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To: Education; Military Affairs

HOUSE BILL NO. 1449

1 AN ACT TO AMEND SECTION 33-15-14, MISSISSIPPI CODE OF 1972,  
2 TO AUTHORIZE THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY TO USE  
3 SCHOOL BUSES FOR TRANSPORTING EVACUEES DURING A DECLARED STATE OF  
4 EMERGENCY BY THE GOVERNOR; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** Section 33-15-14, Mississippi Code of 1972, is  
7 amended as follows:

8 33-15-14. (1) The agency is responsible for maintaining a  
9 comprehensive statewide program of emergency management. The  
10 agency is responsible for coordination with efforts of the federal  
11 government with other departments and agencies of state  
12 government, with county and municipal governments and school  
13 boards and with private agencies that have a role in emergency  
14 management.

15 (2) In performing its duties under this article, the agency  
16 shall:

17 (a) Work with the Governor, or his representative, in  
18 preparing a State Comprehensive Emergency Management Plan of this  
19 state, which shall be integrated into and coordinated with the  
20 emergency management plans of the federal government and of other  
21 states to the fullest possible extent, and to coordinate the  
22 preparation of plans and programs for emergency management by the  
23 political subdivisions of the state, such local plans to be  
24 integrated into and coordinated with the emergency plan and  
25 program of this state. The plan must contain provisions to ensure  
26 that the state is prepared for emergencies and minor, major and  
27 catastrophic disasters, and the agency shall work closely with  
28 local governments and agencies and organizations with emergency

29 management responsibilities in preparing and maintaining the plan.  
30 The State Comprehensive Emergency Management Plan will be  
31 operations oriented and:

32 (i) Include an evacuation component that includes  
33 specific regional and interregional planning provisions and  
34 promotes intergovernmental coordination of evacuation activities.  
35 This component must, at a minimum: ensure coordination pertaining  
36 to evacuees crossing county lines; set forth procedures for  
37 directing people caught on evacuation routes to safe shelter; and  
38 establish policies and strategies for emergency medical  
39 evacuations.

40 (ii) Include a shelter component that includes  
41 specific regional and interregional planning provisions and  
42 promotes coordination of shelter activities between the public,  
43 private and nonprofit sectors. This component must, at a minimum:  
44 contain strategies to ensure the availability of adequate public  
45 shelter space in each region of the state; establish strategies  
46 for refuge-of-last-resort programs; provide strategies to assist  
47 local emergency management efforts to ensure that adequate  
48 staffing plans exist for all shelters, including medical and  
49 security personnel; provide for a postdisaster communications  
50 system for public shelters; establish model shelter guidelines for  
51 operations, registration, inventory, power generation capability,  
52 information management and staffing; and set forth policy guidance  
53 for sheltering people with special needs.

54 (iii) Include a postdisaster response and recovery  
55 component that includes specific regional and interregional  
56 planning provisions and promotes intergovernmental coordination of  
57 postdisaster response and recovery activities. This component  
58 must provide for postdisaster response and recovery strategies  
59 according to whether a disaster is minor, major or catastrophic.  
60 The postdisaster response and recovery component must, at a  
61 minimum: establish the structure of the state's postdisaster

62 response and recovery organization; establish procedures for  
63 activating the state's plan; set forth policies used to guide  
64 postdisaster response and recovery activities; describe the chain  
65 of command during the postdisaster response and recovery period;  
66 describe initial and continuous postdisaster response and recovery  
67 actions; identify the roles and responsibilities of each involved  
68 agency and organization; provide for a comprehensive  
69 communications plan; establish procedures for monitoring mutual  
70 aid agreements; provide for rapid impact assessment teams; ensure  
71 the availability of an effective statewide urban search and rescue  
72 program coordinated with the fire services; ensure the existence  
73 of a comprehensive statewide medical care and relief plan  
74 administered by the State Department of Health; and establish  
75 systems for coordinating volunteers and accepting and distributing  
76 donated funds and goods.

77 (iv) Include additional provisions addressing  
78 aspects of preparedness, response and recovery, as determined  
79 necessary by the agency.

80 (v) Address the need for coordinated and  
81 expeditious deployment of state resources, including the  
82 Mississippi National Guard. In the case of an imminent major  
83 disaster, procedures should address predeployment of the  
84 Mississippi National Guard, and, in the case of an imminent  
85 catastrophic disaster, procedures should address predeployment of  
86 the Mississippi National Guard and the United States Armed Forces.  
87 This subparagraph (v) does not authorize the agency to call out  
88 and deploy the Mississippi National Guard, which authority and  
89 determination rests solely with the Governor.

90 (vi) Establish a system of communications and  
91 warning to ensure that the state's population and emergency  
92 management agencies are warned of developing emergency situations  
93 and can communicate emergency response decisions.

94                   (vii) Establish guidelines and schedules for annual  
95 exercises that evaluate the ability of the state and its political  
96 subdivisions to respond to minor, major and catastrophic disasters  
97 and support local emergency management agencies. Such exercises  
98 shall be coordinated with local governments and, to the extent  
99 possible, the federal government.

100                   (viii) 1. Assign lead and support responsibilities  
101 to state agencies and personnel for emergency support functions  
102 and other support activities.

103                                 2. The agency shall prepare an interim  
104 postdisaster response and recovery component that substantially  
105 complies with the provisions of this paragraph (a). Each state  
106 agency assigned lead responsibility for an emergency support  
107 function by the State Comprehensive Emergency Management Plan  
108 shall also prepare a detailed operational plan needed to implement  
109 its responsibilities. The complete State Comprehensive Emergency  
110 Management Plan shall be submitted to the Governor no later than  
111 January 1, 1996, and on January 1 of every even-numbered year  
112 thereafter.

113                   (b) Adopt standards and requirements for county  
114 emergency management plans. The standards and requirements must  
115 ensure that county plans are coordinated and consistent with the  
116 State Comprehensive Emergency Management Plan. If a municipality  
117 elects to establish an emergency management program, it must adopt  
118 a city emergency management plan that complies with all standards  
119 and requirements applicable to county emergency management plans.

120                   (c) Assist political subdivisions in preparing and  
121 maintaining emergency management plans.

122                   (d) Review periodically political subdivision emergency  
123 management plans for consistency with the State Comprehensive  
124 Emergency Management Plan and standards and requirements adopted  
125 under this section.

126           (e) Make recommendations to the Legislature, building  
127 code organizations and political subdivisions for zoning, building  
128 and other land use controls, safety measures for securing mobile  
129 homes or other nonpermanent or semipermanent structures; and other  
130 preparedness, prevention and mitigation measures designed to  
131 eliminate emergencies or reduce their impact.

132           (f) In accordance with the State Comprehensive Emergency  
133 Management Plan and program for emergency management, ascertain  
134 the requirements of the state and its political subdivisions for  
135 equipment and supplies of all kinds in the event of an emergency;  
136 plan for and either procure supplies, medicines, materials and  
137 equipment or enter into memoranda of agreement or open purchase  
138 orders that will ensure their availability; and use and employ  
139 from time to time any of the property, services and resources  
140 within the state in accordance with this article.

141           (g) Anticipate trends and promote innovations that will  
142 enhance the emergency management system.

143           (h) Prepare and distribute to appropriate state and  
144 local officials catalogs of federal, state and private assistance  
145 programs.

146           (i) Implement training programs to improve the ability  
147 of state and local emergency management personnel to prepare and  
148 implement emergency management plans and programs, and require all  
149 local civil defense directors or emergency management directors to  
150 complete such training as a condition to their authority to  
151 continue service in their emergency management positions.

152           (j) Review periodically emergency operating procedures  
153 of state agencies and recommend revisions as needed to ensure  
154 consistency with the State Comprehensive Emergency Management Plan  
155 and program.

156           (k) Prepare, in advance whenever possible, such  
157 executive orders, proclamations and rules for issuance by the

158 Governor as are necessary or appropriate for coping with  
159 emergencies and disasters.

160 (l ) Cooperate with the federal government and any  
161 public or private agency or entity in achieving any purpose of  
162 this article.

163 (m) Assist political subdivisions with the creation and  
164 training of urban search and rescue teams and promote the  
165 development and maintenance of a state urban search and rescue  
166 program.

167 (n) Delegate, as necessary and appropriate, authority  
168 vested in it under this article and provide for the subdelegation  
169 of such authority.

170 (o) Require each county or municipality to designate an  
171 agent for working with the agency in the event of a natural  
172 disaster. The county or municipality may designate any person as  
173 agent who has completed training programs required of emergency  
174 management directors.

175 (p) Report biennially to the Governor and the President  
176 of the Senate, and the Speaker of the House of Representatives, no  
177 later than January 1 of every odd-numbered year, the status of the  
178 emergency management capabilities of the state and its political  
179 subdivisions.

180 (q) In accordance with Section 25-43-1 et seq., create,  
181 implement, administer, promulgate, amend and rescind rules,  
182 programs and plans needed to carry out the provisions of this  
183 article with due consideration for, and in cooperating with, the  
184 plans and programs of the federal government.

185 (r) Have the sole power and discretion to enter into,  
186 sign, execute and deliver long-term or multi-year leases of real  
187 and personal property with other state and federal agencies.

188 (s) Do other things necessary, incidental or appropriate  
189 for the implementation of this article.

190           (t) In accordance with Section 33-15-15, create,  
191 implement, administer, promulgate, amend and rescind rules  
192 regarding the development of the Mississippi Disaster Reservist  
193 Program.

194           (u) Have authority to use public school buses for  
195 transporting evacuees during a declared state of emergency by the  
196 Governor. The agency shall pay for the cost of gas for using the  
197 buses.

198           **SECTION 2.** This act shall take effect and be in force from  
199 and after July 1, 2006.