

STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS

EXECUTIVE ORDER _____ **05-09**

FOR: ESTABLISHING AND CLARIFYING DUTIES OF STATE AGENCIES FOR ALL MATTERS RELATING TO EMERGENCY MANAGEMENT

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS.

WHEREAS, under the provisions of IC 10-14-3, the *Emergency Management and Disaster Law*, the Governor is charged with the responsibility for ensuring that a comprehensive emergency management program exists that addresses all aspects of emergency and disaster mitigation, preparedness, response, and recovery;

WHEREAS, the State, its political subdivisions and citizens are subject to natural disasters on a regular basis including, but not limited to, floods, tornadoes, severe winter storms, earthquakes, and droughts;

WHEREAS, the State, its political subdivisions, and citizens are subject to disasters caused by humans or technology including, but not limited to, hazardous material spills, widespread contamination, explosions, fires, major power failures, transportation accidents, and acts of terrorism;

WHEREAS, the State, its political subdivisions, and citizens could be subject to disasters and emergencies related to our national security, including military attack and terrorist activity;

WHEREAS, in order to protect the public health, welfare, and safety and preserve the lives and property of the people of this State from such emergencies and disasters, the Indiana State Emergency Management Agency, under the provisions of IC 10-14-2-4, is charged with the responsibility for coordinating the State's comprehensive emergency management program under the direction of the Governor; and

WHEREAS, it is appropriate and necessary to establish and clarify the duties and responsibilities of all state agencies in order that a comprehensive emergency management program can be successfully implemented;

NOW, THEREFORE, I, Mitchell E. Daniels, Jr., by virtue of the authority vested in me as Governor of the State of Indiana, do hereby order that:

1. The Director of the State Emergency Management Agency, appointed pursuant to IC 10-14-2-2, or in the Director's absence the person designated in the State Emergency Operations Plan, is hereby designated to act as the State Coordinating Officer (SCO) for all matters relating to emergency and disaster mitigation, preparedness, response, and recovery in this State, and in all matters relating to the Federal Emergency Management Agency.
2. The Governor's Emergency Advisory Group is reestablished and continued. The Governor's Emergency Advisory Group is composed of the following members:
 - Superintendent of the Indiana State Police Department;
 - Commissioner of the Indiana Department of Environmental Management;
 - Commissioner of the Indiana Department of Transportation;
 - Director of the Department of Natural Resources;
 - State Fire Marshal;
 - Indiana Adjutant General;
 - Director of the State Emergency Management Agency;
 - Commissioner of the Indiana State Department of Health;
 - Director of the Indiana Counterterrorism and Security Council; and
 - Governor's Liaison for Public Safety Issues.
3. The Director of the State Emergency Management Agency shall act as chairperson of the Emergency Advisory Group. Each member of the Emergency Advisory Group may designate a deputy to serve as an alternate in the event that the principal member is unavailable to participate in meetings of the Emergency Advisory Group.
4. The Director of the State Emergency Management Agency shall reestablish and continue the Indiana State Hazard Mitigation Council.
 - a. The Council shall:

- i. Assist in the development, maintenance, and implementation of a state hazard mitigation plan;
 - ii. Assist in the development, maintenance and implementation of guidance and informational materials to support hazard mitigation efforts of local and state government and private entities;
 - iii. Solicit, review and identify hazard mitigation projects for funding under section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, P.L. 93-288, as amended, and sections 553 and 554 of the National Flood Insurance Reform Act, P.L. 103-325; and
 - iv. Foster and promote, where appropriate, hazard mitigation principles and practices within local and state government and the general public.
- b. The Governor, with the advice of the Director of the State Emergency Management Agency, shall appoint members to serve on the Council. Each member of the Council shall serve without compensation or reimbursement for expenses, except that each member of the Council who is a state employee is entitled to reimbursement from his or her employing agency for travel expenses and other expenses actually incurred in connection with the member's duties as provided in state policies and procedures.
- c. The Director of the State Emergency Management Agency shall serve as chairperson of the Council.
5. In accordance with IC 10-14-3-9 and IC 10-14-3-19, the Director of the State Emergency Management Agency shall create and establish mobile support units to reinforce emergency management and disaster organizations in stricken areas and with due consideration of the plans of the federal government and of other states.
6. Whenever the Director of the State Emergency Management Agency exercises his or her authority as the SCO, he or she shall be authorized to use and allocate the services, facilities, equipment, personnel, and resources of any state agency, on the Governor's behalf, as reasonably necessary in the preparation for, response to or recovery from any emergency or disaster situation that threatens, or has occurred in, this State. Upon the SCO's request for such assistance from a state agency, all officers of that agency shall cooperate to the fullest extent possible. This authority to use and allocate state agency resources extends to their use before a formal declaration of a State Disaster Emergency, as provided for under IC 10-14-3-12, and is subject to the Governor's subsequent approval. The cost of providing such services, facilities, equipment, personnel, and resources shall be borne by the providing state agency, unless otherwise notified that federal and/or other state funding reimbursement is determined to be available or other payment arrangements are made.
7. In order to expedite emergency response and recovery operations, one or more state agencies may be designated as lead agencies by the SCO for various portions of the overall state response and recovery efforts. All actions of such designated lead state agencies shall be coordinated with, and through, the SCO. Additionally, state agencies may be required to participate in the training, exercising and actual deployment of mobile support teams, such as the State's Forward Response Team.
8. Each agency of state government shall report any threatened or actual occurrences of natural, technological, human-caused, or national security emergencies that may require the resources of more than one agency of state government to the Director of the State Emergency Management Agency by the fastest means available. In the event of a threatened or actual occurrence of an emergency or disaster, the Director of the State Emergency Management Agency shall consult with the Governor, or with the Governor's Chief of Staff in the Governor's absence, as soon as possible.
9. In the event of a threatened or actual occurrence of an emergency or disaster, and upon the request of the Director of the State Emergency Management Agency, each agency of state government shall promptly send the agency's designated emergency management coordinator or designee to the State Emergency Operations Center to monitor and analyze information and participate as its representative in performing all tasks relating to the State's response to the incident.
10. In accordance with IC 10-14-3-9, the Director of the State Emergency Management Agency shall ensure that the State's Emergency Operations Plan and all accompanying annexes, appendices and standard operation procedures are kept current. Additionally, these plans and procedures are to be developed in coordination with similar plans and procedures developed by the federal government. In order to accomplish these tasks, all state agencies shall assist in the development, preparation, and revision of the portions of these plans and procedures that relate to each individual agency's mission, responsibility and capability.
11. Upon the request of the Director of the State Emergency Management Agency, all state agencies shall participate to the fullest extent possible in emergency management training programs, as well as in exercises of the comprehensive emergency management system, or portions thereof.
12. Each state agency shall develop and keep current a continuity of operations plan to ensure that its essential functions are performed during any emergency or situation that may disrupt normal operation. This plan shall be developed and maintained consistent with the guidelines of, and in cooperation with, the State

Emergency Management Agency and shall be submitted to the State Emergency Management Agency and the Governor. Each agency emergency management coordinator shall participate in plan reviews, training and exercises organized by the State Emergency Management Agency and shall conduct internal training and exercises of appropriate agency employees to ensure that the plan can be implemented with little or no notice.

13. The United States Department of Homeland Security has adopted a National Incident Management System that establishes standardized incident management processes, protocols, and procedures that all responders -- Federal, state, tribal, and local -- will use to coordinate and conduct response actions. Said National Incident Management System is hereby established as the state standard for incident management.

14. In order to assist the State Emergency Management Agency in carrying out its responsibilities, the following state agencies shall immediately designate one or more senior officials to act as the agency's emergency management coordinator for all emergency and disaster matters and shall submit the name of the coordinator to the Director of the State Emergency Management Agency:

- Alcohol and Tobacco Commission created by IC 7.1-2-1-1;
- Budget Agency created by IC 4-12-1-3;
- Bureau of Motor Vehicles created by IC 9-14-1-1;
- Civil Rights Commission created by IC 22-9-1-4;
- Commissioner of Agriculture created by IC 4-4-3-2;
- Commission on Public Records created by IC 5-15-1.5-3;
- Counterterrorism and Security Council created by IC 4-3-20-2;
- Department of Commerce created by IC 4-4-3-2;
- Department of Correction created by IC 11-8-2-1;
- Department of Education created by IC 20-1-1.1-2;
- Department of Environmental Management created by IC 13-13-1-1;
- Department of Financial Institutions created by IC 28-11-1-1;
- Department of Insurance created by IC 27-1-1-1;
- Department of Labor created by IC 22-1-1-1;
- Department of Local Government Finance created by IC 6-1.1-30-1.1;
- Department of Natural Resources created by IC 14-9-1-1;
- Department of State Revenue created by IC 6-8.1-2-1;
- Department of Workforce Development created by IC 22-4.1-2-1;
- Fire and Building Services Department created by IC 22-12-5-1;
- Governor's Council for People with Disabilities created by IC 4-23-29-7;
- Health Professions Bureau created by IC 25-1-5-3;
- Indiana Department of Administration created by IC 4-13-1-2;
- Indiana Department of Transportation created by IC 8-23-2-1;
- Indiana Gaming Commission created by IC 4-33-3-1;
- Indiana Grain Buyers and Warehouse Licensing Agency created by IC 26-3-7-1;
- Indiana Housing Finance Authority created by IC 5-20-1-3;
- Indiana Port Commission created by IC 8-10-1-3;
- Indiana Professional Licensing Agency created by IC 25-1-6-3;
- Indiana State Board of Animal Health created by IC 15-2.1-3-1;
- Indiana Utility Regulatory Commission created by IC 8-1-1-2;
- Intelnet Commission created by IC 5-21-2-1;
- Law Enforcement Training Board created by IC 5-2-1-3;
- Military Department of the State created by IC 10-16-2-1;
- Office of Attorney General created by IC 4-6-1-2;
- Office of Auditor of State created by Article VI, Section 1 of the Indiana Constitution;
- Office of the Secretary of Family and Social Services created by IC 12-8-1-1;
- Office of Secretary of State created by Article VI, Section 1 of the Indiana Constitution;
- Office of Treasurer of State created by Article VI, Section 1 of the Indiana Constitution;
- Office of Utility Consumer Counselor created by IC 8-1-1.1-2;
- Professional Standards Board created by IC 20-1-1.4-2;
- Public Safety Institute created by IC 5-2-10.5-4;
- State Board of Accounts created by IC 5-11-1-1;
- State Department of Health created by IC 16-19-1-1;
- State Information Technology Oversight Commission created by IC 4-23-16-1;
- State Office Building Commission created by IC 4-13.5-1-1.5;
- State Personnel Department created by IC 4-15-1.8-2;
- State Police Department created by IC 10-11-2-4; and
- Worker's Compensation Board created by IC 22-3-1-1;

15. All state agencies, departments, commissions, bureaus, institutions and other authorities in state government shall cooperate to the fullest extent possible with this Executive Order.

16. Executive Order 03-34 addressing the same subject matter covered by this Executive Order is hereby superseded.



IN TESTIMONY WHEREOF, I, Mitchell E. Daniels, Jr., have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana on this 10th day of January, 2005.


Mitchell E. Daniels, Jr.
Governor of Indiana



ATTEST: Todd Rokita
Secretary of State