Executive Order  
WPC 87-6  

RELATING TO EMERGENCY MANAGEMENT; REORGANIZING THE EMERGENCY MANAGEMENT COUNCIL; REAPPOINTING THE DIRECTOR OF THE TEXAS DEPARTMENT OF PUBLIC SAFETY AS DIRECTOR OF THE DIVISION OF EMERGENCY MANAGEMENT OF THE OFFICE OF THE GOVERNOR; TAKING RELATED ACTION PERTAINING TO EMERGENCY MANAGEMENT AND DISASTER PREVENTION AND RELIEF; AND REPEALING EXECUTIVE ORDER MW-12

WHEREAS, the Legislature of the State of Texas has heretofore enacted the Texas Disaster Act of 1975, Article 6889-7, Vernon's Texas Civil Statutes, to:

(1) Reduce vulnerability of people and communities of this State to damage, injury, and loss of life and property resulting from natural or man-made catastrophes, riots, or hostile military or paramilitary action; and

(2) Prepare for prompt and efficient rescue, care and treatment of persons victimized or threatened by disaster;

(3) Provide a setting conducive to the rapid and orderly restoration and rehabilitation of persons affected by disaster;

(4) Clarify and strengthen the roles of the Governor, state agencies and local governments in the prevention of, preparation for, response to, and recovery from disasters;

(5) Authorize and provide for cooperation in disaster prevention, preparedness response and recovery;

(6) Authorize and provide for coordination of activities relating to disaster prevention, preparedness, response and recovery by agencies and officers of this state, and similar state local, interstate-federal-state, and foreign activities in which the state and its political subdivisions may participate;

(7) Provide an emergency management system embodying all aspects of pre-disaster preparedness and post-disaster response;

(8) Assist in the prevention of disasters caused or aggravated by inadequate planning for and regulation of public and private facilities and land use; and

(9) To provide the authority and mechanism to respond to an energy emergency; and,

WHEREAS, under Section 5(c), Texas Disaster Act of 1975, Article 6889-7, Tex. Rev. Civ. Stat., the Governor is expressly authorized to establish by executive order an EMERGENCY MANAGEMENT COUNCIL composed of the heads of state agencies, boards, and commissions and representatives of organized volunteer groups to advise and assist him in all matters relating to disaster preparedness, emergency services, energy emergencies, and disaster recovery; and,

WHEREAS, FURTHER UNDER SECTION 6(a), Texas Disaster Act of 1975, Article 5889-7, Tex. Rev. Civ. Stat., a DIVISION OF EMERGENCY MANAGEMENT is established in the Office of the Governor and the Director of the DIVISION OF EMERGENCY MANAGEMENT is to be appointed by and serve at the pleasure of the Governor; and,

WHEREAS, with the aid and assistance of the EMERGENCY MANAGEMENT COUNCIL AND DIVISION OF EMERGENCY MANAGEMENT, the Governor may recommend that cities, counties and other political subdivisions of the state undertake appropriate emergency management programs and assist and cooperate with those developed at the state level;

NOW, THEREFORE, I, William P. Clements, Jr., Governor of Texas, under the authority vested in me, do hereby create and establish the EMERGENCY MANAGEMENT COUNCIL, to be composed of the Chief Executive Officers of the following state agencies, boards, commissions and volunteer groups:

Adjutant General's Department,
Texas Aeronautics Commission,
Texas Department of Agriculture,
Texas Air Control Board,
Texas Attorney General's Office,
State Auditor,
The Banking Department of Texas,
Comptroller of Public Accounts,
State Purchasing and General Services Commission,
Texas Education Agency,
Texas Employment Commission,
Texas Department of Health,
Texas Department of Highways and Public Transportation,
General Land Office,
State Board of Insurance,
Texas Economic Development Commission,
Texas Department of Mental Health and Mental Retardation,
Texas Parks and Wildlife Department,
Texas Department of Public Safety,
Public Utilities Commission,
Texas Department of Human Services,
Railroad Commission of Texas,
Texas Water Commission,
Texas Forest Service,

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Governor's Division of Emergency Management,
Texas Department of Community Affairs,
American Red Cross,
Texas Engineering Extension Service.

The specific duties and responsibilities of each member of this group shall be as designated in the State Emergency Management Plan and Annexes thereto. Each member of the group may designate a member of his staff to represent him on the COUNCIL.

I further hereby designate the Director of the Texas Department of Public Safety to serve as Chairman of the COUNCIL and as Director of the DIVISION OF EMERGENCY MANAGEMENT of the Governors Office. He shall be my designated agent to exercise the powers granted to me under the Texas Disaster Act of 1975 in the administration and supervision of the Act including, but not limited to, the power to accept from the federal government, or any public or private agency or individual, any offer of services, equipment, supplies, materials, or funds as gifts, grants, or loans for the purposes for which they are made without further authorization other than as contained herein. He shall establish emergency operations areas to be known as Disaster Districts which shall correspond to the boundaries of the Texas Highway Patrol Districts and Sub-Districts and shall arrange for each Disaster District to be composed of representatives of the state agencies, boards and commissions having membership on the COUNCIL. The Highway Patrol Commanding Officer of each Highway Patrol District or Sub-District shall serve as Chairman of the District Disaster Committee and report to the Director on matters relating to disasters and emergencies. The Chairman shall be assisted by the COUNCIL representatives assigned to that DISTRICT who shall provide guidance, counsel and administrative support as may be required.

The COUNCIL is hereby authorized to issue such directives as may be necessary to effectuate the purpose of the Texas Disaster Act of 1975, as amended, and is further authorized and empowered to exercise the specific powers enumerated in the Act.

Further, in accordance with Section 8, Texas Disaster Act of 1975, Article 6889-7, Tex. Rev. Civ. Stat., I hereby designate the Mayor of each municipal corporation and the county Judge of each county in the state as the Emergency Management Director for each such political subdivision. The Mayor and County Judge may each delegate this authority to an Emergency Management Coordinator who shall serve as assistant to the presiding officer of the political subdivision for emergency management purposes when so designated.

I further hereby authorize each political sub-division of the state to establish in the county in which they are sited, inter-jurisdictional agencies by intergovernmental agreement, supported as needed by local Ordinance or Commissioners' Court Resolution, in cooperation and coordination with the DIVISION OF EMERGENCY MANAGEMENT of the Governor's Office. In compliance with Section 8(7), Article 6889-7, Tex.Rev.Civ.Stat. the presiding officer of each political subdivision shall promptly notify the DIVISION OF EMERGENCY MANAGEMENT of the manner in which it is providing or securing an emergency management program and the person designated to head that program.

This Executive Order repeals Executive Order MW-12 dated October 12, 1983. It shall be effective immediately and shall remain in effect until modified, amended, or rescinded by me.

Given under my hand this 9th day of March, 1987.

William P. Clements, Jr.
Governor of Texas