

FILEDIn the office of the Secretary of State
of the State of California

MAY 27 1981

MARCH FONG ELL, Secretary of State

By *John Decker*
Deputy**Executive Department**
State of CaliforniaAMENDMENT TO ORDER #3
of the
ORDERS AND REGULATIONSWHICH MAY BE SELECTIVELY PROMULGATED BY
THE GOVERNOR DURING A STATE OF EMERGENCYWHEREAS, 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, orders were promulgated, issued, established and filed
with the Secretary of State on January 24, 1980;

Executive Department
State of California

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 issue the following amended Order #3 which is considered necessary to protect life and property and to mitigate disaster efforts during the period of such a State of Emergency. Such order and regulation at my discretion shall become effective upon proclamation of a 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 whose work is designated by the Director, California Office of Emergency Services, as essential to expedite emergency and recovery operations for all time worked over the employee's regular workweek, at a rate of 1½ times the regular rate of pay. The Director, Office of Emergency Services, will also designate the beginning and ending dates for such overtime for each individual involved. This waiver shall not extend beyond the termination date of said State of Emergency.

When considered necessary for the protection of life and property and to mitigate disaster effects, this order 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 25th day of May, 1981.

Edmund G. Brown Jr.

EDMUND G. BROWN JR.
GOVERNOR OF CALIFORNIA

March Fong Eu

ATTEST: March Fong Eu
Secretary of State

by *Pepper M. Templin*
Deputy Secretary of State

