

1 HOUSE BILL NO. 545

2 INTRODUCED BY J. READ

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4 A BILL FOR AN ACT ENTITLED: "AN ACT DIRECTING THE DIVISION OF DISASTER AND EMERGENCY
5 SERVICES TO ASSIGN A COMMITTEE TO CREATE A MANUAL OF EMERGENCY PREPAREDNESS FOR
6 NONTRADITIONAL EMERGENCY RESPONDERS; AND AMENDING SECTION 10-3-105, MCA."

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8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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10 **Section 1.** Section 10-3-105, MCA, is amended to read:

11 **"10-3-105. Division of disaster and emergency services -- duties.** (1) A division of disaster and
12 emergency services is established in the department. The division must have an administrator and other
13 professional, technical, secretarial, and clerical employees as necessary for the performance of its functions.

14 (2) The department through the division of disaster and emergency services is responsible to the
15 governor for carrying out the planning and program for disaster and emergency services of this state.

16 (3) The division shall prepare and maintain a comprehensive plan and program for disaster and
17 emergency services of this state. The plan and program must be coordinated with the disaster and emergency
18 plans and programs of the federal government, other states, political subdivisions, and Canada to the fullest
19 extent possible.

20 (4) The division shall:

21 (a) coordinate the preparation of the plan and program for disaster and emergency services with the
22 political subdivisions of this state;

23 (b) coordinate disaster and emergency prevention and preparation activities of all departments,
24 agencies, and organizations within the state;

25 (c) advise and assist the political subdivisions of this state in executing their disaster and emergency
26 services responsibilities;

27 (d) make recommendations on the formation of interjurisdictional disaster and emergency services areas
28 when individual political subdivisions are unable to fully and adequately mount an effective local program because
29 of limitations of funding, personnel, or other reasons;

30 (e) make surveys of industries, resources, and facilities within the state, both public and private, as are

1 necessary to carry out the purposes of parts 1 through 4 of this chapter;

2 (f) periodically review local and interjurisdictional plans and programs for disaster and emergency
3 services;

4 (g) develop or assist in the development of mutual aid plans and agreements between the federal
5 government, other states, and Canada and among the political subdivisions of this state;

6 (h) plan and make arrangements for the availability and use of any private facilities, services, and
7 property and, if necessary and if in fact used, provide for payment for use under terms and conditions agreed
8 upon;

9 (i) institute training and public information programs and take all other preparatory steps, including the
10 partial or full mobilization of disaster and emergency services organizations in advance of an actual incident,
11 emergency, or disaster, to ensure the availability of adequately trained and equipped personnel in time of an
12 incident, emergency, or disaster;

13 (j) direct emergency response and disaster preparation activities as authorized by the governor;

14 (k) direct disaster response and recovery activities as authorized by the governor;

15 (l) prepare, for issuance by the governor, executive orders or proclamations as necessary or appropriate
16 in coping with incidents, emergencies, and disasters;

17 (m) maintain liaison with and cooperate with disaster and emergency services agencies and
18 organizations of the federal government, other states, and Canada in achieving any purpose of parts 1 through
19 4 of this chapter and in implementing programs for disaster prevention, preparation, response, and recovery; and

20 (n) assign a committee to create a manual of emergency preparedness that outlines the priorities and
21 duties for nontraditional emergency responders, including but not limited to hospitals, gas stations, grocery stores,
22 banks, pharmacies, and utilities;

23 ~~(n)~~(o) assume any additional authority, duties, and responsibilities authorized by parts 1 through 4 of this
24 chapter as may be prescribed by the governor."

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