



STATE OF FLORIDA
DIVISION OF EMERGENCY MANAGEMENT
"State Emergency Response Team"

CHARLIE CRIST
Governor

W. CRAIG FUGATE
Director

STATE OF FLORIDA
DIVISION OF EMERGENCY MANAGEMENT

In re:

**EMERGENCY SUSPENSION OF
PROCEDURES IMPOSED BY STATUTE,
RULE, OR ORDER**

No.: 09-01

Emergency Final Order

Under section(s) 120.569(2)(n) and 252.36, Florida Statutes, and upon consideration of Executive Order 09-81 issued by the Governor on April 1, 2009 and the following findings of fact, the Florida Division of Emergency Management enters this Emergency Final Order, including Findings of Fact and Conclusion of Law, in response to the imminent or immediate danger to the public health, safety, and welfare of the citizens of the State of Florida resulting from severe weather.

FINDINGS OF FACT

1. Commencing on April 1, 2009, the State has been under the threat of severe weather causing significant flooding in the Florida Panhandle.
2. By Executive Order 09-81, the Governor declared that a state of emergency exists in Bay, Calhoun, Escambia, Franklin, Gadsden, Gulf, Hamilton, Holmes, Jackson, Leon, Liberty, Madison, Okaloosa, Taylor, Wakulla, Walton and Washington counties, based upon the serious

threat to the public health, safety, and welfare posed by severe weather. As a result of the emergency, immediate action by the Division is necessary to assist in response and recovery efforts.

3. The Division finds that an emergency authorization is required to address the need for immediate action.

4. The Division finds that immediate, strict compliance with the provisions of procurement statutes, rules, or orders would prevent, hinder, or delay timely performance of disaster response functions in coping with the emergency.

CONCLUSION OF LAW

5. Based on the findings cited above, it is hereby concluded that the emergency caused by severe weather poses an immediate danger to the public health, safety, or welfare and requires immediate action by the Division.

6. Under Executive Order 09-81 and section(s) 120.569(2)(n) and 252.36, Florida Statutes, an agency head is authorized to issue this Emergency Final Order and suspend any statute, rule, or order that prevent, hinder, or delay timely performance of disaster response functions related to the emergency.

THEREFORE, IT IS ORDERD:

Pursuant to the authority granted to me by Section 4. of Executive Order 09-81, I suspend the effect of any statute, rule, or order, to the extent needed to procure any and all necessary supplies, commodities, services, temporary premises, and other resources, to include, without limiting the generality of the foregoing, any and all statutes, rules, or orders which affect

budgeting, leasing, printing, purchasing, travel and the condition of employment and the compensation of employees.

This Order shall expire in thirty (30) days from the date of Executive Order 09-81 unless extended.

DONE AND ORDERED on this 1 day of April, 2009, in Tallahassee, Leon County, Florida.

FLORIDA DIVISION OF EMERGENCY
MANAGEMENT



Ruben D. Almaguer, Deputy Director
2555 Shumard Oaks Boulevard
Tallahassee, Florida 32399

FILED on this date, pursuant to §120.52, Florida Statutes with Legal, receipt of which is hereby acknowledged.



April 1, 2009

Legal

Date

NOTICE OF RIGHTS

Any party substantially affected by this Order has the right to seek judicial review of it under section 120.68, Florida Statutes, by filing a notice of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Division in the Office of General Counsel, 2555 Shumard Oaks Boulevard, Tallahassee, Florida 32399, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within thirty days after this Order is filed with the Clerk of the Division.