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H.712

Introduced by Representatives Masland of Thetford, Cheney of Norwich and

Christie of Hartford

Referred to Committee on

Date:

Subject: Public safety; emergency management; municipalities; all hazards

Statement of purpose: This bill proposes to: (1) authorize the emergency management director or local fire chief to order evacuations under certain circumstances; (2) permit municipalities to appropriate funds for repair work in certain emergency circumstances; and (3) authorize cities and towns to enter into mutual aid arrangements and form mutual aid districts without prior approval of the governor.

An act relating to emergency management

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 20 V.S.A. § 6 is amended to read:

§ 6. LOCAL ORGANIZATION FOR EMERGENCY MANAGEMENT

\* \* \*

(e) The emergency management director or fire chief may order the evacuation of individuals living or working within a danger area if there is an immediate and present threat to life or health.

1       (f) If the governor declares a state of local emergency in accordance with  
2       section 8 of this title, the legislative body of a municipality may, by resolution,  
3       adopt special emergency appropriations to pay for extraordinary expenses for  
4       the repair and reconstruction of streets, roads, or bridges, or other public  
5       property damaged by flood or hurricane when those repairs require that the  
6       municipality expend money in excess of appropriations approved at the  
7       municipality's annual meeting and the expenditure will exceed the total  
8       amount appropriated. The resolution adopting the special emergency  
9       appropriation shall designate the source of funds that will be appropriated. The  
10       legislative body shall report on the special emergency appropriation at the next  
11       special or annual meeting.

12       Sec. 2. 20 V.S.A. § 6a is added to read:

13       § 6a. LOCAL MUTUAL AID ARRANGEMENTS AND DISTRICTS

14       Each town and city may enter into mutual aid arrangements and form  
15       mutual aid districts for purposes similar to those listed for mutual aid  
16       agreements with other states as set forth in section 8 of this title and for the  
17       purposes of giving and receiving fire, rescue, emergency medical, law  
18       enforcement, and public works assistance. These agreements or districts may  
19       be intrastate or interstate. A mutual aid district formed under this section shall  
20       be a municipal corporation. Whenever rendering aid or assistance pursuant to  
21       this section, the officers and members shall have the same powers, duties,

1 rights, privileges, and immunities as if they were performing their duties in the  
2 political subdivision in which they are usually employed but shall work within  
3 the authority of the other political subdivision.

4 Sec. 3. 20 V.S.A. § 8 is amended to read:

5 § 8. GENERAL POWERS OF GOVERNOR

6 (a) The governor shall have general direction and control of the emergency  
7 management agency and shall be responsible for the carrying out of the  
8 provisions of this chapter.

9 (b) In performing the duties under this chapter, the governor is further  
10 authorized and empowered:

11 \* \* \*

12 (9) ~~Mutual aid among municipalities. To sponsor, develop, and approve~~  
13 ~~mutual aid plans and agreements among the towns and cities of the state,~~  
14 ~~similar to the mutual aid arrangements referred to in this section.~~

15 Sec. 4. EFFECTIVE DATE

16 This act shall take effect on July 1, 2012.