



**ADOPTED**  
**NORTH CAROLINA GENERAL ASSEMBLY**  
**AMENDMENT**  
 Senate Bill 798

AMENDMENT NO. 1  
 (to be filled in by  
 Principal Clerk)

S798-AMD-93 [v.7]

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Comm. Sub. [NO]  
 Amends Title [NO]  
 First Edition

Date 6-13, 2012

Representative Lewis

1 moves to amend the bill on Page 4, Line 48, by rewriting the line to read:

2 "SECTION 7. G.S. 166A-19.21(c), as enacted by S.L. 2012-12, reads as  
 3 rewritten:

4 '(c) Expiration of Disaster Declarations. –

5 (1) Expiration of Type I disaster declarations. – A Type I disaster declaration  
 6 shall expire ~~30 days~~ 60 days after its issuance unless renewed by the  
 7 Governor or the General Assembly. Such renewals may be made in  
 8 increments of 30 days each, not to exceed a total of 120 days from the date  
 9 of first issuance. The Joint Legislative Commission on Governmental  
 10 Operations shall be notified prior to the issuance of any renewal of a Type I  
 11 disaster declaration.

12 (2) Expiration of Type II disaster declarations. – A Type II disaster declaration  
 13 shall expire ~~six months~~ twelve months after its issuance unless renewed by  
 14 the Governor or the General Assembly. Such renewals may be made in  
 15 increments of three months ~~each, not to each.~~ A Type II disaster declaration  
 16 and any renewals of that declaration shall not exceed a total of 12 months  
 17 from the date of first issuance. ~~24 months.~~ The Joint Legislative Commission  
 18 on Governmental Operations shall be notified prior to the issuance of any  
 19 renewal of a Type II disaster declaration.

20 (3) Expiration of Type III disaster declarations. – A Type III disaster declaration  
 21 shall expire ~~12 months~~ 24 months after its issuance unless renewed by the  
 22 General Assembly.

23 (4) Expiration of disaster declarations declared prior to July 1, 2001. – Any state  
 24 of disaster declared or proclaimed before July 1, 2001, irrespective of type,  
 25 shall terminate by a declaration of the Governor or resolution of the General  
 26 Assembly. A declaration or resolution declaring or terminating a state of  
 27 disaster shall be disseminated promptly by means calculated to bring its  
 28 contents to the attention of the general public and, unless the circumstances  
 29 attendant upon the disaster prevent or impede, promptly filed with the  
 30 Secretary, the Secretary of State, and the clerks of superior court in the area  
 31 to which it applies.'



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1           **SECTION 8.** G.S. 166A-19.21, as enacted by S.L. 2012-12, is amended by adding  
2 a new subsection to read:

3           "(d) Effect of Disaster Declaration Expiration. – Expiration of a Type II or III disaster  
4 declaration shall not affect the State's obligations under federal-State agreements entered into  
5 prior to the expiration of the disaster declaration."

6           **SECTION 9.** G.S. 166A-19.61, as enacted by S.L. 2012-12, reads as rewritten:

7 '**§ 166A-19.61. No private liability.**

8           Any person, firm, ~~or corporation~~ corporation, together with any successors in interest, if  
9 any, owning or controlling real or personal property who, voluntarily or involuntarily,  
10 knowingly or unknowingly, with or without compensation, grants a license or privilege or  
11 otherwise permits or allows the designation or use of the whole or any part or parts of such real  
12 or personal property for the purpose of ~~sheltering, protecting, safeguarding, or aiding in any~~  
13 way persons shall, together with his successors in interest, if any, activities or functions relating  
14 to emergency management as provided for in this Chapter or elsewhere in the General Statutes  
15 shall not be civilly liable for the death of or injury to any person or the loss of or damage to the  
16 property of any persons where such death, injury, loss, or damage resulted from, through, or  
17 because of the use of the said real or personal property for any of the above ~~purposes~~ purposes,  
18 provided that the use of said property is subject to the order or control of or pursuant to a  
19 request of the State government or any political subdivision thereof.'

20           **SECTION 10.** G.S. 166A-19.3, as enacted by S.L. 2012-12, is amended by adding  
21 a new subdivision to read:

22           '(19) State Emergency Response Team. – The representative group of State  
23 agency personnel designated to carry out the emergency management  
24 support functions identified in the North Carolina Emergency Operations  
25 Plan. The State Emergency Response Team leader shall be the Director of  
26 the Division, who shall have authority to manage the Team pursuant to  
27 G.S. 166A-19.12(1), as delegated by the Governor. The Team shall consist  
28 of the following State agencies:

- 29           a. Department of Public Safety.  
30           b. Department of Transportation.  
31           c. Department of Health and Human Services.  
32           d. Department of Environment and Natural Resources.  
33           e. Department of Agriculture and Consumer Services.  
34           f. Any other agency identified in the North Carolina Emergency  
35 Operations Plan.'

36           **SECTION 11.** G.S. 166A-19.12(1), as enacted by S.L. 2012-12, reads as rewritten:

37 '**§ 166A-19.12. Powers of the Division of Emergency Management.**

38           The Division of Emergency Management shall have the following powers and duties as  
39 delegated by the Governor and Secretary of Public Safety:

- 40           (1) Coordination of the activities of all State agencies for emergency  
41 management within the State, including planning, organizing, staffing,  
42 equipping, training, testing, and activating and managing the State  
43 Emergency Response Team and emergency management programs.'

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1           **SECTION 12.** G.S. 166A-19.12, as enacted by S.L. 2012-12, is amended by  
2 adding a new subdivision to read:

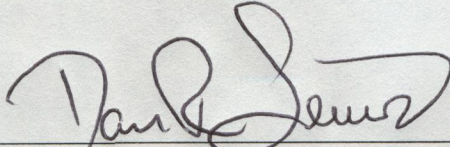
3           '(20) Coordination with the Commissioner of Agriculture, or the Commissioner's  
4           designee, to amend or revise the North Carolina Emergency Operations Plan  
5           regarding agricultural matters. At a minimum, the revisions to the Plan shall  
6           provide for the following:

7           a.       The examination and testing of animals that may have been exposed  
8           to a nuclear, biological, or chemical agent.

9           b.       The appropriate conditions for quarantine and isolation of animals in  
10           order to prevent further transmission of disease.'

11           **SECTION 13.** Sections 7 through 12 of this act are effective October 1, 2012. The  
12 remaining sections of this act are effective when they become law."

SIGNED \_\_\_\_\_

  
Amendment Sponsor

SIGNED \_\_\_\_\_

Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_

115-0EV

FAILED \_\_\_\_\_

TABLED \_\_\_\_\_

JUN 13 2012

*Dennis Wedel*

**ADOPTED**