

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

**SESSION LAW 2008-162
HOUSE BILL 2432**

AN ACT TO DIRECT THE NORTH CAROLINA DIVISION OF EMERGENCY MANAGEMENT, IN CONSULTATION WITH THE NORTH CAROLINA ASSOCIATION OF COUNTY COMMISSIONERS, TO STUDY AND DEVELOP PLANS TO ENHANCE DISASTER MANAGEMENT CAPABILITIES AT THE COUNTY LEVEL; AND TO ALLOW THE ADJUTANT GENERAL OF THE NATIONAL GUARD TO APPOINT A DEPUTY ADJUTANT GENERAL WHO HOLDS THE RANK OF MAJOR GENERAL.

The General Assembly of North Carolina enacts:

SECTION 1. The Division of Emergency Management, in consultation with the North Carolina Association of County Commissioners, shall study ways and develop plans to increase the capabilities of counties to plan for, respond to, and manage disasters at the local level. Plans developed shall include time lines for implementation and estimates of funding needs and shall address:

- (1) Mandating, if determined necessary, the establishment and maintenance of emergency management agencies at the county level.
- (2) Increasing the number of counties employing full-time emergency management coordinators, such that every county in the State, either individually or pursuant to a joint undertaking between two or more counties, has a full-time local emergency management coordinator available.
- (3) Implementing an emergency management certification requirement for all local emergency management coordinators and other essential local emergency management personnel.
- (4) Developing a model registry for use by the counties in identifying functionally and medically fragile persons in need of assistance during a disaster and in allocating resources to meet those needs.
- (5) Establishing a registry program for functionally and medically fragile persons in all counties.

SECTION 2. The Division of Emergency Management shall report the results of its study and provide the plans developed to the Chairs of the Joint Select Committee on Emergency Preparedness and Disaster Management Recovery and the House of Representatives and Senate Appropriations Subcommittees on Natural and Economic Resources no later than December 1, 2008.

SECTION 3. G.S. 127A-19 reads as rewritten:

"§ 127A-19. Adjutant General.

The military head of the militia shall be the Adjutant General who shall hold the rank of major general. The Adjutant General shall be appointed by the Governor in his capacity as commander in chief of the militia, in consultation with the Secretary of Crime Control and Public Safety, and shall serve at the pleasure of the Governor. No person shall be appointed as Adjutant General who has less than five years' commissioned service in an active status in any component of the armed forces of the United States. The Adjutant General, while holding such office, may be a member of the active national guard or naval militia.

Subject to the approval of the Governor and in consultation with the Secretary, Department of Crime Control and Public Safety, the Adjutant General may appoint (i) a deputy adjutant general for Army National Guard, who may hold the rank of major general, and (ii) an assistant adjutant general for Army National Guard, and an assistant adjutant general for Air National Guard, each of whom may hold the rank of brigadier general and who shall serve at the pleasure of the Governor. The Adjutant General may also employ such staff members and other personnel as may be authorized by the Secretary and funded."

SECTION 4. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 16th day of July, 2008.

s/ Beverly E. Perdue
President of the Senate

s/ Joe Hackney
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 3:37 a.m. this 3rd day of August, 2008