

CS FOR HOUSE BILL NO. 114(TRA) am

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY THE HOUSE TRANSPORTATION COMMITTEE

Amended: 4/15/09

Offered: 3/13/09

Sponsor(s): REPRESENTATIVES RAMRAS, Dahlstrom, Millett, Johansen, Edgmon, Petersen, Holmes, Richard Foster, Johnson, Tuck, Gruenberg, Salmon, Coghill, Thomas, Joule, Muñoz, Peggy Wilson, Stoltze, Lynn

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to availability of state transportation facilities and state-owned or**
2 **state-operated transportation modes for delivering compassionate aid."**

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

4 *** Section 1.** AS 44.19 is amended by adding a new section to article 2 to read:

5 **Sec. 44.19.051. Emergency assistance transportation; immunity.** (a) If the
6 governor determines that public safety or health conditions in an area of the state
7 require emergency assistance, the governor may make available state transportation
8 facilities, state-owned aircraft, vessels of the marine highway system, or railroad
9 rolling stock of the Alaska Railroad for use by nonprofit organizations to deliver
10 compassionate aid to the area, including food, water, fuel, clothing, medicine, and
11 supplies.

12 (b) Notwithstanding another provision of law, the state and its officers, agents,
13 and employees and the Alaska Railroad Corporation and its officers, agents, and
14 employees are not liable in tort, except for an act or omission that constitutes gross

1 negligence or reckless or intentional misconduct, for damages for the injury to or
2 death of a person or property damage resulting from assistance provided under (a) of
3 this section.