

6530--B

Cal. No. 605

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I N   A S S E M B L Y

April 4, 2013

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Introduced by M. of A. CUSICK, GOTTFRIED, GUNTHER, COLTON, BENEDETTO, JAFFEE, TITONE, MILLMAN, COOK, HOOPER, JACOBS, ROSENTHAL, RAIA, WEPRIN, CLARK -- Multi-Sponsored by -- M. of A. ABBATE, ARROYO, BRAUNSTEIN, HIKIND, MAYER, MOSLEY, PERRY, SCHIMEL, SIMANOWITZ, SWEENEY, WEISENBERG -- read once and referred to the Committee on Governmental Operations -- recommitted to the Committee on Governmental Operations in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Codes -- reported and referred to the Committee on Ways and Means -- ordered to a third reading -- passed by Assembly and delivered to the Senate, recalled from the Senate, vote reconsidered, bill amended, ordered reprinted, retaining its place on the order of third reading

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.

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

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1 S 2. Subdivision 5 of section 23 of the executive law, as amended by  
2 section 4 of part B of chapter 56 of the laws of 2010, is amended to  
3 read as follows:

4 5. In preparing such plans, cooperation, advice and assistance shall  
5 be sought from local government officials, regional and local planning  
6 agencies, police agencies, fire departments and fire companies, local  
7 emergency management agencies, commercial and volunteer ambulance  
8 services, health and social services officials, community action agen-  
9 cies, the chief administrator of the courts, organizations for the  
10 elderly and the handicapped, ORGANIZATIONS THAT PROVIDE HOME HEALTH CARE  
11 SERVICES, ORGANIZATIONS THAT PROVIDE HOSPICE SERVICES, other interested  
12 groups and the general public. Such advice and assistance may be  
13 obtained through public hearings held on public notice, or through other  
14 appropriate methods.

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

19 (17) continued operation of governments of political subdivisions;  
20 [and]

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

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

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

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

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

47 S 6. This act shall take effect immediately.