

By: Representatives Davis, Barnett, Beckett, Bondurant, Bounds, Chism, Denny, Ellington, Fillingane, Gregory, Howell, Mims, Moore, Rotenberry, Snowden, Staples, Upshaw, Wells-Smith, Zuber

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.