

Executive Department
State of California

FILED
In the office of the Secretary of State
of the State of California

JAN 25 1980

MARCH FONG EU, Secretary of State

March Fong Eu
Deputy

ORDERS AND REGULATIONS
WHICH MAY BE SELECTIVELY PROMULGATED BY
THE GOVERNOR DURING A STATE OF EMERGENCY

WHEREAS, Section 8558(b) of the California Emergency Services Act provides:

"State of emergency" means the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, drought, sudden and severe energy shortage, or earthquake or other conditions, other than conditions resulting from a labor controversy or conditions causing a "state of war emergency," which conditions, by reason of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment, and facilities of any single county, city and county, or city and require the combined forces of a mutual aid region or regions to combat, . . .; and

WHEREAS, Section 8567 of the California Emergency Services Act provides:

(a) The Governor may make, amend, and rescind orders and regulations necessary to carry out the provisions of this chapter. Such orders and regulations shall have the force and effect of law. . . .

(d) All orders and regulations made in advance of a state of war emergency or state of emergency shall be in writing, shall be exempt from the provisions of . . . [the Administrative Procedures Act] . . . but shall be subject to the approval of the Emergency Council. . . .; and

WHEREAS, the following orders were approved by the California Emergency Council at their meetings of June 27, 1979 and November 14, 1979;

NOW, THEREFORE, I, EDMUND G. BROWN JR., Governor of the State of California, by virtue of the powers and authority vested in me by the Constitution and laws of this state and in accordance with provisions of the California Emergency Services Act, do hereby promulgate, issue, and establish the following orders and regulations, which are considered

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necessary to protect life and property and to mitigate disaster efforts during the period of such a State of Emergency. Such orders and regulations at my discretion shall become effective upon proclamation of a State of Emergency. Prior to orders being implemented outside of a proclaimed area, the Director, California Office of Emergency Services, shall consult with local authorities of such designated areas.

ORDER 1

It is hereby ordered that the period of employment for State Personnel Board emergency appointments, as provided in Section 19120 of the Government Code and State Personnel Board Rules 301-303, be waived for positions required for involvement in emergency and/or recovery operations. The requirements and period of employment for such appointments will be determined by the Director, California Office of Emergency Services, but shall not extend beyond the termination date of said State of Emergency.

ORDER 2

It is hereby ordered that in the area proclaimed to be in a State of Emergency and/or that specific area(s) designated by the Director, California Office of Emergency Services, outside of the proclaimed area(s) but which is (are) essential to the relief and aid of the lives and property within the proclaimed area, all drugs and medical supply stocks intended for wholesale distribution shall be held subject to the control and coordination of the Department of Health Services, Food and Drug Section. Authority imparted under this Order, and specific to the proclaimed emergency shall not extend beyond the termination date of said State of Emergency.

ORDER 3

It is hereby ordered that during the proclaimed State of Emergency appropriate parts of Sections 18020-18026 of the Government Code and State Personnel Board Rules 130-139 be waived to permit cash compensation to personnel directly involved in emergency and recovery operations for all time worked over the employee's regular workweek, at a rate of 1 1/2 times the regular rate of pay. This waiver shall not extend beyond the termination date of said State of Emergency.

ORDER 4

It is hereby ordered that, in the area proclaimed to be in a State of Emergency and/or that specific area(s) designated by the Director, California Office of Emergency Services, outside of the proclaimed area(s) but which is (are) essential to the relief and aid of the lives and property within the proclaimed area, the provisions of Sections 3247-3258 of the Civil Code relating to state contracting bonding requirements for

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the performance of heavy rescue, debris removal, expedient construction, preparation of mobile home sites, and related activities are suspended. This suspension shall not extend beyond the termination date of said State of Emergency.

ORDER 5

It is hereby ordered that in the area proclaimed to be in a State of Emergency and/or that specific area(s) designated by the Director, California Office of Emergency Services, outside of the proclaimed area(s) but which is (are) essential to the relief and aid of the lives and property within the proclaimed area, those zoning, public health, safety, or intrastate transportation laws, ordinances, regulations, or codes which the Director, California Office of Emergency Services, determines impair the provision of temporary housing be suspended for a time not to exceed 60 days, after the proclaimed State of Emergency and authorization by the President upon the declaration of a Major Disaster for the Temporary Housing Program as prescribed in Section 404 of Public Law 93-288 and Section 8654(a) of the Government Code.

ORDER 6

It is hereby ordered that in the area proclaimed to be in a State of Emergency and/or that specific area(s) designated by the Director, California Office of Emergency Services, outside of the proclaimed area(s) but which is (are) essential to the relief and aid of the lives and property within the proclaimed area, distribution of intra-state petroleum stocks including those in refinery storage, major distribution installations and pipeline terminals, shall be held subject to the control and coordination of the Energy Resources Conservation and Development Commission. Petroleum stocks may be prioritized and diverted for use into a disaster area or in support of disaster mitigation operations. Any and all actions taken shall be at the discretion and judgment of the State Fuel Allocator, California Energy Commission, for use in disaster mitigation. Such actions shall be coordinated with and prioritized by the Director, Office of Emergency Services, but shall not extend beyond the termination date of said State of Emergency.

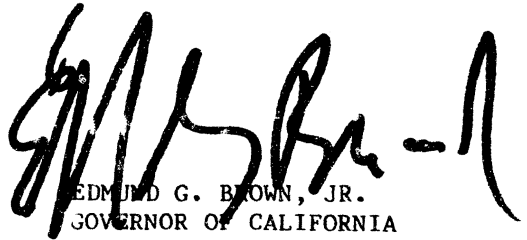
ORDER 7

It is hereby ordered that in the area proclaimed to be in a State of Emergency and/or that specific area(s) designated by the Director, California Office of Emergency Services, outside of the proclaimed area(s) but which is (are) essential to the relief and aid of the lives and property within the proclaimed area, all banks will take emergency operating actions pursuant to Section 1916 of the Financial Code. Actions taken under this Order, and specific to the proclaimed emergency, shall not extend beyond the termination date of said State of Emergency.

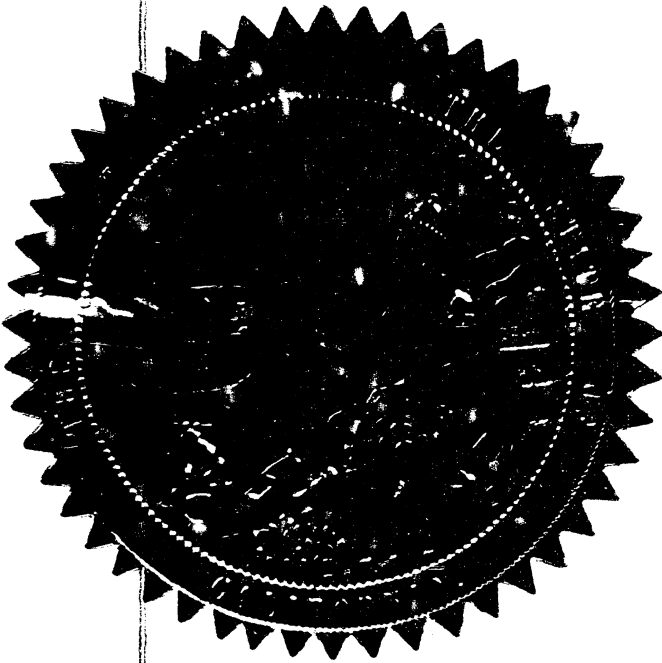
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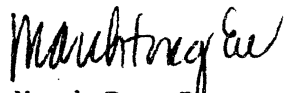
Only those orders which are considered necessary for the protection of life and property and to mitigate disaster effects, shall become effective at my discretion by proclamation of a State of Emergency.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 24th day of January, 1980.



EDMUND G. BROWN, JR.
GOVERNOR OF CALIFORNIA



ATTEST: 
March Fong Eu
Secretary of State