

EMAC LEGISLATION TALKING POINTS

- The Current “EMAC” Statute (La R.S. 29:733) was enacted in 1993 and not updated since 1999.
- In 2010, there were actually two EMAC statutes in the Louisiana Revised Statutes (29:733 and 29:751). 29:751 was repealed, since 29:733 better aligned with the national EMAC standard and Public Law (PL 104-321).
- The National Emergency Management Association (NEMA) Legal Committee did a study on all EMAC legislation Nationwide published in January 2016. That study found Louisiana to be non-compliant with the National Standard (PL 104-321).
- NEMA began recommending nationally that States intending to EMAC with Louisiana should have both Governors sign a MOU. This process during the August flooding was both laborious and inefficient.
- LA has always intended to be part of the National EMAC as evidenced in the original Public Law (Louisiana is listed as one of the original signatory parties), as well as the testimony given in 2010 with the repeal of La R.S. 29:751.
- The proposed changes will not change the practices of Louisiana’s Emergency Management, except to make the process more efficient and safer for Emergency Responders, specifically for liability and reimbursement.
- EMAC ensures that agencies maintain the capability to request and receive out of state, qualified, trained and effective support to states in a disaster situation.
- In these times of limited resources and manpower, emergency management and emergency response agencies depend on support from their counterparts nationwide.
- EMAC does not replace federal assistance but acts to complement federal resources or to provide resources when an event does not warrant federal assistance. EMAC is triggered by a requesting state through a gubernatorial declaration of emergency and a request for assistance.
- The new legislation allows the personnel to remain the responsibility of their employer (county, local, Non-Governmental Organization, or private sector) for pay, workers compensation, benefits and deployment logistics. As an agent of the requesting state, personnel are covered under the requesting state for tort liability and immunity purposes, and are not liable on account of any act in good faith while so engaged in connection therewith to the mission.

EMAC Statistics:

Louisiana received support, through EMAC, from every state in the nation since 2005.

- Katrina – 842 missions reimbursed over \$85 million in claims
- Rita – 148 missions reimbursed over \$7 million in claims
- Gustav – 276 missions reimbursed over \$56 million in claims
- Ike – 21 missions reimbursed over \$3 million in claims
- Isaac – 5 missions reimbursed \$265K in claims
- 2016 Flooding – 5 missions \$1.5 million in estimated claim cost

Louisiana assistance provided to other states through EMAC.

Since 2008 Louisiana deployed a total of 68 missions to 27 different states and has been reimbursed for over \$3 million in claims.

- 2008 Calcasieu Parish Sheriff supported Texas in response to Hurricane Ike
- April 2011 Louisiana deployed the Urban Search and Rescue “USAR” team to Alabama in response to the Tuscaloosa Tornados, this team consisted of 140 parish and state firefighters.
- 2012 EOC support from several Louisiana Parishes assisted New York in response to Hurricane Sandy.
- 2016 Lafourche and St. Charles Parish Sheriff supported N. Dakota in response to the Dakota Access Protest.