

4719--B

2013-2014 Regular Sessions

I N S E N A T E

April 19, 2013

Introduced by Sens. LANZA, SAVINO, AVELLA, PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs -- recommitted to the Committee on Veterans, Homeland Security and Military Affairs in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law, in relation to requiring counties and cities with a population of one million or more to prepare comprehensive emergency management plans

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 Section 1. Subdivision 1 of section 23 of the executive law, as
2 amended by section 4 of part B of chapter 56 of the laws of 2010, is
3 amended to read as follows:
4 1. Each county, except those contained within the city of New York,
5 and each CITY WITH A POPULATION OF ONE MILLION OR MORE, SHALL PREPARE A
6 COMPREHENSIVE EMERGENCY MANAGEMENT PLAN. EACH city WITH A POPULATION OF
7 LESS THAN ONE MILLION, town and village is authorized to prepare A
8 comprehensive emergency management [plans] PLAN. The disaster prepared-
9 ness commission shall provide assistance and advice for the development
10 of such plans. [City] EACH CITY WITH A POPULATION OF LESS THAN ONE
11 MILLION, town and village [plans] PLAN shall be coordinated with the
12 county plan.
13 S 2. Subdivision 5 of section 23 of the executive law, as amended by
14 section 4 of part B of chapter 56 of the laws of 2010, is amended to
15 read as follows:
16 5. In preparing such plans, cooperation, advice and assistance shall
17 be sought from local government officials, regional and local planning

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [] is old law to be omitted.

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1 agencies, police agencies, fire departments and fire companies, local
2 emergency management agencies, commercial and volunteer ambulance
3 services, health and social services officials, community action agen-
4 cies, the chief administrator of the courts, organizations for the
5 elderly and the handicapped, ORGANIZATIONS THAT PROVIDE HOME HEALTH CARE
6 SERVICES, ORGANIZATIONS THAT PROVIDE HOSPICE SERVICES, other interested
7 groups and the general public. Such advice and assistance may be
8 obtained through public hearings held on public notice, or through other
9 appropriate methods.

10 S 3. Subparagraphs 17 and 18 of paragraph b of subdivision 7 of
11 section 23 of the executive law, as amended by section 4 of part B of
12 chapter 56 of the laws of 2010, are amended and a new subparagraph 19 is
13 added to read as follows:

14 (17) continued operation of governments of political subdivisions;
15 [and]

16 (18) utilization and coordination of programs to assist individuals
17 with household pets and service animals following a disaster, with
18 particular attention to means of evacuation, shelter and transportation
19 options[.]; AND

20 (19) PROCEDURES FOR THE DEPLOYMENT OF PHYSICIANS, NURSES, MEDICAL
21 PROFESSIONALS, PERSONNEL DEPLOYED BY CERTIFIED HOME HEALTH AGENCIES,
22 LONG TERM HOME HEALTH CARE PROGRAMS OR LICENSED HOME CARE SERVICES AGEN-
23 CIES GOVERNED UNDER ARTICLE THIRTY-SIX OF THE PUBLIC HEALTH LAW, PERSON-
24 NEL DEPLOYED BY HOSPICES CERTIFIED PURSUANT TO ARTICLE FORTY OF THE
25 PUBLIC HEALTH LAW OR ANY OTHER PERSONNEL DEEMED NECESSARY, INCLUDING
26 PROCEDURES FOR DEPLOYMENT IN AREAS WHERE ACCESS HAS OTHERWISE BEEN
27 RESTRICTED OR SUBJECT TO CURFEW IN DECLARED EMERGENCIES.

28 S 4. Each county, and each city with a population of one million or
29 more, that on the effective date of this act has already prepared a
30 comprehensive emergency management plan shall revise such plan in the
31 event such revisions are needed to comply with the provisions of this
32 act, and shall submit such revised plan to the disaster preparedness
33 commission on or before the one hundred eightieth day after the effec-
34 tive date of this act.

35 S 5. Paragraph a of subdivision 1 of section 24 of the executive law,
36 as added by chapter 640 of the laws of 1978, is amended to read as
37 follows:

38 a. the establishment of a curfew and the prohibition and control of
39 pedestrian and vehicular traffic, except essential emergency vehicles
40 and personnel, AND EXCEPT AS CONSISTENT WITH A LOCAL COMPREHENSIVE EMER-
41 GENCY MANAGEMENT PLAN;

42 S 6. This act shall take effect immediately.