

A JOINT MEMORIAL

PROPOSING A WORK GROUP TO EVALUATE EXISTING STATUTORY PROVISIONS AND REGULATORY REQUIREMENTS RELATING TO THE HANDLING OF AN EMERGENCY AND TO PROVIDE FINDINGS AND RECOMMENDATIONS FOR STATUTORY REVISIONS AND STATE PREPAREDNESS.

WHEREAS, the events of September 11 have demonstrated the need for increased levels of state preparedness and protection; and

WHEREAS, New Mexico has recently had to respond to emergencies, such as those caused by the hantavirus pulmonary syndrome outbreak and the Cerro Grande forest fire; and

WHEREAS, the centers for disease control and prevention funded the drafting of the Model State Emergency Health Powers Act to guide states in reviewing their laws relating to emergency preparedness; and

WHEREAS, New Mexico has various statutory and constitutional provisions designed to provide appropriate responses to emergency situations; and

WHEREAS, emergencies can take many and varied forms, including those arising from terrorism; radiological, biological and chemical mishaps; and natural disasters, and those emergencies require state preparedness measures

designed to provide immediate and appropriate response; and

WHEREAS, differences in types of emergencies and their corresponding responses require constant reassessment of chain-of-command procedures, communications systems, technology, transportation systems, facilities and other instruments used in dealing with emergencies and disasters; and

WHEREAS, federal funds will be awarded to states upon receipt and approval of state plans addressing how the state will respond to a bioterrorism event and other outbreaks of infectious diseases and how it will strengthen core public health capacities, provided the plans are submitted to the federal department of health and human services between March 15 and May 15, 2002;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the department of health, the department of public safety and the attorney general's office be requested to convene a work group to evaluate the state's existing statutory provisions and regulatory requirements for the handling of emergencies; and

BE IT FURTHER RESOLVED that the work group obtain input from all other state agencies to ensure a coordinated and comprehensive approach to the study; and

BE IT FURTHER RESOLVED that the work group consider necessary coordination with state and federal offices,

colleges and universities, national laboratories, military installations, school systems, transportation systems, private industry, counties, municipalities, political subdivisions, health care providers and other entities in the handling of an emergency; and

BE IT FURTHER RESOLVED that the work group present its findings and recommendations regarding statutory provisions, regulatory requirements and operational plans to the New Mexico legislative council or an appropriate interim committee by June 30, 2002 to ensure appropriate discussion of budget and policy considerations and necessary follow-up before the first session of the forty-sixth legislature; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the department of health, the department of public safety and the attorney general's office. _____

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