WHEREAS, the Legislature of the State of Texas has heretofore enacted the Texas Disaster Act of 1975, Chapter 418 et seq. of Vernon's Texas Codes Annotated to:

(1) Reduce vulnerability of people and communities of this state to damage, injury, 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 and coordination of activities relating to hazard mitigation, emergency preparedness, incident response and disaster 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;

(6) Provide a comprehensive emergency management system for Texas that is a coordinated effort to make the best possible use of existing
organizations and resources within government and industry, and includes provisions for actions to be taken at all levels of government before, during, and after the onset of an emergency situation;

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

(8) Provide the authority and mechanism to respond to an energy emergency; and,

WHEREAS, under Section 418.013, Texas Disaster Act of 1975, Vernon’s Texas Codes Annotated, 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 418.041, Texas Disaster Act of 1975, Vernon’s Texas Codes Annotated, 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 Department of Aviation
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
State Department of Highways and Public Transportation
General Land Office
State Board of Insurance
State Aircraft Pooling Board
Texas Department of Commerce
Texas Department of Mental Health and Mental Retardation
Texas Parks and Wildlife Department
Texas Department of Public Safety
Public Utility Commission
Texas Department of Human Services
Railroad Commission of Texas
Texas Water Commission
Texas Forest Service
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 Governor's 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 of civil defense or disaster relief and may dispense such 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 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 Disaster District Committee and report to the Director on matters relating to disasters and emergencies. The Chairman shall be assisted by COUNCIL representatives assigned to the 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 418.102 and 418.103 Texas Disaster Act of 1975, Vernon's Texas Codes Annotated and published rules of the Division of Emergency Management, 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 County Judge and Mayor serve as the Governor's designated agents in the administration and supervision of the Texas Disaster Act of 1975, and may exercise the powers, on an appropriate local scale, granted the Governor therein. The Mayor and County Judge may each designate an Emergency Management Coordinator who shall serve as assistant to the presiding officer of the political subdivision for emergency management purposes when so designated.

By the authority vested in me under Section 418.104, Texas Disaster Act of 1975, Vernon's Texas Codes Annotated, I further hereby authorize each political subdivision of the state to establish in the manner which is determined, interjurisdictional agencies by intergovernmental agreement, supported as needed by local City Ordinance or Commissioner's Court Order, in cooperation and coordination with the DIVISION OF EMERGENCY MANAGEMENT of the Governor's Office. In compliance with Section 418.101, Vernon's Texas Codes Annotated, 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 WPC-87-6a, and shall be effective immediately and shall remain in full force and effect until modified, amended or rescinded by me.

Given under my hand this 10th day of October, 1990.

William P. Clements, Jr.
Governor

George S. Bayoud, Jr.
Secretary of State

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Statutory Filings Division
Statutory Documents