

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

# A Bill

HOUSE BILL 1247

5 By: Representative McElroy  
6

## For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING DECLARATION OF  
9 EMERGENCIES UNDER THE ARKANSAS EMERGENCY SERVICES  
10 ACT; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.  
11

## Subtitle

12  
13 TO AMEND THE LAW CONCERNING DECLARATION  
14 OF EMERGENCIES UNDER THE ARKANSAS  
15 EMERGENCY SERVICES ACT.  
16

17  
18  
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code § 12-75-108(b)(1), concerning local disaster  
22 emergencies, is amended to read as follows:

23 (b)(1) The effect of a declaration of a local disaster emergency is to  
24 activate the response and recovery aspects of any and all applicable local or  
25 interjurisdictional disaster emergency plans ~~and~~, to authorize the furnishing  
26 of aid and assistance thereunder, and to initiate emergency management  
27 functions under this subchapter.  
28

29 SECTION 2. Arkansas Code § 12-75-109(d)(4), concerning the personnel  
30 of the Arkansas Department of Emergency Management, is amended to read as  
31 follows:

32 (4)(A) Emergency reserve cadre personnel ~~shall~~ may be called to  
33 active duty ~~only~~ upon declaration of a disaster emergency as stipulated in  
34 this chapter or the Disaster Relief Act of ~~1973~~ 1974, Pub. L. No. 93-288, or  
35 both, or by executive order of the Governor upon recommendation by the  
36 director for due cause or pending emergency needs or for disaster-related



1 assistance to the agency as determined by the director and shall remain on  
 2 active duty no longer than ~~sixty (60) days after a declaration or~~  
 3 ~~declarations unless such declaration or declarations are extended by the~~  
 4 ~~Governor or the President of the United States, in which case they shall be~~  
 5 ~~continued for no more than sixty (60) days after the final declaration issued~~  
 6 ~~for that disaster emergency event~~ the maximum allowed by the Office of  
 7 Personnel Management for part-time employment status.

8 (B) Based on the size, impact, and magnitude of the  
 9 disaster event, the director shall determine the minimum number of emergency  
 10 reserve cadre personnel required to effectively supplement regular state  
 11 emergency management personnel ~~and report these numbers to the Governor for~~  
 12 ~~approval.~~

13  
 14 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the  
 15 General Assembly of the State of Arkansas that weather in Arkansas in early  
 16 spring and summer has the potential for volatility; that this bill addresses  
 17 the roles and responsibilities of those declaring emergencies locally; and  
 18 that this act is immediately necessary because the state needs to be prepared  
 19 for natural disasters and other emergencies. Therefore, an emergency is  
 20 declared to exist, and this act being immediately necessary for the  
 21 preservation of the public peace, health, and safety shall become effective  
 22 on:

23 (1) The date of its approval by the Governor;

24 (2) If the bill is neither approved nor vetoed by the Governor,  
 25 the expiration of the period of time during which the Governor may veto the  
 26 bill; or

27 (3) If the bill is vetoed by the Governor and the veto is  
 28 overridden, the date the last house overrides the veto.