

# STATE OF FLORIDA

## OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 10-06 (Amended Emergency Management/Haiti)

WHEREAS, on January 12, 2010, a major earthquake occurred in the boundary region separating the Caribbean plate and the North America plate approximately 10 miles from Port-au-Prince, Haiti; and

WHEREAS, devastating damage to the City of Port-au-Prince has lead to incalculable human suffering impacting an estimated 3 million people and resulting in a large number of fatalities; and

WHEREAS, these circumstances may cause individuals to seek assistance in the United States; and

WHEREAS, the State of Florida may be tasked by Federal authorities to utilize resources maintained by the State to support the international response to this disaster; and

WHEREAS, special personnel, facilities and other resources may be needed in order to accomplish those tasks and objectives; and

WHEREAS, central coordination and direction of the use of such resources are needed to ensure their proper use as necessary to address the emergency;

NOW, THEREFORE, I, CHARLIE CRIST, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section 1(a) of the Florida Constitution and by the State Emergency Management Act (Chapter 252, Florida Statutes) and all other applicable laws, promulgate the following Executive Order, to take immediate effect:

Section 1. Because of the foregoing conditions, I find that the earthquake in Haiti threatens the State of Florida with a major disaster.

Section 2. I designate the Interim Director of the Division of Emergency Management as the State Coordinating Officer (SCO) for the duration of this emergency and as my Authorized Representative. In exercising the powers delegated by this Executive Order, the SCO shall confer with the Governor to the fullest extent practicable. In accordance with sections 252.36(1)(a) through 252.36(5), Florida Statutes, I delegate to the SCO the following powers, which he shall exercise subject to the limitations of section 252.33, Florida Statutes, as needed to meet this emergency:

- A. The authority to activate the Comprehensive Emergency Management Plan;
- B. The authority to invoke and administer the Statewide Mutual Aid Agreement, and the further authority to coordinate the allocation of resources under that Agreement so as best to meet this emergency;
- C. The authority to invoke and administer the Emergency Management Assistance Compact ("EMAC") and other existing compacts and agreements, and the further authority to coordinate the allocation of resources from such other states that are made available to the State of Florida under such compacts and agreements so as best to meet this emergency;
- D. The authority to seek direct assistance from any and all agencies of the United States Government as may be needed to meet the emergency;
- E. The authority to suspend existing statutes, rules, ordinances, and orders for the duration of this emergency to the extent that literal compliance with such statutes,

rules, ordinances, and orders may be inconsistent with the timely performance of disaster response functions;

F. The authority to suspend the effect of any statute or rule governing the conduct of state business, and the further authority to suspend the effect of any order or rule of any governmental entity, to include, without limiting the generality of the foregoing, any and all statutes and rules which affect budgeting, printing, purchasing, leasing, procurement, and the conditions of employment and the compensation of employees; provided, however, that the SCO shall have authority to suspend the effect of any statute, rule or order only to the extent necessary to ensure the timely performance of vital emergency response functions;

G. The authority to relieve any and all state agencies responsible for processing applications or petitions for any order, rule, or other final action subject to the Administrative Procedure Act, as amended, from the deadlines specified in that Act and in other applicable laws for the duration of this emergency, if the SCO finds that such deadlines cannot be met because of this emergency;

H. The authority to direct all state, regional and local governmental agencies, including law enforcement agencies, to identify personnel needed from those agencies to assist in meeting the needs created by this emergency, and to place all such personnel under the direct command of the SCO to meet this emergency;

I. The authority to designate such Deputy State Coordinating Officers as the SCO may deem necessary to cope with the emergency; and

J. The authority to enter such orders as may be needed to implement any or all of the foregoing powers.

Section 3. I order the Adjutant General to activate those elements of the Florida National Guard identified by the SCO for the duration of this emergency, and I place the National Guard under the direction of the State Coordinating Officer for the duration of this emergency.

Section 4. I direct all state, regional and local agencies to place any and all available resources under the direction of the State Coordinating Officer as needed to meet this emergency.

Section 5. In the event that demands of the Federal Government placed upon funds appropriated to the agencies of the State of Florida and to local agencies may be inadequate to pay the costs of this disaster, in accordance with section 252.37(2), Florida Statutes, I direct the transfer of sufficient funds from any unappropriated surplus or from the Budget Stabilization Fund. As directed by the State Coordinating Officer, agencies of the State and local agencies receiving these funds shall timely seek reimbursement for the State as provided under section 252.929, Florida Statutes, the EMAC, and other compacts, agreements, and laws.

Section 6. All actions taken by the Interim Director of the Division of Emergency Management with respect to this emergency before the issuance of this Executive Order are ratified. This Executive Order shall expire thirty (30) days from this date unless extended.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, the Capitol, this 15<sup>th</sup> day of January 2010.

Handwritten signature of Charlie Crist in black ink.

GOVERNOR CHARLIE CRIST

ATTEST:

Handwritten signature of Kurt S. Browning in black ink.

KURT S. BROWNING  
SECRETARY OF STATE

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TALLAHASSEE, FLORIDA