

**EMERGENCY MANAGEMENT ADMINISTRATIVE
COUNCIL**

2008 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Curtis Oda

Senate Sponsor: Peter C. Knudson

Cosponsor: Richard A. Greenwood

LONG TITLE

General Description:

This bill modifies the Emergency Management Act by amending the name, membership, and duties of the Disaster Emergency Advisory Council to the Emergency Management Administration Council.

Highlighted Provisions:

This bill:

- changes the name of the Disaster Emergency Advisory Council to the Emergency Management Administration Council;
- expands its duties to include coordination with both state and local government agencies on government emergency prevention, mitigation, preparedness, response, and recovery actions and activities;
- changes the membership of the council;
- requires the council to coordinate with existing emergency management entities;
- allows the council to create additional committees and task forces as needed; and
- makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

This bill coordinates with H.B. 63, Recodification of Title 63, State Affairs in General, by providing technical amendments.

Utah Code Sections Affected:

AMENDS:

63-5-4, as last amended by Laws of Utah 2007, Chapter 66

*Be it enacted by the Legislature of the state of Utah:*Section 1. Section **63-5-4** is amended to read:**63-5-4. Emergency Management Administration Council created -- Function --
Composition -- Expenses.**

(1) [~~A Disaster Emergency Advisory Council is created~~] There is created the Emergency Management Administration Council to provide advice [to the governor on matters relating to state government emergency disaster response] and coordination for state and local government agencies on government emergency prevention, mitigation, preparedness, response, and recovery actions and activities.

(2) The council shall meet at the call of the [~~governor~~] chair, but at least quarterly.

[~~(3) The Disaster Emergency Advisory Council comprises the:~~]

(3) The council shall be made up of the:

(a) lieutenant governor, or the lieutenant governor's designee;

(b) attorney general, or the attorney general's designee;

[~~(c) president of the Senate;~~]

[~~(d) speaker of the House of Representatives;~~]

[~~(e)~~] (c) heads of the following state agencies, or their designees:

(i) Department of Public Safety;

(ii) Division of Homeland Security;

[~~(iii) Building Board; and~~]

[~~(iv) Governor's Office of Planning and Budget;~~]

[~~(f) executive directors of the following departments:~~]

[~~(i)~~] (iii) Department of Transportation;

[~~(ii) Human Services;~~]

58 ~~[(iii)]~~ (iv) Department of Health;
59 ~~[(iv)]~~ (v) Department of Environmental Quality;
60 ~~[(v)]~~ (vi) Department of Community and Economic Development; and
61 ~~[(vi)]~~ (vii) Department of Natural Resources;
62 ~~[(g) representative]~~ (d) adjutant general of the National Guard ~~[appointed by the~~
63 ~~governor with the consent of the Senate]~~ or the adjutant general's designee;
64 ~~[(h)]~~ (e) commissioner of agriculture and food or the commissioner's designee;
65 ~~[(i) state planning coordinator; and]~~
66 ~~[(j) representatives from two statewide, nongovernmental service organizations~~
67 ~~appointed by the governor with the consent of the Senate.]~~
68 (f) two representatives with expertise in emergency management appointed by the Utah
69 League of Cities and Towns;
70 (g) two representatives with expertise in emergency management appointed by the Utah
71 Association of Counties; and
72 (h) up to four additional members appointed by the chair of the council.
73 (4) The commissioner of Public Safety and the lieutenant governor shall serve as ~~[the~~
74 ~~chair]~~ co-chairs of the council.
75 (5) (a) ~~[(f)]~~ State government officer and employee members who do not receive salary,
76 per diem, or expenses from their agency for their service may receive per diem and expenses
77 incurred in the performance of their official duties from the council at the rates established by
78 the Division of Finance under Sections 63A-3-106 and 63A-3-107.
79 ~~[(ii)]~~ (b) State government officer and employee members may decline to receive per
80 diem and expenses for their service.
81 ~~[(b) Legislators on the committee shall receive compensation and expenses as provided~~
82 ~~by law and legislative rule.]~~
83 (6) The council shall coordinate with existing emergency management related entities
84 including:
85 (a) the Homeland Security Regional Committees established by the Department of

86 Public Safety;

87 (b) the Statewide Mutual Aid Committee established under Section 53-2-503; and

88 (c) the Hazardous Chemical Emergency Response Commission designated under

89 Section 63-5-5.

90 (7) The council may establish other committees and task forces as determined necessary

91 by the council to carry out the duties of the council.

92 **Section 2. Coordinating H.B. 107 with H.B. 63 -- Technical amendments.**

93 If this H.B. 107 and H.B. 63, Recodification of Title 63, State Affairs in General, both

94 pass, it is the intent of the Legislature that the Office of Legislative Research and General

95 Counsel shall, when preparing the Utah Code database for publication, change the reference in

96 Subsection 63-5-4(6)(c) to "Section 63-5-5" with "Section 63K-3-301".