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SENATE JOINT MEMORIAL 62

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

**INTRODUCED BY
Dede Feldman**

**FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE AND
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 and

16 WHEREAS, federal funds will be awarded to states upon
17 receipt and approval of state plans addressing how the state
18 will respond to a bioterrorism event and other outbreaks of
19 infectious diseases and how it will strengthen core public
20 health capacities, provided the plans are submitted to the
21 federal department of health and human services between March
22 15 and May 15, 2002;

23 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
24 STATE OF NEW MEXICO that the department of health, the
25 department of public safety and the attorney general's office

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1 be requested to convene a work group to evaluate the state's
2 existing statutory provisions and regulatory requirements for
3 the handling of emergencies; and

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

7 BE IT FURTHER RESOLVED that the work group consider
8 necessary coordination with state and federal offices,
9 colleges and universities, national laboratories, military
10 installations, school systems, transportation systems, private
11 industry, counties, municipalities, political subdivisions,
12 health care providers and other entities in the handling of an
13 emergency; and

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

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