

## N.C. Gen. Stat. § 166A-19.12

Current through Session Laws 2024-2 of the 2024 Regular Session of the General Assembly, but does not reflect possible future codification directives from the Revisor of Statutes pursuant to G.S. 164-10.

*General Statutes of North Carolina > Chapter 166A. North Carolina Emergency Management Act. (Arts. 1 — 6) > Article 1A. North Carolina Emergency Management Act. (Pts. 1 — 8) > Part 2. State Emergency Management. (§§ 166A-19.10 — 166A-19.14A)*

### **§ 166A-19.12. Powers of the Division of Emergency Management.**

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The Division of Emergency Management shall have the following powers and duties as delegated by the Governor and Secretary of Public Safety:

- (1) Coordination of the activities of all State agencies for emergency management within the State, including planning, organizing, staffing, equipping, training, testing, and activating and managing the State Emergency Response Team and emergency management programs.
- (2) Preparation and maintenance of State plans for emergencies. The State plans or any parts thereof may be incorporated into department regulations and into executive orders of the Governor.
- (3) Coordination with the State Health Director to amend or revise the North Carolina Emergency Operations Plan regarding public health matters. At a minimum, the revisions to the Plan shall provide for the following:
  - a. The epidemiologic investigation of a known or suspected threat caused by nuclear, biological, or chemical agents.
  - b. The examination and testing of persons and animals that may have been exposed to a nuclear, biological, or chemical agent.
  - c. The procurement and allocation of immunizing agents and prophylactic antibiotics.
  - d. The allocation of the Strategic National Stockpile.
  - e. The appropriate conditions for quarantine and isolation in order to prevent further transmission of disease.
  - f. Immunization procedures.
  - g. The issuance of guidelines for prophylaxis and treatment of exposed and affected persons.
- (4) Repealed by Session Laws 2023-92, s. 1, effective July 10, 2023.
- (5) Promulgation of standards and requirements for local plans and programs consistent with federal and State laws and regulations, determination of eligibility for State financial assistance

provided for in G.S. 166A-19.15, and provision of technical assistance to local governments. Standards and requirements for local plans and programs promulgated under this subdivision shall be reviewed by the Division at least biennially and updated as necessary.

**(6)** Development and presentation of training programs, including the Emergency Management Certification Program established under Article 5 of this Chapter, and public information programs to insure the furnishing of adequately trained personnel and an informed public in time of need.

**(7)** Making of such studies and surveys of the resources in this State as may be necessary to ascertain the capabilities of the State for emergency management, maintaining data on these resources, and planning for the most efficient use thereof.

**(8)** Coordination of the use of any private facilities, services, and property.

**(9)** Preparation for issuance by the Governor of executive orders, declarations, and regulations as necessary or appropriate.

**(10)** Cooperation and maintenance of liaison with the other states, the federal government, and any public or private agency or entity in achieving any purpose of this Article and in implementing programs for emergency or war prevention, preparation, response, and recovery.

**(11)** Making recommendations, as appropriate, for zoning, building, and other land-use controls, and safety measures for securing mobile homes or other nonpermanent or semipermanent works designed to protect against or mitigate the effects of an emergency.

**(12)** Coordination of the use of existing means of communications and supplementing communications resources and integrating them into a comprehensive State or State-federal telecommunications or other communications system or network.

**(13)** Administration of federal and State grant funds provided for emergency management purposes, including those funds provided for planning and preparedness activities by emergency management agencies.

**(14)** Serving as the lead State agency for the coordination of information and resources for hazard risk management, which shall include the following responsibilities:

- a.** Coordinating with other State agencies and county governments in conducting hazard risk analysis. To the extent another State agency has primary responsibility for the adoption of hazard mitigation standards, those standards shall be applied in conducting a hazard risk analysis.
- b.** Establishing and maintaining a hazard risk management information system and tools to display natural hazards and vulnerabilities and conducting risk assessment.
- c.** Acquiring and leveraging all natural hazard data generated or maintained by State agencies and county governments.
- d.** Acquiring and leveraging all vulnerability data generated or maintained by State agencies and county governments.
- e.** Maintaining a clearinghouse for methodologies and metrics for calculating and communicating hazard probability and loss estimation.

- (15) Utilizing and maintaining technology that enables efficient and effective communication and management of resources between political subdivisions, State agencies, and other governmental entities involved in emergency management activities.
- (16) Establishing and operating a 24-hour Watch Center to serve as a single point of contact for local governments to report the occurrence of emergency and disaster events and to coordinate local and State response assets. The Division shall record all telephone calls to the 24-hour Watch Center emergency hotline and shall maintain the recording of each telephone call for at least one year.
- (17) Developing, maintaining, and implementing plans for response to any emergency occurring at a fixed nuclear power generating facility located in or near the borders of the State of North Carolina.
- (18) Maintaining the State Emergency Operations Center as the facility to house the State Emergency Response Team whenever it is activated for disaster response.
- (19) Serving as the agency responsible for the management of intrastate and interstate mutual aid planning, implementation, and resource procurement necessary for supporting emergency response and recovery.
- (20) Coordination with the Commissioner of Agriculture, or the Commissioner's designee, to amend or revise the North Carolina Emergency Operations Plan regarding agricultural matters. At a minimum, the revisions to the Plan shall provide for the following:
- a. The examination and testing of animals that may have been exposed to a nuclear, biological, or chemical agent.
  - b. The appropriate conditions for quarantine and isolation of animals in order to prevent further transmission of disease.
- (21) Maintenance of an effective statewide urban search and rescue program.
- (22) Serving as the lead State agency for the implementation and maintenance of the statewide School Risk and Response Management System (SRRMS) under G.S. 115C-105.49A.
- (23) Coordination with the State Chief Information Officer and the Adjutant General to manage statewide response to cybersecurity incidents and significant cybersecurity incidents as defined by G.S. 143B-1320. This includes, but is not limited to:
- a. Development and promulgation of necessary policies, plans, and procedures for cybersecurity and critical infrastructure protection; and
  - b. Annual review, update, and testing of cybersecurity incident response plans and procedures.
- (24) The Division may contract for services from vendors specializing in housing, rehabilitation, or construction on private residential structures funded by State or federal funds provided to the State as a result of a disaster declared by the President under the Stafford Act or a disaster declared by the Governor under G.S. 166A-19.21. Nothing in this subdivision is intended to exempt the Division from other requirements of Article 8 of Chapter 143 of the General Statutes.

**(25)** The Division may contract for services from vendors specializing in housing elevation, acquisition, demolition, and mitigation reconstruction on private residential structures to implement the federal Hazard Mitigation Grant Program on behalf of the State or political subdivisions. Nothing in this subdivision is intended to exempt the Division from other requirements of Article 8 of Chapter 143 of the General Statutes.

**(26)** The Division may contract for services from vendors specializing in (i) repair, replacement, construction, or improvements to infrastructure or equipment on private residential structures or public structures damaged as a result of hazard mitigation and (ii) construction or improvement of infrastructure to support hazard mitigation on private residential structures and public structures for the purpose of implementing hazard mitigation programs on behalf of the State or political subdivisions of the State. For the purposes of this subdivision, the term “infrastructure” includes nonresidential buildings that serve the public, water, sewer, and stormwater systems, and other publicly owned assets. Nothing in this subdivision is intended to exempt the Division from other requirements of Article 8 of Chapter 143 of the General Statutes.

**(27)** The Division shall establish and maintain a Statewide Interoperability Coordinator (SWIC) to coordinate voice and data interoperability programs, processes, and initiatives. The SWIC shall be designated as the individual currently serving as the Executive Director of the North Carolina Interoperability Executive Committee, and the Committee shall address matters of governance, technology, usage, training, exercises, and policy that pertain to voice and data interoperability.

**(28)** The Division shall support local, regional, State, and federal disaster communications planning and response through integrated planning, including all of the following:

- a.** Disaster response communications processes.
- b.** Public safety answering point disaster and recovery planning and consequence management, including developing and maintaining the Telecommunicator Emergency Response Team program.
- c.** Backup primary, alternate, contingent, and emergent communications planning for essential information pathways.
- d.** Training and qualifying communications personnel and resources that can respond to requests for assistance.

## History

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1951, c. 1016, ss. 3, 9; 1953, c. 1099, s. 3; 1955, c. 387, ss. 2, 3, 5; 1957, c. 950, s. 5; 1975, c. 734, ss. 9, 10, 14, 16; 1977, c. 848, s. 2; 1979, 2nd Sess., c. 1310, s. 2; 1995, c. 509, s. 124; 2001-214, s. 2; 2002-179, s. 12; 2009-192, s. 1; 2009-193, s. 3; 2009-196, s. 1; 2009-225, s. 1; 2011-145, s. 19.1(g); 2012-12, s. 1(b); 2012-90, ss. 11, 12; 2014-27, s. 3; 2014-122, s. 6(c); 2015-241, s. 8.26(j); 2019-200, s. 6(b); 2021-180, s. 5.9(q); 2023-92, s. 1.

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