

SENATE FILE NO. SF0055

Management of WEMA.

Sponsored by: Joint Transportation and Highways Interim Committee

A BILL

for

1 AN ACT relating to the Wyoming Emergency Management Act;  
2 transferring oversight and control of the emergency  
3 management agency; providing for the appointment of a  
4 emergency management coordinator; transferring the agency's  
5 persons, functions, programs, authority and funds; and  
6 providing for an effective date.

7

8 *Be It Enacted by the Legislature of the State of Wyoming:*

9

10 **Section 1.** W.S. 19-7-101(a)(iv), 19-13-103(a)(i),  
11 19-13-104(a), 19-13-105(a), (b), (c)(i) and (v), 19-13-106  
12 and 19-13-111 are amended to read:

13

14 **19-7-101. Definitions.**

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16 (a) As used in this act:

1

2 (iv) "Military department" means the adjutant  
3 general, the divisions of the army national guard, the air  
4 national guard, and state military affairs; ~~and emergency~~  
5 ~~management agency;~~

6

7 **19-13-103. Legislative determination; coordination**  
8 **with federal government and other states.**

9

10 (a) Because of the possibility of the occurrence of  
11 disasters of unprecedented size and destructiveness  
12 resulting from enemy attack, sabotage, terrorism, civil  
13 disorder or other hostile action, or from fire, flood,  
14 earthquake, other natural causes and other technological  
15 disasters, and to insure that preparations of Wyoming will  
16 be adequate to deal with such disasters, and generally to  
17 provide for the common defense and to protect the public  
18 peace, health and safety, and to preserve the lives and  
19 property of the people of Wyoming, it is hereby found and  
20 declared to be necessary:

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22 (i) To create a Wyoming emergency management  
23 agency within the ~~adjutant general's~~ governor's office, and

1 to authorize the creation of local emergency management  
2 programs in the political subdivisions of the state;

3

4 **19-13-104. Powers of governor generally.**

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6 (a) The governor has general direction and control of  
7 the emergency management agency, and is responsible for the  
8 carrying out of the provisions of this act, and in the  
9 event of disaster beyond local control, may assume direct  
10 operational control over all or any part of the emergency  
11 management functions within Wyoming. The governor may  
12 delegate such powers to ~~the adjutant general directly, or~~  
13 ~~through the adjutant general to~~ the coordinator of  
14 emergency management to carry out this act.

15

16 **19-13-105. Emergency management program.**

17

18 (a) The emergency management agency within the  
19 ~~adjutant general's~~ governor's office is created. The  
20 ~~adjutant general~~ governor shall ~~employ~~ appoint a  
21 coordinator of emergency management who ~~shall be a~~  
22 ~~civilian and the administrator thereof, and~~ may appoint  
23 such assistants as may be necessary. The coordinator and  
24 his assistants shall be compensated in an amount to be

1 determined and fixed by the Wyoming human resources  
2 division. The coordinator shall serve at the pleasure of  
3 the governor and may be removed as provided in W.S.  
4 9-1-202.

5  
6 (b) The coordinator, with the approval of the  
7 ~~adjutant general~~ governor, may employ technical, clerical,  
8 stenographic and other personnel and make such expenditures  
9 within the appropriations or from other funds made  
10 available to him for purposes of emergency management as  
11 necessary to carry out this act. He shall be provided with  
12 necessary and appropriate office space, furniture,  
13 equipment, stationery and printing in the same manner as  
14 for personnel of other state agencies.

15  
16 (c) The coordinator is the administrative head of the  
17 Wyoming emergency management agency and:

18  
19 (i) Shall be responsible to the ~~adjutant general~~  
20 governor for the implementation of the state program for  
21 emergency management for Wyoming;

22

1           (v) Shall have additional authority, duties and  
2 responsibilities authorized by this act as may be  
3 prescribed by the ~~adjutant general~~ governor; and  
4

5           **19-13-106. Emergency management advisory board.**  
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7 The emergency management advisory board is created,  
8 consisting of such members as deemed necessary, who shall  
9 be appointed by the governor and may be removed by the  
10 governor as provided in W.S. 9-1-202. The membership of the  
11 board shall contain representative citizens of commercial  
12 enterprises, service organizations and public-spirited  
13 groups. The board shall assist in specific fields related  
14 to emergency management preparedness and recovery and  
15 advise the governor, ~~the adjutant general~~ and the  
16 coordinator on all matters pertaining to emergency  
17 management. The members thereof shall serve without  
18 compensation but may be reimbursed for the reasonable and  
19 necessary expenses incurred in the performance of their  
20 duties.  
21

22           **19-13-111. Funds, supplies and equipment; authority**  
23 **to make use of existing facilities.**  
24

1 In carrying out the provisions of this act, the governor,  
2 ~~the adjutant general~~ and the executive officers or  
3 governing bodies of the political subdivisions of the state  
4 are directed to utilize the services, equipment, supplies  
5 and facilities of existing departments, offices and  
6 agencies of the state and of the political subdivisions  
7 thereof to the maximum extent practicable, and the officers  
8 and personnel of all departments, offices and agencies are  
9 directed to cooperate with and extend such services and  
10 facilities to the governor, ~~to~~ the coordinator and ~~to~~ the  
11 emergency management programs throughout the state upon  
12 request.

13

14 **Section 2.** W.S. 19-7-102(a)(iv), 19-7-104(c) and  
15 19-7-105(a)(iv) are repealed.

16

17 **Section 3.** Except as otherwise specified, the  
18 legislature hereby transfers all functions, programs and  
19 authority of the Wyoming emergency management agency to the  
20 governor's office. All personnel of the Wyoming emergency  
21 management agency except the coordinator shall be  
22 transferred to the governor's office. The adjutant  
23 general's position shall not be affected by this section.  
24 Nothing in this act shall be deemed to affect the property

1 interests of current permanent employees within the  
2 emergency management agency except for the coordinator who  
3 shall be appointed by and subject to removal by the  
4 governor.

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6 **Section 4.** This act is intended simply to transfer  
7 the control of the Wyoming emergency management agency from  
8 the adjutant general to the governor's office. The Wyoming  
9 legislature intends to make no substantive change to prior  
10 law including, but not limited to revenue, either increases  
11 or decreases, powers, duties, authorities, obligations,  
12 definitions, administration, confidentiality, imposition,  
13 tax rates, exemptions, licenses, permits, compliance,  
14 collection procedures, enforcement, remedies, statutes of  
15 limitation or distribution of taxes. This act is not  
16 intended to affect the validity of any rule or regulation  
17 promulgated prior to the effective date of this act.

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19 **Section 5.** This act is effective July 1, 2003.

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(END)