under the condemnation laws of this state.

3 Sec. 26.23.170. COMMUNICATIONS. The Alaska Division of Emergency  
4 Services shall ascertain what means exist for rapid and efficient  
5 communications in times of disaster emergencies. The office shall  
6 consider the desirability of supplementing these communications  
7 resources, or of integrating them into a comprehensive state or state-  
8 federal telecommunications network or other communication system or  
9 network. In studying the character and feasibility of any system or  
10 its several parts, the office shall evaluate the possibility of multi-  
11 purpose use of it or its parts for general state and local governmental  
12 purposes. The office shall make recommendations to the governor as  
13 appropriate.

14 Sec. 26.23.180. MUTUAL AID. (a) Political subdivisions not  
15 participating in interjurisdictional arrangements under this chapter  
16 nevertheless shall be encouraged and assisted by the Alaska Division  
17 of Emergency Services to conclude suitable arrangements for furnishing  
18 mutual aid in coping with disasters. The arrangements shall include  
19 provision of aid by persons and units in public employment.

20 (b) In passing upon local disaster plans, the governor shall  
21 consider whether they contain adequate provisions for the rendering  
22 and receipt of mutual aid.

23 (c) It is a sufficient reason for the governor to require an  
24 interjurisdictional agreement or arrangement under sec. 70 of this  
25 chapter that the area involved and political subdivisions in it have  
26 available equipment, supplies, and forces necessary to provide mutual  
27 aid on a regional basis, and that the political subdivisions have not  
28 already made adequate provision for mutual aid; but in requiring an  
29 interjurisdictional arrangement in order to accomplish the purpose of

1 this section, the governor need not require establishment and main-  
2 tenance of an interjurisdictional agency or arrangement for any other  
3 disaster purposes.

4 Sec. 26.23.190. RIGHT OF ENTRY. If the entry is reasonably  
5 necessary to actually alleviate or prevent the disaster, all persons  
6 authorized to carry out emergency measures directed under the pro-  
7 visions of this chapter shall have free access to all public and  
8 private land, premises, and buildings within the areas specified, and  
9 are authorized to enter them and to perform such work and take such  
10 measures as are appropriate without the consent of the owners of the  
11 land, premises, or buildings.

12 Sec. 26.23.200. LIMITATIONS. Nothing in this chapter:

13 (1) interferes with the course or conduct of a labor  
14 dispute, except that actions otherwise authorized by this chapter or  
15 other laws may be taken when necessary to forestall or mitigate  
16 imminent or existing danger to public health or safety;

17 (2) interferes with dissemination of news or comment on  
18 public affairs; but any communications facility or organization  
19 (including but not limited to radio and television stations, wire  
20 services, and newspapers) may be requested to transmit or print public  
21 service messages furnishing information or instructions in connection  
22 with a disaster emergency, in a manner which encroaches as little as  
23 possible upon the normal functions of the news media;

24 (3) affects the jurisdiction or responsibilities of police  
25 forces, fire-fighting forces, units of the armed forces of the United  
26 States, or of any personnel of them, when on active duty; but state,  
27 local, and interjurisdictional disaster emergency plans shall place  
28 reliance upon the forces available for performance of functions  
29 related to disaster emergencies; or

1 (4) limits, modifies, or abridges the authority of the  
2 governor to proclaim martial law, or exercise any other powers vested  
3 in him under the constitution, statutes, or common law of this state  
4 independent of, or in conjunction with, any provision of this chapter.

5 Sec. 26.23.210. RELATIONSHIP TO CIVIL DEFENSE STATUTE. AS  
6 26.20, the Alaska civil defense statute, applies to preparedness,  
7 response, and recovery from disasters caused by enemy attack and other  
8 hostile military or paramilitary action. The provisions of this  
9 chapter, other than AS 26.23.130, apply to response and recovery only  
10 in cases of natural and non-military man-made disasters.

11 Sec. 26.23.220. ADMINISTRATION. This chapter shall be admini-  
12 stered by the Department of Military Affairs, which is responsible to,  
13 and which may receive delegations of authority from, the governor.

14 Sec. 26.23.230. DEFINITIONS. As used in this chapter:

15 (1) "disaster" means the occurrence or imminent threat of  
16 widespread or severe damage, injury, or loss of life or property re-  
17 sulting from any natural or non-military man-made cause including, but  
18 not limited to, fire, flood, earthquake, landslide, mudslide, avalanche,  
19 weather condition, wave action, oil spill or other water contamination  
20 requiring emergency action to avert danger or damage, volcanic activity,  
21 epidemic, air contamination, blight, infestation, explosion, riot, equip-  
22 ment failure, or shortage of food, water, fuel, or clothing;

23 (2) "major disaster," "emergency," and "temporary housing"  
24 mean the same thing as in the federal Disaster Relief Act of 1974  
25 (P.L. 93-288, 88 Stat. 143);

26 (3) "political subdivision" means a borough or city,  
27 whether home rule or otherwise, including municipalities unified under  
28 AS 29.68.240 -- 29.68.440, unincorporated village, or other unit of  
29 local government; and

1 (4) "unorganized militia" means all able-bodied persons  
2 between the ages of 17 and 59 years, inclusive, who reside in the  
3 state.

4 \* Sec. 4. AS 44.19.171(b) is amended to read:

5 (b) Subject to the restrictions of (d) and (e) of this section,  
6 the governor may, without additional legislative authorization,  
7 expend not more than \$1,000,000 [\$500,000] of the assets of the  
8 disaster relief fund for the following purposes:

9 (1) to implement provisions of law relating to [NATURAL]  
10 disaster relief in the case of a [NATURAL] disaster as defined in sec.  
11 175 of this chapter occurring after October 11, 1967;

12 (2) to alleviate the effects of a [NATURAL] disaster as  
13 defined in sec. 175 of this chapter occurring after October 11, 1967.

14 \* Sec. 5. AS 44.19.171(c) is amended to read:

15 (c) Subject to the restrictions of (d) and (e) of this section,  
16 the governor may, without additional legislative authorization, expend  
17 for any fiscal year not more than \$500,000 [\$250,000] of the assets of  
18 the disaster relief fund to prevent or minimize the effects of an  
19 event which occurs in any part of the state after October 11, 1967 and  
20 which, in the determination of the governor, poses a direct and  
21 imminent threat of resulting in a [NATURAL] disaster of sufficient  
22 magnitude and severity to justify state action.

23 \* Sec. 6. AS 44.19.175 is repealed and re-enacted to read:

24 Sec. 44.19.175. DEFINITION. In secs. 171 - 177 of this chapter,  
25 "disaster" means the occurrence or imminent threat of widespread or  
26 severe damage, injury, or loss of life or property resulting from any  
27 natural or man-made cause including, but not limited to, fire, flood,  
28 earthquake, landslide, avalanche, weather condition, wave action, oil  
29 spill or other water contamination requiring emergency action to avert

1 damage, volcanic activity, epidemic, air contamination, blight,  
2 infestation, explosion or riot.

3 \* Sec. 7. AS 44.19.177(a) is amended to read:

4 Sec. 44.19.177. GRANTS AND LOANS TO MUNICIPALITIES DAMAGED BY A  
5 [NATURAL] DISASTER. (a) Grants and loans for urban renewal shall be  
6 made available to municipalities damaged by [NATURAL] disasters  
7 occurring in the state after August 1, 1967 in order to match federal  
8 funds under federal urban renewal programs. A grant or loan of state  
9 funds to a municipality for an urban renewal program under this section  
10 may not exceed 25 per cent of the aggregate of the net project costs  
11 of the urban renewal project. Funds shall be made available to a  
12 municipality to match federal funds only if the urban renewal project  
13 is made necessary by the [NATURAL] disaster.

14 \* Sec. 8. AS 44.19.177(d)(3) is amended to read:

15 (3) whether or not the urban renewal project was made  
16 necessary by a [NATURAL] disaster;

17 \* Sec. 9. AS 44.19.177(d)(4) is amended to read:

18 (4) the needs of other municipalities damaged by the  
19 [NATURAL] disaster for funds to match federal funds for urban renewal  
20 projects, and the urgency of the needs of other communities as com-  
21 pared with the community under consideration;

22 \* Sec. 10. AS 44.19.177(g) is amended to read:

23 (g) In this section "[NATURAL] disaster" means a [NATURAL] dis-  
24 aster proclaimed by the President of the United States.

25 \* Sec. 11. AS 26.23.150(d), as enacted in Sec. 3 of this Act, has the  
26 effect of changing Rule 65, Rules of Civil Procedure, by prohibiting the  
27 issuance of a temporary restraining order or preliminary injunction against  
28 an act of the governor taken in accordance with the provisions of that  
29 section.

1 \* Sec. 12. This Act takes effect immediately in accordance with AS 01.-  
2 10.070(c).

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AMENDMENT #1

OFFERED IN THE SENATE:

BY: State Affairs

TO: \_\_\_\_\_ SENATE BILL No. 534

HOUSE BILL No. \_\_\_\_\_

PAGE: 1

LINE: 7

delete all material beginning with "establishing" and ending with "Procedure" on line 9

AMENDMENT #2

OFFERED IN THE SENATE:

BY: State Affairs

TO: \_\_\_\_\_ SENATE BILL No. 534

HOUSE BILL No. \_\_\_\_\_

PAGE: 25 of 26

LINE: 25

delete all material beginning with "If" and ending with xxxxxxxxx  
"litigation." on page 26, line 15

AMENDMENT #3

OFFERED IN THE SENATE:

BY: State Affairs

TO: \_\_\_\_\_ SENATE BILL No. 534

HOUSE BILL No. \_\_\_\_\_

PAGE: 31

LINE: 25-29

delete Sec. 11

& renumber sections accordingly

Introduced: 1/19/76  
Referred: State Affairs and  
Finance

1 IN THE SENATE

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 534

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to powers and organization to cope  
7 with natural and man-made disasters; establishing  
8 a disaster relief tax; changing Rule 65, Rules of  
9 Civil Procedure; and providing for an effective  
10 date."

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

12 \* Section 1. AS 23.30 is amended by adding a new section to read:

13 Sec. 23.23.244. CIVIL DEFENSE AND DISASTER RELIEF FORCES AS STATE  
14 EMPLOYEES. A resident of Alaska temporarily engaged in a civil defense  
15 or disaster relief function in another state or country under the  
16 provisions of AS 26.23.130 is considered an employee of the state for  
17 purposes of this chapter.

18 \* Sec. 2. AS 26.20.010(a) is amended to read:

19 (a) Because of the national emergency and the possibility of  
20 disasters or emergencies resulting from enemy attack, sabotage or  
21 other hostile action, and in order to insure adequate preparations for  
22 such disasters or emergencies, and generally to provide for the  
23 common defense [AND TO INSURE THE PUBLIC PEACE, HEALTH, AND SAFETY,  
24 AND TO PRESERVE THE LIVES AND PROPERTY OF THE PEOPLE OF THE STATE], it  
25 is found and declared to be necessary

26 (1) to provide for a state civil defense agency, and to  
27 authorize the creation of local organizations for civil defense;

28 (2) to confer upon the governor and upon the executive  
29 heads of the districts of the state the emergency powers provided in

1 this chapter;

2 (3) to provide for mutual aid among the districts of the  
3 state, with the other states of the United States, and with the  
4 federal government for carrying out civil defense functions;

5 (4) to authorize the establishment of organizations and  
6 taking steps as are necessary and appropriate to carry out the pro-  
7 visions of this chapter.

8 \* Sec. 3. AS 26 is amended by adding a new chapter to read:

9 CHAPTER 23. ALASKA DISASTER ACT.

10 Sec. 26.23.010. PURPOSES. The purposes of this chapter are to:

11 (1) reduce the vulnerability of people and communities of  
12 this state to damage, injury, and loss of life and property resulting  
13 from a disaster;

14 (2) prepare for the prompt and efficient rescue, care, and  
15 treatment of persons victimized or threatened by a disaster;

16 (3) provide a setting conducive to the rapid and orderly  
17 start of restoration and rehabilitation of persons and property  
18 affected by a disaster;

19 (4) clarify and strengthen the roles of the governor, state  
20 agencies, and local governments in prevention of, preparation for,  
21 response to, and recovery from a disaster;

22 (5) authorize and provide for cooperation in disaster  
23 prevention, preparedness, response, and recovery;

24 (6) authorize and provide for the coordination of activities  
25 relating to disaster prevention, preparedness, response, and recovery  
26 by agencies and officers of the state, and similar state-local, inter-  
27 state, federal-state, and foreign activities in which the state and  
28 its political subdivisions may participate;

29 (7) provide a disaster management system embodying all

1 aspects of pre-disaster preparedness and post-disaster response; and

2 (8) assist in the prevention of disasters caused or aggra-  
3 vated by inadequate planning for, and regulation of, public and  
4 private facilities and land use.

5 Sec. 26.23.020. THE GOVERNOR AND DISASTER EMERGENCIES. (a) The  
6 governor is responsible for meeting the dangers presented by disasters  
7 to the state and its people.

8 (b) The governor may issue orders, proclamations, and regulations  
9 necessary to carry out the purposes of this chapter, and amend or  
10 rescind them. These orders, proclamations, and regulations have the  
11 force of law.

12 (c) A disaster emergency shall be declared by proclamation of  
13 the governor if he finds that a disaster has occurred or that such an  
14 occurrence is imminent or threatened. The state-of-disaster emergency  
15 continues until the governor finds that the threat or danger has  
16 passed or the disaster has been dealt with to the extent that emer-  
17 gency conditions no longer exist and he terminates the state-of-  
18 disaster emergency by proclamation; but no state-of-disaster emergency  
19 continues for longer than 30 days unless renewed by the governor. The  
20 legislature, by concurrent resolution, may terminate a state-of-  
21 disaster emergency at any time. All proclamations issued under this  
22 subsection shall indicate the nature of the disaster, the area or  
23 areas threatened or affected, and the conditions which have brought it  
24 about or which make possible the termination of the state-of-disaster  
25 emergency.

26 (d) An order or proclamation issued under this chapter shall be  
27 disseminated promptly by means calculated to bring its contents to the  
28 attention of the general public and, unless prevented or impeded by  
29 circumstances attendant upon the disaster, promptly filed with the

1 Alaska Division of Emergency Services, the lieutenant governor, and  
2 the borough clerk or city clerk, as the case may be, in the area to  
3 which it applies.

4 (e) A proclamation of a state-of-disaster emergency activates  
5 the disaster response and recovery aspects of the state, local, and  
6 interjurisdictional disaster emergency plans applicable to the politi-  
7 cal subdivisions or areas in question, and constitutes authority for  
8 the deployment and use of any forces to which the plan or plans apply  
9 and for use or distribution of any supplies, equipment, materials, and  
10 facilities assembled, stockpiled, or arranged to be made available  
11 under this chapter or any other provision of law relating to disaster  
12 emergencies.

13 (f) During a state-of-disaster emergency, the governor is  
14 commander in chief of the organized and unorganized militia and of all  
15 other forces available for emergency duty. To the greatest extent  
16 practicable, the governor shall delegate or assign command authority  
17 by prior arrangement embodied in appropriate orders or regulations,  
18 but this does not restrict his authority to do so by orders issued at  
19 the time of the disaster emergency.

20 (g) In addition to any other powers conferred upon the governor  
21 by law, he may, under this chapter:

22 (1) suspend the provisions of any regulatory statute pre-  
23 scribing procedures for the conduct of state business, or the orders  
24 or regulations of any state agency, if compliance with the provisions  
25 of any such statute, order, or regulation would prevent, or substan-  
26 tially hinder or delay action necessary to cope with the disaster  
27 emergency;

28 (2) use all available resources of the state government and  
29 of each political subdivision of the state as reasonably necessary to

1 cope with the disaster emergency;

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

6 (4) subject to any applicable requirements for compensation  
7 under sec. 160 of this chapter, commandeer or utilize any private  
8 property, except for all news media other than as specifically pro-  
9 vided for in this chapter, if he considers this necessary to cope with  
10 the disaster emergency;

11 (5) direct and compel the evacuation of all or part of the  
12 population from any stricken or threatened area within the state, if  
13 he considers this action necessary for the preservation of life or  
14 other disaster mitigation response or recovery;

15 (6) prescribe routes, modes of transportation, and destina-  
16 tions in connection with necessary evacuations;

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

20 (8) suspend or limit the sale, dispensing, or transporta-  
21 tion of alcoholic beverages, firearms, explosives, and combustibles;

22 (9) make provisions for the availability and use of tem-  
23 porary emergency housing; and

24 (10) allocate or redistribute food, water, fuel or clothing.

25 Sec. 26.23.030. CREATION OF THE ALASKA DIVISION OF EMERGENCY  
26 SERVICES. There is created, in the Department of Military Affairs,  
27 the Alaska Division of Emergency Services possessing the powers and  
28 duties delineated in sec. 40 of this chapter.

29 Sec. 26.23.040. DUTIES OF THE ALASKA DIVISION OF EMERGENCY

1 SERVICES. (a) The Alaska Division of Emergency Services shall  
2 prepare and maintain a State Disaster Plan and keep it current, which  
3 plan may include provisions for:

4 (1) prevention and minimization of injury and damage caused  
5 by disasters;

6 (2) prompt and effective response to disasters;

7 (3) emergency relief;

8 (4) identification of areas especially vulnerable to a  
9 disaster;

10 (5) recommendations for zoning, building, and other land-  
11 use controls, safety measures for securing mobile homes or other non-  
12 permanent or semi-permanent structures, and other preventive and pre-  
13 paredness measures designed to eliminate or reduce disasters or their  
14 impact;

15 (6) assistance to local officials in designing local emer-  
16 gency action plans;

17 (7) authorization and procedures for the construction of  
18 temporary works designed to protect against or mitigate danger, damage,  
19 or loss from a disaster;

20 (8) preparation and distribution to the appropriate state  
21 and local officials of state catalogs of federal, state, and private  
22 assistance programs;

23 (9) organization of manpower and chains of command;

24 (10) coordination of federal, state, and local disaster  
25 activities;

26 (11) coordination of the State Disaster Plan with the  
27 disaster plans of the federal government; and

28 (12) other matters necessary to carry out the purposes of  
29 this chapter.

1 (b) The Alaska Division of Emergency Services shall take an  
2 integral part in the development and revision of local and interjuris-  
3 dictional disaster plans prepared under sec. 60 of this chapter. To  
4 this end, it may employ or otherwise secure the services of profession-  
5 al and technical personnel capable of providing expert assistance to  
6 political subdivisions, their disaster agencies, and interjurisdiction-  
7 al planning and disaster agencies. These personnel shall consult with  
8 political subdivisions and agencies on a regular basis and shall make  
9 field examinations of the areas, circumstances, and conditions to  
10 which particular local and interjurisdictional disaster plans are  
11 intended to apply and may suggest or require revisions.

12 (c) In preparing and revising the State Disaster Plan, the  
13 Alaska Division of Emergency Services shall seek the advice and  
14 assistance of local government, business, labor, industry, agriculture,  
15 civic, and volunteer organizations and community leaders. In advising  
16 local and interjurisdictional agencies, the office shall encourage  
17 them also to seek advice from these sources.

18 (d) The State Disaster Plan or any part of it may be incorporated  
19 in regulations or orders of the Alaska Division of Emergency Services  
20 which have the force and effect of law.

21 (e) The Alaska Division of Emergency Services shall:

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

25 (2) procure and pre-position supplies, medicines, materials,  
26 and equipment;

27 (3) adopt standards and requirements for local and inter-  
28 jurisdictional disaster plans;

29 (4) periodically review local and interjurisdictional

1 disaster plans;

2 (5) provide for mobile support units;

3 (6) establish and operate, or assist political subdivisions,  
4 their disaster agencies, and interjurisdictional disaster agencies to  
5 establish and operate, training and public information programs;

6 (7) make surveys of industries, resources, and facilities  
7 within the state, both public and private, as are necessary to carry  
8 out the purposes of this chapter;

9 (8) plan and make arrangements for the availability and use  
10 of any private facilities, services, and property and, if necessary  
11 and if in fact used, provide for payment for use under terms and  
12 conditions agreed upon by the parties;

13 (9) establish a register of persons with types of training  
14 and skills important in disaster prevention, preparedness, response,  
15 and recovery;

16 (10) establish a register of mobile and construction equip-  
17 ment and temporary housing available for use in a disaster emergency;

18 (11) prepare, for issuance by the governor, orders, procla-  
19 mations, and regulations as necessary or appropriate in coping with  
20 disasters;

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

25 (13) do other things necessary or proper for the imple-  
26 mentation of this chapter.

27 Sec. 26.23.050. FINANCING. (a) It is the intent of the legis-  
28 lature, and declared to be the policy of the state, that funds to meet  
29 disaster emergencies will always be available.

1 (b) Whenever, and to the extent that, money is needed to cope  
2 with a disaster, the first recourse shall be to funds regularly appro-  
3 priated to state and local agencies. The second recourse shall be to  
4 funds available in the disaster relief fund. If money available from  
5 these sources is insufficient, and if the governor finds that other  
6 sources of money to cope with the disaster are not available or are  
7 insufficient, the governor may, notwithstanding any limitation imposed  
8 by AS 37.07.080(e), transfer and spend money appropriated for other  
9 purposes or, in situations involving natural disasters, borrow from  
10 the United States government or other public or private sources for a  
11 term not to exceed two years.

12 (c) Nothing in this section limits the governor's authority to  
13 apply for, administer, and spend grants, gifts, or payments in aid of  
14 disaster prevention, preparedness, response or recovery.

15 Sec. 26.23.060. LOCAL AND INTERJURISDICTIONAL DISASTER AGENCIES  
16 AND SERVICES. (a) Each political subdivision within the state is  
17 within the jurisdiction of, and shall be served by, the Alaska Division  
18 of Emergency Services and, if an incorporated municipality, also by a  
19 local or interjurisdictional agency responsible for disaster prepared-  
20 ness and coordination of response.

21 (b) Each borough <sup>shall</sup> ~~shall~~ maintain a disaster agency, or participate  
22 in a local or interjurisdictional disaster agency which, except as  
23 otherwise provided in this chapter, has jurisdiction over and serves  
24 the entire borough.

25 (c) The governor shall determine which political subdivisions  
26 need disaster agencies of their own, and require that they be estab-  
27 lished and maintained. He shall make his determinations on the basis  
28 of the political subdivision's disaster vulnerability and capability  
29 of response related to population size and concentration. The disaster

1 agency of a borough shall cooperate with the disaster agencies of  
2 political subdivisions situated within its borders, but does not have  
3 jurisdiction within a political subdivision having its own disaster  
4 agency. The Alaska Division of Emergency Services shall publish and  
5 keep current a list of political subdivisions required to have disaster  
6 agencies under this subsection.

7 (d) Each political subdivision which does not have a disaster  
8 agency, and has not made arrangements to secure or participate in the  
9 services of an agency, may satisfy the requirements of this chapter by  
10 having a liaison officer designated to facilitate the cooperation and  
11 protection of that city in the work of disaster prevention, prepared-  
12 ness, response, and recovery.

13 (e) The principal executive officer of each political subdivision  
14 in the state shall notify the Alaska Division of Emergency Services of  
15 the manner in which the political subdivision is providing or securing  
16 disaster planning and intends to provide or secure emergency services,  
17 identify the person who heads the agency from which the services are  
18 or will be obtained, and furnish additional information relating to  
19 the services as the Alaska Division of Emergency Services requires.

20 (f) Each local and interjurisdictional agency shall prepare and  
21 keep current a local or interjurisdictional disaster emergency plan  
22 for its area.

23 (g) The local or interjurisdictional disaster agency, as the  
24 case may be, shall prepare and distribute to all appropriate officials  
25 in written form a clear and complete statement of the emergency re-  
26 sponsibilities of all local agencies and officials and of the disaster  
27 chain of command.

28 Sec. 26.23.070. ESTABLISHMENT OF INTERJURISDICTIONAL DISASTER  
29 PLANNING AND SERVICE AREAS. (a) If the governor finds that two or

1 more adjoining political subdivisions would be better served by an  
2 interjurisdictional arrangement than by maintaining separate disaster  
3 agencies and services, he may delineate by order an interjurisdictional  
4 area adequate to plan for, prevent, or respond to a disaster in that  
5 area, and direct steps to be taken as necessary, including the creation  
6 of an interjurisdictional relationship, a joint disaster emergency  
7 plan, mutual aid, or an area organization for emergency planning and  
8 services. A finding by the governor under this subsection shall be  
9 based on one or more factors related to the difficulty of maintaining  
10 an efficient and effective disaster prevention, preparedness, response,  
11 and recovery system without an interjurisdictional relationship, such  
12 as:

13 (1) small or sparse population;

14 (2) limitations on public financial resources severe  
15 enough to make maintenance of a separate disaster agency and services  
16 unreasonably burdensome;

17 (3) unusual vulnerability to disaster as evidenced by a  
18 past history of disasters, topographical features, drainage charac-  
19 teristics, disaster potential, and presence of disaster-prone facilities  
20 or operations;

21 (4) the interrelated character of the political subdivisions  
22 in an area; or

23 (5) other relevant conditions or circumstances.

24 (b) If the governor finds that a vulnerable area lies only  
25 partly within the state and includes territory in a foreign juris-  
26 diction, and that it would be desirable to establish an international  
27 relationship, mutual aid, or an area organization for disaster, he  
28 shall take steps to that end as desirable. If this action is taken  
29 with jurisdictions that have enacted the Interstate Civil Defense and

1 Disaster Compact substantially as contained in sec. 130 of this chapter,  
2 any resulting agreement may be considered a supplemental agreement  
3 under Article 6 of that compact.

4 (c) If a jurisdiction with which the governor proposes to  
5 cooperate under (b) of this section has not enacted the Interstate  
6 Civil Defense and Disaster Compact, he may negotiate a special agree-  
7 ment with that jurisdiction.

8 Sec. 26.23.080. COMMUNITY DISASTER LOANS. Whenever, at the  
9 request of the governor, the President has declared a major disaster  
10 to exist in this state, the governor may:

11 (1) upon his determination that a local government of the  
12 state will suffer a substantial loss of tax and other revenues from  
13 the disaster and has demonstrated a need for financial assistance to  
14 perform its governmental functions, apply to the federal government,  
15 on behalf of the local government, for a loan; he may receive and  
16 disburse the proceeds of any approved loan to any applicant local  
17 government;

18 (2) determine the amount needed by any applicant local  
19 government to restore or resume its governmental functions, and to  
20 certify the amount to the federal government; however, no application  
21 amount may exceed 25 per cent of the annual operating budget of the  
22 applicant for the fiscal year in which the major disaster occurred;

23 (3) recommend to the federal government, based upon his  
24 review, the cancellation of all or any part of repayment when, for the  
25 first three full fiscal years following the major disaster, the  
26 revenues of the local government are insufficient to meet its operating  
27 expenses, including additional disaster-related expenses of a municipal  
28 operation character.

29 Sec. 26.23.090. STATE FINANCIAL PARTICIPATION IN GRANTS TO

1 DISASTER VICTIMS. (a) Whenever the President, at the request of the  
2 governor, has declared a major disaster to exist in this state, the  
3 governor may:

4 (1) upon his determination that financial assistance is  
5 essential to meet disaster-related necessary expenses or serious needs  
6 of individuals or families adversely affected by a major disaster that  
7 cannot be otherwise adequately met from other means of assistance,  
8 accept a grant by the federal government to fund that financial  
9 assistance, subject to the terms and conditions that may be imposed  
10 upon the grant;

11 (2) enter into an agreement with the federal government, or  
12 any officer or agency of it, pledging the state to participate in the  
13 funding of the financial assistance authorized in (1) of this subsec-  
14 tion, in an amount not to exceed 25 per cent of the assistance and, if  
15 state funds are not otherwise available to the governor, to accept an  
16 advance of the state's share from the federal government to be repaid  
17 when the state is able to do so.

18 (b) The governor is authorized to make financial grants (not to  
19 exceed \$5,000) to an individual or family in any single major disaster  
20 declared by the President, to meet disaster-related necessary expenses  
21 or serious needs of individuals or families adversely affected by a  
22 major disaster which cannot otherwise adequately be met from other  
23 means of assistance.

24 (c) A person who fraudulently or wilfully makes a misstatement  
25 of fact in connection with an application for financial assistance  
26 under this chapter is, upon conviction, punishable by a fine of not  
27 more than \$5,000, or imprisonment for not more than one year, or by  
28 both.

29 Sec. 26.23.100. TEMPORARY HOUSING. (a) Whenever the governor

1 has proclaimed a disaster emergency, or the President, at the request  
2 of the governor, has declared an emergency or a major disaster to  
3 exist in this state, the governor may:

4 (1) purchase, lease, or make other arrangements with any  
5 agency of the United States or state for temporary housing units to be  
6 occupied by disaster victims and to make those units available to any  
7 political subdivision of the state;

8 (2) assist any political subdivision of this state which is  
9 the location of temporary housing for disaster victims to acquire  
10 sites necessary for the temporary housing and do all things necessary  
11 to prepare the site to receive and use temporary housing units by:

12 (A) advancing or lending funds available to the  
13 governor from an appropriation made by the legislature or from  
14 any other source;

15 (B) "passing through" funds made available by any  
16 agency, public or private; or

17 (C) becoming a co-partner with a political subdivision  
18 for the execution and performance of any temporary housing for  
19 disaster victims projects and, for such purposes, pledging the  
20 credit of the state on such terms as deemed appropriate, having  
21 due regard for current debt transactions of the state;

22 (3) under such regulations as he may adopt, temporarily  
23 suspend or modify, for not more than 60 days, any public health,  
24 safety, zoning, transportation, or other requirement of law or regula-  
25 tion of the state, when, by proclamation, he declares such a suspension  
26 or modification essential to provide temporary housing for disaster  
27 victims.

28 (b) A political subdivision of this state may acquire, temporari-  
29 ly or permanently, by purchase, lease, or otherwise, sites required

1 for installation of temporary housing units for disaster victims, and  
2 to enter into whatever arrangements (including purchase of temporary  
3 housing units and payment of transportation charges) which are neces-  
4 sary to prepare or equip those sites to receive and use the housing  
5 units.

6 Sec. 26.23.110. DEBRIS AND WRECKAGE REMOVAL IN DISASTER EMERGENCY  
7 OR MAJOR DISASTER. (a) When the governor has declared a disaster  
8 emergency, or the President, at the request of the governor, has  
9 declared a major disaster or emergency to exist in this state, the  
10 governor may:

11 (1) through the use of state departments or agencies, or  
12 the use of any of the state's instrumentalities, clear from publicly  
13 or privately owned land or water, debris and wreckage which may  
14 threaten public health, safety, or property;

15 (2) accept funds from the federal government and use those  
16 funds to make grants to any local government for the purpose of  
17 removing debris or wreckage from publicly or privately owned land or  
18 water.

19 (b) Authority under (a)(1) of this section may not be exercised  
20 unless the affected local government, corporation, organization, or  
21 individual unconditionally authorizes the removal of the debris or  
22 wreckage from public and private property and, in the case of removal  
23 of debris or wreckage from private property, first agrees to indemnify  
24 the state government against claims arising from the removal.

25 Sec. 26.23.120. INTERGOVERNMENTAL ARRANGEMENTS. The Interstate  
26 Civil Defense and Disaster Compact is hereby enacted into law and  
27 entered into with all jurisdictions legally joining in it in a form  
28 substantially as contained in sec. 130 of this chapter.

29 Sec. 26.23.130. INTERSTATE CIVIL DEFENSE AND DISASTER COMPACT.