
COMMONWEALTH OF VIRGINIA



OFFICE OF THE GOVERNOR

NUMBER SIXTY-FOUR (2008)

DECLARATION OF A STATE OF EMERGENCY ARISING FROM HEAVY WINDS AND SEVERE STORMS THROUGHOUT THE COMMONWEALTH OF VIRGINIA

On March 5, 2008, I verbally declared a state of emergency to exist within the Commonwealth of Virginia due to the effects of heavy winds and severe storms throughout Virginia. These conditions have posed a significant threat to public health and safety.

I direct state agencies to provide assistance in dealing with wind and storm impacts to the extent required by the State Coordinator of Emergency Management in consultation with the Secretary of Public Safety, the Superintendent of the Virginia State Police, the Department of Corrections, the Department of Forestry and others as required.

The health and general welfare of the citizens of the Commonwealth require that state action be taken to help alleviate these conditions. I find that these conditions have created occurrences which constitute an actual or potential disaster wherein human life and public as well as private property are imperiled, as described in §44-75.1.A.4 of the *Code of Virginia*.

Therefore, by virtue of the authority vested in me by §44-146.17 of the *Code of Virginia*, as Governor and as Director of Emergency Management, and by virtue of the authority vested in me by Article V, Section 7 of the Constitution of Virginia and by §44-75.1 of the *Code of Virginia*, as Governor and Commander-in-Chief of the armed forces of the Commonwealth, and subject always to my continuing and ultimate authority and responsibility to act in such matters, I do hereby confirm, ratify, and memorialize in writing my verbal orders issued March 5, 2008, wherein I proclaim that a state of emergency exists in the Commonwealth and direct that appropriate assistance be rendered by agencies of both state and local governments to prevent and alleviate any conditions resulting from wind and storms

In order to marshal all public resources and appropriate preparedness, response and recovery measures to meet this situation and to recover from its effects, and in accordance with my authority contained in §44-146.17 of the *Code of Virginia*, I hereby order the following protective and restoration measures:

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- A. The full implementation by agencies of the state and local governments of the Commonwealth of Virginia Emergency Operations Plan (COVEOP), as amended along with other appropriate state agency plans.
- B. The implementation by public agencies under my supervision and control of their emergency assignments as directed in the COVEOP without regard to normal procedures pertaining to performance of public work, entering into contracts, incurring of obligations, or other logistical and support measures of the Emergency Services and Disaster Laws, as provided in §44-146.28 (b) of the *Code of Virginia*. Section 44-146.24 of the *Code of Virginia* also applies to the disaster activities of state agencies.
- C. Members and personnel of volunteer, auxiliary and reserve groups including search and rescue (SAR), Virginia Associations of Volunteer Rescue Squads (VAVRS), Civil Air Patrol (CAP), member organizations of the Voluntary Organizations Active in Disaster (VOAD), Radio Amateur Civil Emergency Services (RACES), volunteer fire fighters and others identified and tasked by the State Coordinator of Emergency Management for specific disaster-related mission assignments are, in the performance of those assignments, designated as representatives of the Commonwealth engaged in emergency services activities within the meaning of the immunity provisions of §44-146.23 (a) of the *Code of Virginia*.

Upon my approval, the costs incurred by state agencies and other agencies in performing mission assignments through the VEOC as defined herein and in §44-146.28 of the *Code of Virginia*, shall be paid from available state funds. In addition, up to \$50,000 shall be made available for state response and recovery operations and incident documentation with the Department of Planning and Budget overseeing the release of these funds.

This executive order shall be effective March 5, 2008, and shall remain in full force and effect until June 30, 2008, unless sooner amended or rescinded by further executive order.

Given under my hand and under the Seal of the Commonwealth of Virginia, this 31st day of March 2008.

Timothy M. Kaine, Governor

Attest:

Secretary of the Commonwealth