



STATE OF TENNESSEE
EXECUTIVE ORDER
BY THE GOVERNOR

No. 51

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

WHEREAS, the Department of Environment and Conservation was created and established in Tennessee Code Annotated, Section 4-3-501, and the Department of Economic and Community Development was created and established in Tennessee Code Annotated, Section 4-3-701; 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 Economic and Community Development; and

WHEREAS, the services rendered by the National Flood Insurance Program are closely aligned with those provided by the Department of Environment and Conservation; and

WHEREAS, the Commissioner of Economic and Community Development and the Commissioner of Environment and Conservation have determined that transferring the responsibilities associated with the National Flood Insurance Program to the Department of Environment and Conservation 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, Sections 4-4-102 and 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 Economic and Community Development 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 Department of Environment and Conservation effective January 1, 2016, and, from and after January 1, 2016, all functions related to the state’s participation in the NFIP shall be under the control of the Commissioner of Environment and Conservation.
2. As of January 1, 2016, the Commissioner of Environment and Conservation shall be responsible for the coordination and oversight of the state’s participation in the NFIP. The Commissioner of Environment and Conservation shall perform all the duties of, and have the same authority with respect to, coordination of the NFIP as the Commissioner of Environment and Conservation has with other divisions or areas under the jurisdiction of the Department of Environment and Conservation. 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 January 1, 2016, transfer to the Department of Environment and Conservation from the Department of Economic and Community Development 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 Executive Order. Any future appropriations related to the NFIP shall be directed to the Department of Environment and Conservation.
4. With the assistance and approval of the Commissioner of Human Resources, the Commissioner of Economic and Community Development and the Commissioner of Environment and Conservation shall cause to be transferred to the Department of Environment and Conservation 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 Executive Order shall also be transferred to the custody and control of the Department of Environment and Conservation.
6. The Department of Environment and Conservation shall have the authority to receive, administer, and supervise any and all grants and funds from whatever source, including but not limited to, the federal, state, county, and municipal governments, with respect to functions, programs, duties, and responsibilities transferred by this Executive Order.
7. All contracts or leases entered into prior to January 1, 2016, by the Department of Economic and Community Development 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 Department of Environment and Conservation, 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 Economic Development with respect to the NFIP shall remain in full force and effect and shall hereafter be administered and enforced by the Department of Environment and Conservation. The Department of Environment and Conservation 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 Commissioner of Environment and Conservation 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 Executive Order.
10. To the extent that their terms are inconsistent with the terms of this Executive Order No. 51, 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 10th day of December, 2015.



GOVERNOR

ATTEST:



SECRETARY OF STATE



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