

THE GOVERNOR

PROCLAMATION

Proclamation of Disaster Emergency

Whereas, ongoing investigations made at my direction have disclosed that widespread and unusually heavy rains in central and western Pennsylvania on or about September 6, 1996, resulted in extensive damage to roads, streets, and bridges, private homes, businesses, and other adverse impacts upon the general population; and

Whereas, the emergency situation has been of such magnitude and severity as to render essential the Commonwealth's supplementation of county and municipal efforts and resources and the activation of all applicable state, county, and municipal emergency response plans;

Now Therefore, pursuant to the provisions of Subsection 7301(c) of the Emergency Management Services Code (35 Pa.C.S. Section 7101 et seq.), I do hereby proclaim the existence of a disaster emergency in the affected areas of Juniata and Perry counties, and I direct all Commonwealth departments and agencies to utilize all available resources and personnel as is deemed necessary to cope with the magnitude and severity of this emergency situation.

Further, I hereby transfer up to \$500,000 in unused appropriated funds to the Pennsylvania Emergency Management Agency. The aforementioned funds shall be used for disaster-related expenses incurred by various state agencies and departments. These funds shall be credited to a special account established by the Office of the Budget. The time-consuming bid and contract procedures and formalities normally prescribed by law shall be waived for the duration of the Proclamation, mandatory constitutional requirements excepted.

Further, I hereby authorize the Secretary of the Department of Transportation to use all available equipment, resources, and personnel of the Department, in whatever manner that he deems necessary, to ensure that all state highways in the disaster affected areas are cleared of debris and any other obstructions resulting from this severe storm. In addition, I hereby waive any laws or regulations that would restrict the application and use of the Department's equipment, resources, and personnel to assist local jurisdictions in clearing and removal of debris and other types of obstructions from non-state-owned highways. This assistance to local jurisdictions may be provided solely at the discretion of the Secretary of the Department of Transportation. However, this assistance does not apply to privately owned highways, roads, streets, or other types of property.

Further, I hereby authorize the Secretary of the Department of Transportation to use all available equipment, resources, and personnel of the Department, in whatever manner he deems necessary, to ensure that highways, bridges, roadbeds, and related facilities and structures, including Federal-aid highways, that have sustained damage in the disaster affected area are immediately repaired, maintained, reconstructed, or replaced or that new construction is undertaken where necessary. In addition, I hereby waive any laws or regulations that would restrict the ability of the Department to respond immediately and effectively in repairing, maintaining, reconstructing or replacing these damaged highways, bridges, roadbeds, and related facilities and structures, including Federal-aid highways, and areas adjacent thereto, or in undertaking necessary new construction.

Further, I have directed that the emergency response and recovery aspects of the Commonwealth and all applicable county, municipal, and other disaster emergency response and recovery plans be activated and that all state, county, and municipal actions taken to implement those plans be coordinated through the Pennsylvania Emergency Management Agency, and

Further, pursuant to the powers vested in me by the Constitution and laws of this Commonwealth, I hereby authorize the Adjutant General of Pennsylvania to place on state active duty for the duration of the emergency/disaster proclamation, such individuals and units of the Pennsylvania National Guard, as requested by the Pennsylvania Emergency Management Agency, to alleviate the danger to public health and safety caused by the aforementioned emergency.

Still Further, I hereby continue to urge the governing bodies and executive officers of all political subdivisions affected by this emergency to act as necessary to meet the current exigencies as legally authorized under this proclamation, namely: by the employment of temporary workers, by the rental of equipment and by entering into such contracts and agreements as may be required to meet the emergency, all without regard to those time-consuming procedures and formalities normally prescribed by law, mandatory constitutional requirements excepted.

GIVEN under my Hand and the Seal of the Commonwealth, at the City of Harrisburg, this eighth day of September in the year of our Lord, one thousand nine-hundred and ninety-six, and of the Commonwealth the two hundred and twenty-first.

Governor

[Pa.B. Doc. No. 96-1620. Filed for public inspection September 27, 1996, 9:00 a.m.]

Amendment to Proclamation

Whereas, on September 8, 1996, I declared a State of Disaster Emergency in Juniata and Perry Counties due to widespread and unusually heavy rains from Tropical Storm Fran which struck the counties and caused extensive damage to roads, streets, bridges, private homes, businesses and posed other adverse life safety impacts upon the general population of those counties; and

Whereas, additional information provided by local officials finds that an additional Eastern Pennsylvania county was also adversely impacted by the same heavy rains, which caused localized flash flooding to occur in certain creeks and streams and caused extensive road closures, damage to roads, streets, private homes, businesses, and continued adverse life safety impacts for the general population of Montgomery County; and

Whereas, investigations by state agencies of recently developing conditions indicate that additional resources of the Commonwealth may be needed to assist county and municipal efforts to mitigate and contend with the magnitude and severity of this continuing and expanding disaster emergency.

Now Therefore, Pursuant to the provisions of Subsection 7301(c) of the Emergency Management Services Code (35 Pa.C.S.A. Section 7101 et seq.), I do hereby amend my Proclamation of September 8, 1996, as follows:

1. The County of Montgomery is now declared to be in a state of disaster emergency and is added to the previously designated disaster emergency area.
2. This Proclamation Amendment shall take effect immediately.

GIVEN under my hand and the Seal of the Governor, at the City of Harrisburg, this tenth day of September in the year of our Lord one thousand nine hundred and ninety-six and of the Commonwealth the two hundred and twenty-first.

Governor

[Pa.B. Doc. No. 96-1621. Filed for public inspection September 27, 1996, 9:00 a.m.]

Amendment to Proclamation

Whereas, on September 8, 1996, I declared a State of Disaster Emergency in Juniata and Perry Counties due to widespread and unusually heavy rains from Tropical Storm Fran which struck those Counties on September 6, 1996, and caused extensive damage to roads, streets, bridges, private homes, businesses and posed other adverse life safety impacts upon the general population of those Counties; and

Whereas, on September 10, 1996, I amended my Proclamation by adding Montgomery County to the designated disaster emergency area, due to severe flash flooding that occurred in that County from the heavy rains of September 8, 1996; and

Whereas, additional information provided by local officials reveals that Huntingdon and Mifflin Counties were also adversely impacted by the same heavy rains, which caused localized flash flooding to occur in certain creeks and streams and caused extensive road closures, damage to roads, streets, private homes, businesses, and continued adverse life safety impacts for the general population of Huntingdon and Mifflin Counties; and

Whereas, investigations by state agencies of recently developing conditions indicate that additional resources of the Commonwealth may be needed to assist county and municipal efforts to mitigate and contend with the magnitude and severity of this continuing and expanding disaster emergency;

Now Therefore, pursuant to the provisions of Subsection 7301(c) of the Emergency Management Services Code (35 Pa.C.S.A. Section 7101 et seq.), I do hereby amend my Proclamation of September 8, 1996, as follows:

1. The Counties of Huntingdon and Mifflin are now declared to be in a state of disaster emergency and are added to the previously designated disaster emergency area.

2. This Proclamation Amendment shall take effect immediately.

GIVEN under my hand and the Seal of the Governor, at the City of Harrisburg, this eleventh day of September in the year of our Lord one thousand nine hundred and ninety-six and of the Commonwealth the two hundred and twenty-first.

Governor

[Pa.B. Doc. No. 96-1622. Filed for public inspection September 27, 1996, 9:00 a.m.]

Amendment to Proclamation

Whereas, on September 8, 1996, I declared a State of Disaster Emergency in Juniata and Perry Counties due to widespread and unusually heavy rains from Tropical Storm Fran which struck those Counties on September 6, 1996, and caused extensive damage to roads, streets, bridges, private homes, businesses and posed other adverse life safety impacts upon the general population of those Counties; and

Whereas, on September 10 and 11, 1996, I amended my Proclamation by adding Huntingdon, Mifflin and Montgomery Counties to the designated disaster emergency area, due to severe flash flooding that occurred in those counties from the heavy rains of September 6 and 8, 1996; and

Whereas, additional information provided by local officials reveals that Cumberland County was also adversely impacted by the same heavy rains, which caused localized flash flooding to occur in certain creeks and streams and caused extensive road closures, damage to roads, streets, private homes, businesses, and continued adverse life safety impacts for the general population of Cumberland County; and

Whereas, investigations by state agencies of recently developing conditions indicate that additional resources of the Commonwealth may be needed to assist county and municipal efforts to mitigate and contend with the magnitude and severity of this continuing and expanding disaster emergency;

Now Therefore, pursuant to the provisions of Subsection 7301(c) of the Emergency Management Services Code (35 Pa.C.S.A. Section 7101 et seq.), I do hereby amend my Proclamation of September 8, 1996, as follows:

1. The County of Cumberland is now declared to be in a state of disaster emergency and is added to the previously designated disaster emergency area.

2. This Proclamation Amendment shall take effect immediately.

GIVEN under my hand and the Seal of the Governor, at the City of Harrisburg, this eighteenth day of September in the year of our Lord one thousand nine hundred and ninety-six and of the Commonwealth the two hundred and twenty-first.

Governor

[Pa.B. Doc. No. 96-1623. Filed for public inspection September 27, 1996, 9:00 a.m.]
