

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

HOUSE BILL 1145

4 By: Representatives Wren, Bisbee, Cash, Dietz, Goodwin, and Hudson

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For An Act To Be Entitled

8 "AN ACT TO CREATE THE EMERGENCY VOLUNTEER RESERVE ACT OF
9 1995 WHICH WILL ESTABLISH WITHIN THE STATE OFFICE OF
10 EMERGENCY SERVICES AN EMERGENCY VOLUNTEER RESERVE OF
11 PERSONS TRAINED TO ASSIST IN DISASTER RESPONSE AND
12 RECOVERY; AND FOR OTHER PURPOSES."

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Subtitle

14 "TO CREATE THE EMERGENCY VOLUNTEER
15 RESERVE ACT OF 1995 WHICH WILL ESTABLISH
16 WITHIN THE STATE OFFICE OF EMERGENCY
17 SERVICES AN EMERGENCY VOLUNTEER RESERVE
18 OF PERSONS TRAINED TO ASSIST IN DISASTER
19 RESPONSE AND RECOVERY."

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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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24 SECTION 1. Short Title. This act may be cited as the "Emergency
25 Volunteer Reserve Act of 1995."

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27 SECTION 2. Policy and Purpose. Because of the potential for a
28 natural, technological or national emergency related disaster of catastrophic
29 proportions and devastating impact requires extensive use of highly trained
30 and skilled personnel experienced in disaster response and recovery actions,
31 and whereas such needs and requirements may exceed the normal forces
32 available to the State of Arkansas to prevent death and injury to her
33 citizens and extensive loss of property, it is hereby found and declared
34 necessary:

35 (1) to establish within the State Office of Emergency Services an

1 emergency volunteer reserve cadre of persons trained and experienced in
2 certain functions related to disaster response and recovery operations;

3 (2) to provide authority to the Director of the State Office of
4 Emergency Services to call said emergency volunteer reserve personnel into
5 active service upon declaration of a state of disaster emergency by the
6 Governor of the State of Arkansas, the President of the United States or
7 when, in the opinion of the Director of the State Office of Emergency
8 Services a pending natural, technological or national emergency may require
9 the immediate services of said personnel;

10 (3) to provide the authority to the Director of the State Office of
11 Emergency Services to reimburse members of the Emergency Volunteer Reserve,
12 when called to active duty, for out-of-pocket expenses for lodging, food and
13 travel at the current rate and under the provisions for reimbursement
14 applicable to state employees of like grade and responsibility during the
15 period of active service to the state; and

16 (4) to provide to the Emergency Volunteer Reserve the same privileges
17 and immunities as are applicable to state employees when performing their
18 duties on behalf of the state.

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20 SECTION 3. Definitions.

21 (1) "Director" means the Director of the State Office of Emergency
22 Services including any Acting Director, when such position is authorized by
23 the Governor, and those persons officially authorized to act for the director
24 in his absence or incapacitation.

25 (2) "Emergency Volunteer Reserve" means persons recruited as
26 volunteers to serve in time of emergency and supplement the regular employees
27 of the State Office of Emergency Services in disaster response and recovery
28 operations.

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30 SECTION 4. Management.

31 (1) Any person seeking enrollment into the Emergency Volunteer Reserve
32 shall be notified that no salary, retainer, emoluments or other monetary
33 reimbursement shall be made for their services except reimbursement for food,
34 lodging, and travel utilizing a privately owned vehicle when so authorized by
35 the director. Reimbursement shall be made in accordance with current state

1 travel regulations and at the prescribed rates in effect at the time of their
2 services. However, this shall not disqualify any person from future
3 employment as emergency hire or full time employee when hired through the
4 prescribed state employment procedures applicable to the position they are
5 seeking.

6 (2) The State Office of Emergency Services shall establish a system to
7 recruit personnel with special skills or experience related to emergency
8 response and recovery operations and provide initial familiarization training
9 and periodic proficiency training as necessary for members of the Emergency
10 Volunteer Reserve to insure their readiness for immediate deployment for
11 response and recovery activities. This personnel shall be enrolled as
12 emergency services volunteers in accordance with Ark. Code Ann. § 12-75-127,
13 and shall be eligible for immunities and exemptions in accordance with Ark.
14 Code Ann. § 12-75-128 and worker_s compensation benefits in accordance with
15 Ark. Code Ann. § 12-75-129.

16 (3) The State Office of Emergency Services shall establish an
17 administrative management system to recruit and maintain qualified personnel
18 and establish a fiscal management system to ensure prompt and reasonable
19 reimbursement of authorized expenses.

20 (4) Persons recruited for the Emergency Volunteer Reserve may, but are
21 not limited to, provide services in Disaster Application Centers, Disaster
22 Field Offices, Disaster Survey Teams, fixed or mobile emergency operating
23 centers and communications facilities and utilize other specific skills for
24 which they may qualify or be trained to assume. Members are subject to
25 deployment within the State of Arkansas and may, upon invocation of mutual
26 aid agreements with other states, accompany state employees at host state or
27 federal expense on out-of-state services.

28 (5) When called into active service by the director, members of the
29 Emergency Volunteer Reserve shall be under the operational and administrative
30 management of the State Office of Emergency Services and such employees that
31 office who may be designated to supervise their duties.

32 (6) The director shall have the authority to immediately relieve
33 members of the Emergency Volunteer Reserve for actual misconduct or perceived
34 incompetence or inability to perform their assigned duties.

35 (7) When relieved by authority other than the director, members shall

1 have the right of appeal to the director for reinstatement.

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3 SECTION 6. All provisions of this act of a general and permanent
4 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
5 Code Revision Commission shall incorporate the same in the Code.

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7 SECTION 7. If any provision of this act or the application thereof to
8 any person or circumstance is held invalid, such invalidity shall not affect
9 other provisions or applications of the act which can be given effect without
10 the invalid provision or application, and to this end the provisions of this
11 act are declared to be severable.

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13 SECTION 8. All laws and parts of laws in conflict with this act are
14 hereby repealed.

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16 SECTION 9. EMERGENCY. It is hereby found and determined by the
17 General Assembly that threat of disaster emergency and the need for immediate
18 response and recovery to protect the lives, health and welfare of the people
19 of Arkansas require these functions to be authorized immediately. Therefore,
20 an emergency is hereby declared to exist and this act being necessary for the
21 immediate preservation of the public peace, health and safety shall be in
22 full force and effect from and after its passage and approval.

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