

SENATE BILL 2812

By Haynes

AN ACT to amend Tennessee Code Annotated, Title 8 and Title 58, Chapter 2, relative to county emergency management directors and agencies.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 58, Chapter 2, Part 1, is amended by adding the following as new sections thereto:

58-2-1\_\_.

(a) There is established a Local Emergency Management Agency Trust Fund to provide supplemental funding for county emergency management agencies created and operating under § 58-2-106 for the purposes and under the conditions set out in this act. The local emergency management agency supplement shall be funded by an annual allocation from this newly established trust fund that shall receive revenues from sources to be later named. These sources shall be sufficient to make a minimum annual disbursement of forty thousand dollars (\$40,000) for each county emergency management agency in the state meeting the criteria and procedures for payment as set out in this act. These funds are to supplement any other funding sources such as emergency management performance grant (EMPG) funds. Funds shall not be used to supplant previous levels of funding, but shall be used to enhance county emergency management projects or programs as deemed appropriate by the full-time emergency management agency director.

(b) A trust fund committee will be established and appointed by the emergency management association of Tennessee (EMAT) executive board in cooperation with TEMA. There shall be one (1) chairman and six (6) officers with three (3) officers coming

from EMAT and three (3) from TEMA being nominated by the director annually. The chairman shall be the EMAT President. The committee may, with approval of the executive board, and following policies, procedures, and criteria developed, use any such unspent funds to provide grants for operating and capital expenditures for emergency management. Qualifications and guidelines for this trust fund shall be written and established by the EMAT executive board.

(c) There shall be a minimum of two (2) full time positions approved by the EMAT executive board to work under TEMA. The salaries shall be set by the commissioner of the department of human resources and funded by such trust fund.

(d) All necessary and appropriate disbursements shall be approved by the EMAT executive board.

(e) These funds shall not become a part of the state general fund, but shall be established as a separate funding source. Any funds collected in excess of the annual fiscal requirements of the board, which shall include the payments to emergency management, shall not revert to the general public fund. Any unspent funds at the end of the fiscal year shall be carried to the next fiscal year to be used as a beginning fiscal requirements for such fiscal year.

58-2-1\_\_.

(a) Local emergency management directors shall have the following duties as described in this section. A director shall be under executive direction. The director is responsible for the development and implementation of all activities relative to emergency management within the director's political subdivision. This individual is responsible for establishing emergency management standards within the director's jurisdiction. This includes the development and implementation of activities which

support the National Incident Management System (NIMS) to mitigate, prepare for, respond to and recover from major emergencies, terrorist events and disasters.

A director shall also:

(1) In conjunction with elected and appointed local government officials and private, volunteer and civic organizations, coordinate and assist in the revision and update of the local emergency operations plan and field operating guides;

(2) Develop and manage the agency's annual budget in accordance with local guidelines;

(3) Collect initial disaster intelligence information, extract essential elements of information and prioritize use of critical resources;

(4) Prepare and transmit a situation report to TEMA as directed by the state's procedures/guidelines;

(5) Assess the impact of major emergencies and initiate requests for declaration of emergency for county mayor's/executive's signature;

(6) Serve as the focal point for damage assessment information and coordinate all relief activities through the county mayor/executive and regional and state emergency operations center;

(7) Promote and supervise the development of various emergency management related public education and information services. These services include training programs, brochures, speaking opportunities and media programs;

(8) Develop and maintain an emergency operations center to ensure direction and control and continuity of local government during emergencies and disasters;

(9) Conduct hazardous analysis, capability assessment and vulnerability analysis and make periodic updates to the same;

(10) Be “on call” for response to any type of disaster or major emergency: natural, manmade or technological;

(11) Provide assistance to private sector organizations on issues pertaining to emergency management and homeland security;

(12) Provide resource coordination and technical assistance during major emergencies and disasters;

(13) Prepare after-action reports as required; and

(14) Perform other duties as directed by the county mayor/executive.

(b) A local emergency management director shall possess a valid Tennessee driver license. A four-year college degree is also required; however, an applicant can substitute a two-year college associate degree and two (2) years experience in an emergency management related field or substitute four (4) years experience in an emergency management related field in lieu of the four year college degree.

(c) A local emergency management director shall be expected to complete FEMA Independent Study (IS) courses as required by the trust fund policies during the first twelve (12) months on the job.

(d) A local emergency management director is expected to stay abreast of new technologies as they relate to emergency management and continue expanding his or her knowledge and competencies through formal training, exercises and periodicals.

(e) Any person who is serving as a local emergency management director on the effective date of this act shall be deemed to satisfy the requirement for four (4) years of college level education if such director has a minimum four (4) years work experience as a local emergency management director.

(f) Each local emergency management agency employee shall receive annual pay increases in the same amount as all other personnel from such employee's respective jurisdiction.

(g) The minimum salary for a full-time local emergency management director shall be established at thirty seven thousand five hundred (\$37,500) as a minimum base salary before any certification bonuses and should not affect cost of living raises. EMAT certifications of CEM-I, CEM-II, and CEMP may merit increases in salaries based on availability of funds.

SECTION 2. This act shall take effect July 1, 2010, the public welfare requiring it.