

**4-35-4 Commissioner to declare emergency -- Powers of commissioner in emergency.**

- (1)
- (a) The commissioner, with the consent of the governor, may declare that an insect infestation emergency situation exists which jeopardizes property and resources, and designate the area or areas affected.
  - (b) The area referred to in Subsection (1)(a) may include federal lands, after notification of the appropriate federal land manager.
- (2) The commissioner is authorized, subject to the requirements of Section 4-35-5, to direct all emergency measures the commission considers necessary to alleviate the emergency condition. The commissioner shall:
- (a) utilize equipment, supplies, facilities, personnel, and other available resources;
  - (b) enter into contracts for the acquisition, rental, or hire of equipment, services, materials, and supplies;
  - (c) accept assistance, services, and facilities offered by federal and local governmental units or private agencies; and
  - (d) accept on behalf of the state the provisions and benefits of acts of Congress designated to provide assistance.

Amended by Chapter 132, 2002 General Session