

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 381*
PROPOSED COMMITTEE SUBSTITUTE H381-PCS50367-RF-11

Short Title: Expand Division of Emergency Mgmt. Authority.

(Public)

Sponsors:

Referred to:

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:



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1. The epidemiologic investigation of a known or suspected threat caused by nuclear, biological, or chemical agents.
 2. The examination and testing of persons and animals that may have been exposed to a nuclear, biological, or chemical agent.
 3. The procurement and allocation of immunizing agents and prophylactic antibiotics.
 4. The allocation of the National Pharmaceutical Stockpile.
 5. The appropriate conditions for quarantine and isolation in order to prevent further transmission of disease.
 6. Immunization procedures.
 7. The issuance of guidelines for prophylaxis and treatment of exposed and affected persons.
- c. Promulgation of standards and requirements for local plans and programs, determination of eligibility for State financial assistance provided for in G.S. 166A-7 and provision of technical assistance to local governments.
 - d. Development and presentation of training programs and public information programs to insure the furnishing of adequately trained personnel and an informed public in time of need.
 - e. Making of such studies and surveys of the resources in this State as may be necessary to ascertain the capabilities of the State for emergency management, maintaining data on these resources, and planning for the most efficient use thereof.
 - f. Coordination of the use of any private facilities, services, and property.
 - g. Preparation for issuance by the Governor of executive orders, proclamations, and regulations as necessary or appropriate.
 - h. Cooperation and maintenance of liaison with the other states, federal government and any public or private agency or entity in achieving any purpose of this Article and in implementing programs for emergency, disaster or war prevention, preparation, response, and recovery.
 - i. Making recommendations, as appropriate, for zoning, building and other land-use controls, and safety measures for securing mobile homes or other nonpermanent or semipermanent works designed to protect against or mitigate the effects of a disaster.
 - j. Coordination of the use of existing means of communications and supplementing communications resources and integrating them into a comprehensive State or State-federal telecommunications or other communications system or network.
 - k. Administration of federal and State grant funds provided for emergency management purposes, including those funds provided for planning and preparedness activities by emergency management agencies.
 - l. Serving as the lead State agency for the coordination of information and resources for hazard risk management, which shall include the following responsibilities:
 1. Coordinating with other State agencies and county governments in conducting hazard risk analysis. To the extent another State agency has primary responsibility for the

- 1 adoption of hazard mitigation standards, those standards shall
- 2 be applied in conducting a hazard risk analysis.
- 3 2. Establishing and maintaining a hazard risk management
- 4 information system and tools to display natural hazards and
- 5 vulnerabilities and conducting risk assessment.
- 6 3. Acquiring and leveraging all natural hazard data generated or
- 7 maintained by State agencies and county governments.
- 8 4. Acquiring and leveraging all vulnerability data generated or
- 9 maintained by State agencies and county governments.
- 10 5. Maintaining a clearinghouse for methodologies and metrics
- 11 for calculating and communicating hazard probability and
- 12 loss estimation.
- 13 m. Utilizing and maintaining technology that enables efficient and
- 14 effective communication and management of resources between
- 15 political subdivisions, State agencies, and other governmental entities
- 16 involved in emergency management activities."

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