



STATE OF TENNESSEE  
**EXECUTIVE ORDER**  
BY THE GOVERNOR

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2018 NOV -1 AM 11:22  
SECRETARY OF STATE  
PUBLICATIONS

No. 74

**AN ORDER TRANSFERRING RESPONSIBILITIES ASSOCIATED WITH THE NATIONAL FLOOD INSURANCE PROGRAM FROM THE DEPARTMENT OF ENVIRONMENT AND CONSERVATION TO THE MILITARY DEPARTMENT**

**WHEREAS**, the Department of Environment and Conservation was created and established in Tennessee Code Annotated, Section 4-3-501, and the Military Department was created and established in Tennessee Code Annotated, Section 58-1-114; and

**WHEREAS**, the National Flood Insurance Program is a federally-subsidized flood insurance program administered by the Federal Emergency Management Agency, and participation in the program helps counties and municipalities reduce flood losses and preserve natural floodplain functions; and

**WHEREAS**, the coordination and oversight of the state's participation in the National Flood Insurance Program are currently a responsibility of the Department of Environment and Conservation; and

**WHEREAS**, the services rendered by the National Flood Insurance Program are a joint federal-state program and are closely aligned with those provided by the Military Department; and

**WHEREAS**, the Adjutant General of the Military Department and the Commissioner of Environment and Conservation have determined that transferring the responsibilities associated with the National Flood Insurance Program to the Military Department will result in a more economical, efficient, and streamlined state service.

**NOW THEREFORE**, I, Bill Haslam, Governor of the State of Tennessee, by virtue of the authority vested in me by the Tennessee Constitution and by Tennessee Code Annotated, Section 4-4-117, do hereby direct and order the following:

1. The functions and duties related to the National Flood Insurance Program (“NFIP”) in the Department of Environment and Conservation including, but not limited to, the statutory functions referenced in Tennessee Code Annotated, Section 6-58-117, are hereby transferred to be made a part of the Military Department effective November 1, 2018, and, beginning November 1, 2018, all functions related to the state’s participation in the NFIP shall be under the control of the Military Department.
2. As of November 1, 2018, the Military Department shall be responsible for the coordination and oversight of the state’s participation in the NFIP. The Military Department shall perform all the duties of, and have the same authority with respect to, coordination of the NFIP as the Military Department has with respect to other divisions or areas under the jurisdiction of the Military Department. All current functions, duties, and responsibilities assigned to municipal or local governments with respect to the NFIP shall remain in effect.
3. The Commissioner of Finance and Administration shall, on or before November 1, 2018, transfer to the Military Department from the Department of Environment and Conservation all appropriations and other revenues budgeted for the NFIP. As needed, the Department of Finance and Administration shall revise the budgets of both agencies to reflect the effect of this Order. Any future appropriations related to the NFIP shall be directed to the Military Department.
4. With the assistance and approval of the Commissioner of Human Resources, the Adjutant General of the Military Department and the Commissioner of Environment and Conservation shall cause to be transferred to the Military Department any filled or unfilled, authorized and funded positions assigned to the NFIP.
5. All personal property, equipment, and other materials available and necessary to implement the requirements of this Order shall be transferred to the custody and control of the Military Department.
6. The Military Department shall have the authority to receive, administer, and supervise any and all grants and funds from whatever source, including but not limited to, federal, state, county, and municipal governments, with respect to functions, programs, duties, and responsibilities transferred by this Order.
7. All contracts or leases entered into prior to November 1, 2018, by the Department of Environment and Conservation with any person, association, or entity that concern or relate to the NFIP shall continue in full force and effect to the same extent as if such contracts or leases had originally been entered into by and between such person, association, or entity and the Military Department, unless and until such contracts or leases are amended or modified by the parties thereto.
8. All current rules, regulations, orders, decisions, and policies previously issued or promulgated by the Department of Environment and Conservation with respect to the NFIP shall remain in full force and effect and shall hereafter be administered and

enforced by the Military Department. The Military Department shall have the authority to modify or rescind previously issued orders, rules and regulations, decisions, or policies and to adopt, issue or promulgate new orders, rules and regulations, decisions, or policies as may be necessary or appropriate for the coordination and oversight of the state's participation in the NFIP.

9. The Military Department shall have the authority to execute such documents and take such other actions from time to time as may be necessary, appropriate, or convenient to carry out the intent of this Order.
10. Executive Order No. 51, dated December 16, 2015, is hereby rescinded. To the extent that their terms are inconsistent with the terms of this Executive Order No. 74, all previous executive orders are hereby repealed.

**IN WITNESS WHEREOF**, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 31st day of October, 2018.



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GOVERNOR

ATTEST:



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SECRETARY OF STATE

