

# THE GOVERNOR

## GOVERNOR'S OFFICE

### Proclamation of Disaster Emergency

December 15, 2006

*Whereas*, Heavy and continuous rainfall throughout the Commonwealth beginning on November 16, 2006, and continuing over two days, resulted in severe flooding in numerous northeastern counties; and

*Whereas*, the heavy and continuous rainfall has caused severe and widespread flash flooding in Bradford, Lackawanna, Luzerne, Schuylkill, Sullivan, Susquehanna, Wayne, and Wyoming Counties, resulting in extensive damage to public and private property; and

*Whereas*, the flash flooding has caused extensive damage to roads, streets, and bridges, private homes, and businesses, and may cause other adverse impact upon the general population of northeastern Pennsylvania; and

*Whereas*, the emergency situation caused by the rainfall and flash flooding was 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 Commonwealth of Pennsylvania 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 \$1 million in unused appropriated funds to the Pennsylvania Emergency Management Agency. The aforementioned funds shall be used for disaster-related expenses that may be incurred by various state agencies and departments. These funds shall be credited to a special account established by the Office of the Budget. All Commonwealth agencies purchasing supplies or services in response to this emergency are authorized to utilize the emergency procurement procedures set forth in Section 516 of the Commonwealth Procurement Code, 62 Pa.C.S. § 516. This Proclamation shall serve as the written determination of the basis for the emergency under Section 516.

*Further*, I hereby authorize the Secretary 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 and to ensure that highways, bridges, roadbeds, and related facilities and structures, including Federal-aid highways, that have sustained damage in the disaster-affected areas 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 application and use of the Department's equipment, resources, and personnel to assist local jurisdictions in the repairs and 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

Transportation. This assistance, however, does not apply to privately owned highways, roads, streets, or other types of property; and I hereby authorize the Secretary of Transportation, in his sole discretion, to waive any provision of the Vehicle Code or any other law or regulation which he is authorized by law to administer or enforce as may be necessary to respond to this emergency.

*Still Further*, I hereby urge the governing bodies and executive officers of all political subdivisions that may be 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 Governor, at the city of Harrisburg, on this fifteenth day of December in the year of our Lord two thousand and six, and of the Commonwealth the two hundred and thirty-first.



Governor

[Pa.B. Doc. No. 06-2544. Filed for public inspection December 29, 2006, 9:00 a.m.]

## Amendment to Proclamation of Disaster Emergency

December 18, 2006

*Whereas*, On June 28, 2006, I declared a State of Disaster Emergency in Adams, Armstrong, Bedford, Berks, Blair, Bradford, Bucks, Carbon, Centre, Chester, Clinton, Columbia, Cumberland, Dauphin, Delaware, Franklin, Fulton, Huntingdon, Indiana, Jefferson, Juniata, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Lycoming, Mifflin, Monroe, Montgomery, Montour, Northampton, Northumberland, Perry, Philadelphia, Pike, Potter, Schuylkill, Snyder, Sullivan, Susquehanna, Tioga, Union, Wayne, Wyoming, and York Counties, resulting in extensive damage to public and private property; and

*Whereas*, this Proclamation was amended on September 26, 2006; and

*Whereas*, the amended Proclamation expires on December 26, 2006.

*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. as amended), I do hereby amend my Proclamation of June 28, 2006, as follows:

The period of the state of disaster emergency is extended from December 26, 2006 to March 26, 2007.

I hereby direct that the other operational provisions of the June 28, 2006, Proclamation that remain applicable to the current emergency circumstances in the counties shall continue in full force and effect.

## THE GOVERNOR

This amendment to Proclamation shall take effect on December 26, 2006.

*Given* under my hand and the Seal of the Governor, at the city of Harrisburg, this eighteenth day of December in the year of our Lord, two thousand six and of the Commonwealth, the two hundred and thirty-first.



*Governor*

[Pa.B. Doc. No. 06-2545. Filed for public inspection December 29, 2006, 9:00 a.m.]

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