

March 1, 2001

H 451. AMEND NC EMERGENCY MANAGEMENT LAWS (=S 300). TO AMEND THE LAWS REGARDING EMERGENCY MANAGEMENT AS RECOMMENDED BY THE LEGISLATIVE DISASTER RESPONSE AND RECOVERY COMMISSION. As recommended by the Legislative Study Commission on Disaster Response and Recovery, collects existing statutory provisions governing emergency powers of state and local officials, relocates them into GS Ch. 166A, and integrates them with statutes governing disaster response and relief. Establishes three-tiered system of disaster severity: Type I declarations, when the level and extent of destruction is insufficient to support a presidential disaster declaration that qualifies the affected area for benefits under the federal Stafford Act; Type II declarations, when a presidential disaster declaration is issued and state and local recovery needs can be addressed by disaster programs that currently exist within the state and federal governments; and Type III declarations, reserved for events so devastating that conventional programs leave significant unmet needs. In a Type III declaration, exemplified by Hurricane Floyd, the state should be expected to create new, time-limited programs to address unique aspects of the event. Further creates three levels of disaster benefits, built on a standard package of "Individual Assistance" that remains the same whether the event is Type I, II or III. The cost of the standard package falls on the state in a Type I event, but would be shared by the state and federal governments in Type II and Type III events. "Public Assistance" packages would flow to local government and other public entities after a Type I declaration only when the entities incur uninsurable losses that exceed \$10,000 and are more than 0.5% of their operating budgets. The receiving entities would have a 25% match requirement. In a Type II or Type III event, public assistance benefits would follow the federal Stafford Act, except that in Type III events provision is made for supplemental state programs to address unmet public assistance needs. Local entities would not be required to match federal or state funding for public assistance in Type II or Type III cases. Unlike federal disaster assistance, bill does not require means testing for benefits, so that for purely state-funded transfers (such as individual assistance in a Type I disaster or supplemental Type III assistance) there would be no means testing. Effective Dec. 1, 2001.

Intro. by Rogers, Arnold, Smith, Wright.

Ref. to Judiciary I	GS 14, 166A
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