

EMERGENCY SERVICES BY STATE AGENCIES**6560**

(Revised 09/10)

The California Emergency Services Act establishes the basis for the state to mitigate the effects of natural, man-made, or war-caused emergencies.

Government Code section 8649 provides that, subject to the approval of Finance, any state agency may use its personnel, property, equipment, and appropriations in emergencies declared by the Governor. Because of the need to respond to emergency situations immediately, there may be times when it may be difficult to secure advance approval of Finance. For this reason, Finance, under the authority of Government Code section 13078 and EO B-48-78, has given standing authority to the Secretary of the California Emergency Management Agency (Cal EMA) formerly the Office of Emergency Services (OES)), or the Director's duly designated representative, to direct any agency to utilize and employ state personnel, equipment, and facilities to prevent or alleviate actual or threatened damage due to an emergency, without prior DOF approval, providing the cost of such urgency actions by all state agencies does not exceed \$25,000 for each emergency response as directed by the Secretary of the Cal EMA. For expenditures above this level, Finance approval is required.

Government Code section 8649 further provides that any state agency which uses its personnel, property, equipment and appropriation for such declared emergencies, and said agency contains funds which are subject to constitutional restriction prohibiting their use for such purposes, shall be provided reimbursements, and the original expenditure shall be considered a temporary loan to the General Fund.

In the event a department is unable to absorb all the costs associated with an emergency response, it should request assistance from Finance. Appropriate Finance staff will direct immediate attention to the anticipated funding deficiency and provide guidance to the department projecting the shortage. The Director of Finance will evaluate and make decisions on each request for supplemental funding on an individual basis. Budget Letter 09-13, issued April 20, 2009, describes this process.

Preparing for an Emergency

By EO B-48-78, the Governor ordered in part that:

1. Specific assignment of emergency functions to a given agency will be made in an Administrative Order by the Secretary, Cal EMA, following consultation with the respective agency head.
2. Draft copies of agency procedures designed to carry out emergency assignments shall be submitted to the Secretary, Cal EMA, for review and approval prior to publication.
3. Each agency shall prepare for and ensure the utilization of minimum resources required for continuation of normal services and redirection of all other resources to accomplish objectives in accordance with the California Emergency Plan.

Accordingly, each agency must prepare to use existing resources for its assigned emergency response to protect the health and safety and to preserve the lives and property of the people of the State of California.