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**HOUSE JOINT MEMORIAL 38**

**45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002**

**INTRODUCED BY**

**John A. Heaton**

**FOR THE LEGISLATIVE HEALTH SUBCOMMITTEE**

**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**

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1 emergency preparedness; and

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

5 WHEREAS, emergencies can take many and varied forms,  
6 including those arising from terrorism; radiological,  
7 biological and chemical mishaps; and natural disasters, and  
8 those emergencies require state preparedness measures designed  
9 to provide immediate and appropriate response; and

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

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

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

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

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

6 BE IT FURTHER RESOLVED that the work group conduct at  
7 least one emergency test of the current all-hazards emergency  
8 operations plan to ensure that chain-of-command procedures,  
9 communications systems, transportation systems, technology,  
10 facilities and other mechanisms of emergency response are in  
11 working order and that each component has a contingency plan;  
12 and

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

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