



# House of Representatives

General Assembly

**File No. 238**

*January Session, 2007*

Substitute House Bill No. 5186

*House of Representatives, April 2, 2007*

The Committee on Planning and Development reported through REP. FELTMAN of the 6th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT CONCERNING THE EVACUATION OF PETS AND SERVICE ANIMALS AND APPROVAL OF THE LOCAL EMERGENCY PLAN OF OPERATIONS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (4) of section 28-1 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2007*):

4 (4) "Civil preparedness" means all those activities and measures  
5 designed or undertaken (A) to minimize or control the effects upon the  
6 civilian population of major disaster, (B) to minimize the effects upon  
7 the civilian population caused or which would be caused by an attack  
8 upon the United States, (C) to deal with the immediate emergency  
9 conditions which would be created by any such attack, major disaster  
10 or emergency, and (D) to effectuate emergency repairs to, or the  
11 emergency restoration of, vital utilities and facilities destroyed or  
12 damaged by any such attack, major disaster or emergency. Such term

13 shall include, but shall not be limited to, (i) measures to be taken in  
14 preparation for anticipated attack, major disaster or emergency,  
15 including the establishment of appropriate organizations, operational  
16 plans and supporting agreements; the recruitment and training of  
17 personnel; the conduct of research; the procurement and stockpiling of  
18 necessary materials and supplies; the provision of suitable warning  
19 systems; the construction and preparation of shelters, shelter areas and  
20 control centers; and, when appropriate, the nonmilitary evacuation of  
21 the civilian population, pets and service animals; (ii) measures to be  
22 taken during attack, major disaster or emergency, including the  
23 enforcement of passive defense regulations prescribed by duly  
24 established military or civil authorities; the evacuation of personnel to  
25 shelter areas; the control of traffic and panic; and the control and use of  
26 lighting and civil communication; and (iii) measures to be taken  
27 following attack, major disaster or emergency, including activities for  
28 fire fighting; rescue, emergency medical, health and sanitation  
29 services; monitoring for specific hazards of special weapons;  
30 unexploded bomb reconnaissance; essential debris clearance;  
31 emergency welfare measures; and immediately essential emergency  
32 repair or restoration of damaged vital facilities.

33 Sec. 2. Section 28-7 of the general statutes is repealed and the  
34 following is substituted in lieu thereof (*Effective October 1, 2007*):

35 (a) Each town or city of the state shall establish a local organization  
36 for civil preparedness in accordance with the state civil preparedness  
37 plan and program, provided any two or more towns or cities may,  
38 with the approval of the commissioner, establish a joint organization  
39 for civil preparedness. The authority of such local or joint organization  
40 for civil preparedness shall not supersede that of any regularly  
41 organized police or fire department. No town or city of the state shall  
42 be eligible for any state or federal benefits under this chapter until such  
43 town or city has submitted to the commissioner an emergency plan of  
44 operations approved by the local director of civil preparedness and the  
45 local chief executive which is subsequently approved by the  
46 commissioner. Such emergency plan of operations shall not be

47 approved by the commissioner unless the commissioner determines  
48 that the plan proposes strategies that address all the activities and  
49 measures of civil preparedness identified in subdivision (4) of section  
50 28-1, as amended by this act.

51 (b) Each local organization for civil preparedness shall consist of an  
52 advisory council and a director appointed by the chief executive  
53 officer. The advisory council shall contain representatives of city or  
54 town agencies concerned with civil preparedness and representatives  
55 of interests, including business, labor, agriculture, veterans, women's  
56 groups and others, which are important to the civil preparedness  
57 program in the particular community. The director shall be responsible  
58 for the organization, administration and operation of such local  
59 organization, subject to the direction and control of the commissioner.  
60 The chief executive officer may remove any local director for cause.

61 (c) Each local or joint organization shall perform such civil  
62 preparedness functions in the territorial limits within which it is  
63 organized as the commissioner prescribes. In addition, such local or  
64 joint organization shall conduct such functions outside such territorial  
65 limits as are prescribed by the state civil preparedness plan and  
66 program or by the terms of any mutual aid agreements to which the  
67 town is a party.

68 (d) The director of each local or joint organization may, with the  
69 approval of the commissioner, collaborate with other public and  
70 private agencies within the state and develop or cause to be developed  
71 mutual aid agreements for civil preparedness aid and assistance in  
72 case of disaster too great to be dealt with unassisted. The director of  
73 such joint or local organization may, with the approval of the  
74 commissioner, enter into such mutual aid agreements with civil  
75 preparedness agencies or organizations in other states. Such  
76 agreements shall be consistent with the state civil preparedness plan  
77 and program and, in time of emergency, each local or joint  
78 organization shall render assistance in accordance with the provisions  
79 of such agreements to which it is a party unless otherwise ordered by

80 the commissioner.

81 (e) Each town or city shall have the power to make appropriations  
82 for the payment of salaries and expenses of its local or joint  
83 organization or any other civil preparedness agencies or  
84 instrumentalities.

85 (f) In the event of a serious disaster or of a sudden emergency, when  
86 such action is deemed necessary for the protection of the health and  
87 safety of the people, and upon request of the local chief executive  
88 authority, the Governor or the commissioner, without regard to the  
89 provisions of section 22a-148, may authorize the temporary use of such  
90 civil preparedness forces, including civil preparedness auxiliary police  
91 and firemen, as he deems necessary. Personnel of such civil  
92 preparedness forces shall be so employed only with their consent. The  
93 provisions of section 28-14 shall apply to personnel so employed.

94 (g) The state shall reimburse any town or city rendering aid under  
95 this section for the compensation paid and actual and necessary travel,  
96 subsistence and maintenance expenses of employees of such town or  
97 city while rendering such aid, and for all payments for death, disability  
98 or injury of such employees in the course of rendering such aid and for  
99 all losses of or damage to supplies or equipment of such town or city  
100 incurred in the course of rendering such aid.

101 (h) Whenever, in the judgment of a local civil preparedness director,  
102 with prior approval of the commissioner, it is deemed essential to  
103 authorize the temporary assignment, with their consent, of any  
104 members of civil preparedness forces who are not paid employees of  
105 the state or any political subdivision thereof, for a temporary civil  
106 preparedness mission, the provisions of section 28-14 shall apply. A  
107 complete written record of the conditions and dates of such  
108 assignment shall be maintained by the local director concerned and  
109 such record shall be available for examination by the commissioner  
110 and the Attorney General. The commissioner shall establish the  
111 necessary procedures to administer this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	28-1(4)
Sec. 2	<i>October 1, 2007</i>	28-7

**PS**      *Joint Favorable C/R*      PD  
**PD**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

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***OFA Fiscal Note***

***State Impact:*** None

***Municipal Impact:*** None

***Explanation***

The bill requires that local civil preparedness plans include provisions for evacuating pets and service animals during emergencies. The bill is not anticipated to result in a fiscal impact.

***The Out Years***

***State Impact:*** None

***Municipal Impact:*** None

**OLR Bill Analysis****sHB 5186*****AN ACT CONCERNING THE EVACUATION OF PETS AND SERVICE ANIMALS AND APPROVAL OF THE LOCAL EMERGENCY PLAN OF OPERATIONS.*****SUMMARY:**

This bill requires local civil preparedness plans include provisions for evacuating pets and service animals during emergencies. It prohibits the emergency management and homeland security commissioner from approving a plan unless it includes such provisions and strategies addressing the other civil preparedness activities and measures required by existing law.

EFFECTIVE DATE: October 1, 2007

**BACKGROUND*****Federal Law***

The 2006 federal Pets Evacuation and Transportation Standards Act (PL 109-308) requires states accepting Stafford Act funds for homeland security to ensure that state and local emergency preparedness plans "take into account the needs of individuals with household pets and service animals prior to, during, and following a major disaster or emergency."

***Local Emergency Plans***

Each town, or combination of towns, must have an emergency plan of operations. The plan must include measures towns must take to prepare for, and following, an attack, major disaster, or emergency and, when appropriate, measures addressing the nonmilitary evacuation of civilians.

***Related Bill***

sSB 1017 requires shoreline towns' emergency operation plans to address emergencies caused by any liquefied natural gas terminal in Long Island Sound.

**COMMITTEE ACTION**

Public Safety and Security Committee

Joint Favorable Change of Reference

Yea 15 Nay 6 (02/27/2007)

Planning and Development Committee

Joint Favorable Substitute

Yea 19 Nay 0 (03/14/2007)