

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 381*

Short Title: Expand Division of Emergency Mgmt. Authority. (Public)

Sponsors: Representatives Martin, Wainwright (Primary Sponsors); M. Alexander, England, E. Floyd, Glazier, Harrison, Hughes, Insko, Lucas, Pierce, Rapp, Spear, and Wray.

Referred to: State Government/State Personnel, if favorable, Homeland Security, Military, and Veterans Affairs.

March 4, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO EXPAND THE POWERS OF THE DEPARTMENT OF CRIME CONTROL
3 AND PUBLIC SAFETY, DIVISION OF EMERGENCY MANAGEMENT, AS
4 RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY
5 PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 166A-4(4) reads as rewritten:

8 "(4) Emergency Management. – Those measures taken by the populace and
9 governments at federal, State, and local levels to minimize the adverse effect
10 of any type disaster, which includes the never-ending preparedness cycle of
11 planning, prevention, mitigation, warning, movement, shelter, emergency
12 assistance, and recovery."

13 **SECTION 2.** G.S. 166A-4 is amended by adding a new subdivision to read:

14 "(5a) Hazard Risk Management. – The systematic application of policies,
15 practices, and resources to the identification, assessment, and control of risk
16 associated with hazards affecting human health and safety and property.
17 Hazard, risk, and cost-benefit analysis are used to support development of
18 risk reduction options, program objectives, and prioritization of issues and
19 resources."

20 **SECTION 3.** G.S. 166A-5(3) reads as rewritten:

21 "(3) Functions of State Emergency Management. – The functions of the State
22 emergency management program include:

- 23 a. Coordination of the activities of all agencies for emergency
24 management within the State, including planning, organizing,
25 staffing, equipping, training, testing, and the activation of emergency
26 management programs.
- 27 b. Preparation and maintenance of State plans for man-made or natural
28 disasters. The State plans or any parts thereof may be incorporated
29 into department regulations and into executive orders of the
30 Governor.
- 31 b1. Coordination with the State Health Director to amend or revise the
32 North Carolina Emergency Operations Plan regarding public health
33 matters. At a minimum, the revisions to the Plan shall provide for the
34 following:



- 1 1. The epidemiologic investigation of a known or suspected
2 threat caused by nuclear, biological, or chemical agents.
- 3 2. The examination and testing of persons and animals that may
4 have been exposed to a nuclear, biological, or chemical agent.
- 5 3. The procurement and allocation of immunizing agents and
6 prophylactic antibiotics.
- 7 4. The allocation of the National Pharmaceutical Stockpile.
- 8 5. The appropriate conditions for quarantine and isolation in
9 order to prevent further transmission of disease.
- 10 6. Immunization procedures.
- 11 7. The issuance of guidelines for prophylaxis and treatment of
12 exposed and affected persons.
- 13 c. Promulgation of standards and requirements for local plans and
14 programs, determination of eligibility for State financial assistance
15 provided for in G.S. 166A-7 and provision of technical assistance to
16 local governments.
- 17 d. Development and presentation of training programs and public
18 information programs to insure the furnishing of adequately trained
19 personnel and an informed public in time of need.
- 20 e. Making of such studies and surveys of the resources in this State as
21 may be necessary to ascertain the capabilities of the State for
22 emergency management, maintaining data on these resources, and
23 planning for the most efficient use thereof.
- 24 f. Coordination of the use of any private facilities, services, and
25 property.
- 26 g. Preparation for issuance by the Governor of executive orders,
27 proclamations, and regulations as necessary or appropriate.
- 28 h. Cooperation and maintenance of liaison with the other states, federal
29 government and any public or private agency or entity in achieving
30 any purpose of this Article and in implementing programs for
31 emergency, disaster or war prevention, preparation, response, and
32 recovery.
- 33 i. Making recommendations, as appropriate, for zoning, building and
34 other land-use controls, and safety measures for securing mobile
35 homes or other nonpermanent or semipermanent works designed to
36 protect against or mitigate the effects of a disaster.
- 37 j. Coordination of the use of existing means of communications and
38 supplementing communications resources and integrating them into a
39 comprehensive State or State-federal telecommunications or other
40 communications system or network.
- 41 k. Administration of federal and State grant funds provided for
42 emergency management purposes, including those funds provided for
43 planning and preparedness activities by emergency management
44 agencies.
- 45 l. Serving as the lead State agency for hazard risk management, which
46 shall include the following responsibilities:
 - 47 1. Coordinating with the supporting State and county
48 governments in conducting hazard risk analysis.
 - 49 2. Establishing and maintaining a hazard risk management
50 system and tools to display natural hazards and vulnerabilities
51 and conducting risk assessment.

- 1 3. Acquiring and leveraging all natural hazard data generated or
- 2 maintained by State and county governments.
- 3 4. Acquiring and leveraging all vulnerability data generated or
- 4 maintained by State and county governments.
- 5 5. Establishing and maintaining methodologies and metrics for
- 6 calculating and communicating hazard probability and loss
- 7 estimation.
- 8 m. Utilizing and maintaining technology that enables efficient and
- 9 effective communication and management of resources between
- 10 political subdivisions, State agencies, and other governmental entities
- 11 involved in emergency management activities."

12 **SECTION 4.** This act is effective when it becomes law.