

By: Representatives Weathersby, Rogers
(61st)

To: Public Property;
Military Affairs

HOUSE BILL NO. 1451

1 AN ACT TO REQUIRE THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY
2 TO ESTABLISH A STATEWIDE PLANNING AND MAPPING SYSTEM FOR PUBLIC
3 BUILDINGS IN THE STATE; TO AMEND SECTION 33-15-14, MISSISSIPPI
4 CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** (1) To the extent funds are made available, the
7 Mississippi Emergency Management Agency (Agency) shall establish a
8 statewide planning and mapping system for the public buildings in
9 this state for use by response agencies that are called to respond
10 to an act of terrorism or related emergency.

11 (2) The statewide planning and mapping system must include,
12 without limitation:

13 (a) The type of information that must be included
14 within the software program that comprises the system, including,
15 without limitation, floor plans, fire protection information,
16 building evacuation plans, utility information, known hazards and
17 information on how to contact emergency personnel;

18 (b) The manner by which the information prescribed
19 pursuant to paragraph (a) of this subsection must be transferred
20 to the system from the state agencies and the political
21 subdivisions that participate in the system;

22 (c) Standards for the software that must be used by the
23 state agencies and political subdivisions that participate in the
24 system;

25 (d) Conditions for use of the system by response
26 agencies;

27 (e) Guidelines for:

28 (i) The accessibility and confidentiality of
29 information contained with the system; and

30 (ii) The incorporation, in connection with the use
31 of the system, of the items described paragraph (b) of subsection
32 (3);

33 (f) In accordance with information it has obtained, the
34 agency shall determine the priority for distribution of any money
35 that may be available for the state agencies and political
36 subdivisions to participate in the system; and

37 (g) Guidelines recommended by the agency for the
38 training of persons employed by response agencies concerning the
39 use of the system.

40 (3) To the extent funding is made available, the state
41 agencies and political subdivisions shall:

42 (a) Participate in the statewide planning and mapping
43 system; and

44 (b) Incorporate into their use of the system, without
45 limitation:

46 (i) Evacuation routes and strategies for
47 evacuation;

48 (ii) Alarms and other signals or means of
49 notification;

50 (iii) Plans for sheltering in place; and

51 (iv) Training and strategies for prevention in
52 connection with attacks involving violence.

53 If a state agency or a political subdivision uses its own
54 planning and mapping system before the agency establishes a
55 statewide planning and mapping system, the state agency or
56 political subdivision may continue to use its system unless money
57 is made available for the state agency or political subdivision to
58 update or modify its system as necessary for inclusion in the
59 statewide system.

60 (4) The agency:

61 (a) Shall pursue any money that may be available from
62 the federal government for the development and operation of a
63 statewide planning and mapping system for public buildings and for
64 the distribution of grants to the state agencies and political
65 subdivisions that participate in the system.

66 (b) May accept gifts, grants and contributions for the
67 development and operation of a statewide planning and mapping
68 system and for the distribution of grants to the state agencies
69 and political subdivisions that participate in the system.

70 (5) Each state agency and political subdivision that
71 participates in the system shall, on or before July 1, 2007, and
72 on or before July 1 of each year thereafter, submit to the agency
73 a progress report setting forth, in accordance with regulations
74 adopted by the agency, the experience of the agency or political
75 subdivision, as applicable, with respect to its participation in
76 the system. The agency shall receive and process such progress
77 reports and provide to the Legislature a summarized overview of
78 the system on or before October 1, 2007, and on or before October
79 1 of each year thereafter.

80 (6) After the statewide mapping system is established
81 pursuant to this section, each state agency and political
82 subdivision that participates in the system shall submit to the
83 agency any initial or final plan for a public work.

84 **SECTION 2.** Section 33-15-14, Mississippi Code of 1972, is
85 amended as follows:

86 33-15-14. (1) The agency is responsible for maintaining a
87 comprehensive statewide program of emergency management. The
88 agency is responsible for coordination with efforts of the federal
89 government with other departments and agencies of state
90 government, with county and municipal governments and school
91 boards and with private agencies that have a role in emergency
92 management.

93 (2) In performing its duties under this article, the agency
94 shall:

95 (a) Work with the Governor, or his representative, in
96 preparing a State Comprehensive Emergency Management Plan of this
97 state, which shall be integrated into and coordinated with the
98 emergency management plans of the federal government and of other
99 states to the fullest possible extent, and to coordinate the
100 preparation of plans and programs for emergency management by the
101 political subdivisions of the state, such local plans to be
102 integrated into and coordinated with the emergency plan and
103 program of this state. The plan must contain provisions to ensure
104 that the state is prepared for emergencies and minor, major and
105 catastrophic disasters, and the agency shall work closely with
106 local governments and agencies and organizations with emergency
107 management responsibilities in preparing and maintaining the plan.
108 The State Comprehensive Emergency Management Plan will be
109 operations oriented and:

110 (i) Include an evacuation component that includes
111 specific regional and interregional planning provisions and
112 promotes intergovernmental coordination of evacuation activities.
113 This component must, at a minimum: ensure coordination pertaining
114 to evacuees crossing county lines; set forth procedures for
115 directing people caught on evacuation routes to safe shelter; and
116 establish policies and strategies for emergency medical
117 evacuations.

118 (ii) Include a shelter component that includes
119 specific regional and interregional planning provisions and
120 promotes coordination of shelter activities between the public,
121 private and nonprofit sectors. This component must, at a minimum:
122 contain strategies to ensure the availability of adequate public
123 shelter space in each region of the state; establish strategies
124 for refuge-of-last-resort programs; provide strategies to assist
125 local emergency management efforts to ensure that adequate

126 staffing plans exist for all shelters, including medical and
127 security personnel; provide for a postdisaster communications
128 system for public shelters; establish model shelter guidelines for
129 operations, registration, inventory, power generation capability,
130 information management and staffing; and set forth policy guidance
131 for sheltering people with special needs.

132 (iii) Include a postdisaster response and recovery
133 component that includes specific regional and interregional
134 planning provisions and promotes intergovernmental coordination of
135 postdisaster response and recovery activities. This component
136 must provide for postdisaster response and recovery strategies
137 according to whether a disaster is minor, major or catastrophic.
138 The postdisaster response and recovery component must, at a
139 minimum: establish the structure of the state's postdisaster
140 response and recovery organization; establish procedures for
141 activating the state's plan; set forth policies used to guide
142 postdisaster response and recovery activities; describe the chain
143 of command during the postdisaster response and recovery period;
144 describe initial and continuous postdisaster response and recovery
145 actions; identify the roles and responsibilities of each involved
146 agency and organization; provide for a comprehensive
147 communications plan; establish procedures for monitoring mutual
148 aid agreements; provide for rapid impact assessment teams; ensure
149 the availability of an effective statewide urban search and rescue
150 program coordinated with the fire services; ensure the existence
151 of a comprehensive statewide medical care and relief plan
152 administered by the State Department of Health; and establish
153 systems for coordinating volunteers and accepting and distributing
154 donated funds and goods.

155 (iv) Include additional provisions addressing
156 aspects of preparedness, response and recovery, as determined
157 necessary by the agency.

158 (v) Address the need for coordinated and
159 expeditious deployment of state resources, including the
160 Mississippi National Guard. In the case of an imminent major
161 disaster, procedures should address predeployment of the
162 Mississippi National Guard, and, in the case of an imminent
163 catastrophic disaster, procedures should address predeployment of
164 the Mississippi National Guard and the United States Armed Forces.
165 This subparagraph (v) does not authorize the agency to call out
166 and deploy the Mississippi National Guard, which authority and
167 determination rests solely with the Governor.

168 (vi) Establish a system of communications and
169 warning to ensure that the state's population and emergency
170 management agencies are warned of developing emergency situations
171 and can communicate emergency response decisions.

172 (vii) Establish guidelines and schedules for
173 annual exercises that evaluate the ability of the state and its
174 political subdivisions to respond to minor, major and catastrophic
175 disasters and support local emergency management agencies. Such
176 exercises shall be coordinated with local governments and, to the
177 extent possible, the federal government.

178 (viii) 1. Assign lead and support
179 responsibilities to state agencies and personnel for emergency
180 support functions and other support activities.

181 2. The agency shall prepare an interim
182 postdisaster response and recovery component that substantially
183 complies with the provisions of this paragraph (a). Each state
184 agency assigned lead responsibility for an emergency support
185 function by the State Comprehensive Emergency Management Plan
186 shall also prepare a detailed operational plan needed to implement
187 its responsibilities. The complete State Comprehensive Emergency
188 Management Plan shall be submitted to the Governor no later than
189 January 1, 1996, and on January 1 of every even-numbered year
190 thereafter.

191 (b) Adopt standards and requirements for county
192 emergency management plans. The standards and requirements must
193 ensure that county plans are coordinated and consistent with the
194 State Comprehensive Emergency Management Plan. If a municipality
195 elects to establish an emergency management program, it must adopt
196 a city emergency management plan that complies with all standards
197 and requirements applicable to county emergency management plans.

198 (c) Assist political subdivisions in preparing and
199 maintaining emergency management plans.

200 (d) Review periodically political subdivision emergency
201 management plans for consistency with the State Comprehensive
202 Emergency Management Plan and standards and requirements adopted
203 under this section.

204 (e) Make recommendations to the Legislature, building
205 code organizations and political subdivisions for zoning, building
206 and other land use controls, safety measures for securing mobile
207 homes or other nonpermanent or semipermanent structures; and other
208 preparedness, prevention and mitigation measures designed to
209 eliminate emergencies or reduce their impact.

210 (f) In accordance with the State Comprehensive
211 Emergency Management Plan and program for emergency management,
212 ascertain the requirements of the state and its political
213 subdivisions for equipment and supplies of all kinds in the event
214 of an emergency; plan for and either procure supplies, medicines,
215 materials and equipment or enter into memoranda of agreement or
216 open purchase orders that will ensure their availability; and use
217 and employ from time to time any of the property, services and
218 resources within the state in accordance with this article.

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

221 (h) Prepare and distribute to appropriate state and
222 local officials catalogs of federal, state and private assistance
223 programs.

224 (i) Implement training programs to improve the ability
225 of state and local emergency management personnel to prepare and
226 implement emergency management plans and programs, and require all
227 local civil defense directors or emergency management directors to
228 complete such training as a condition to their authority to
229 continue service in their emergency management positions.

230 (j) Review periodically emergency operating procedures
231 of state agencies and recommend revisions as needed to ensure
232 consistency with the State Comprehensive Emergency Management Plan
233 and program.

234 (k) Prepare, in advance whenever possible, such
235 executive orders, proclamations and rules for issuance by the
236 Governor as are necessary or appropriate for coping with
237 emergencies and disasters.

238 (l) Cooperate with the federal government and any
239 public or private agency or entity in achieving any purpose of
240 this article.

241 (m) Assist political subdivisions with the creation and
242 training of urban search and rescue teams and promote the
243 development and maintenance of a state urban search and rescue
244 program.

245 (n) Delegate, as necessary and appropriate, authority
246 vested in it under this article and provide for the subdelegation
247 of such authority.

248 (o) Require each county or municipality to designate an
249 agent for working with the agency in the event of a natural
250 disaster. The county or municipality may designate any person as
251 agent who has completed training programs required of emergency
252 management directors.

253 (p) Report biennially to the Governor and the President
254 of the Senate, and the Speaker of the House of Representatives, no
255 later than January 1 of every odd-numbered year, the status of the

256 emergency management capabilities of the state and its political
257 subdivisions.

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

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

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

268 (t) In accordance with Section 33-15-15, create,
269 implement, administer, promulgate, amend and rescind rules
270 regarding the development of the Mississippi Disaster Reservist
271 Program.

272 (u) Perform those duties prescribed in Section 1 of
273 this act.

274 **SECTION 3.** Section 1 of this act shall be codified in
275 Chapter 15 of Title 33, Mississippi Code of 1972.

276 **SECTION 4.** This act shall take effect and be in force from
277 and after its passage.