

# THE GOVERNOR GOVERNOR'S OFFICE

[ EXECUTIVE ORDER NO. 2017-01 ]

## Extension of Deadline for Objections to Nomination Petitions

March 13, 2017

*Whereas*, a severe winter weather event, a historic East Coast snowstorm, is forecast to strike Pennsylvania and other States of the Northeastern United States on March 13 and 14, 2017, with prolific amounts of snow accumulation in many counties across the Commonwealth; and

*Whereas*, the potential effects of the snowstorm have caused the closure of the Commonwealth Capitol Complex in Harrisburg, Pennsylvania, which includes the Office of the Secretary of the Commonwealth, on Tuesday, March 14, 2017; and

*Whereas*, the potential effects of the snowstorm will likely also cause the closure of many county offices, which include the sixty-seven county boards of election, on Tuesday, March 14, 2017; and

*Whereas*, the potential effects of the snowstorm will likely also cause the closure of the Commonwealth Court and numerous courts of common pleas on Tuesday, March 14, 2017; and

*Whereas*, the Municipal Primary Election is scheduled by law to occur throughout the Commonwealth on Tuesday, May 16, 2017; and

*Whereas*, under the provisions of Section 977 of the Pennsylvania Election Code (25 P.S. § 2937), the deadline by which objections to nomination petitions filed by candidates for nomination at the Municipal Primary Election must be filed with the Commonwealth Court and served on the Secretary of the Commonwealth, or filed with the court of common pleas and served on the county board of elections, is Tuesday, March 14, 2017; and

*Whereas*, the weather-related closure of the Office of the Secretary of the Commonwealth, and of the county boards of elections, and of the courts, during the last day on which objections to nomination petitions for the Municipal Primary Election by law may be filed with the courts and received by the Secretary of the Commonwealth and by the county boards of elections makes it necessary and proper to extend the statutory deadline by which objections may be filed with the courts, and by which the Secretary of the Commonwealth and/or the county boards of elections may be served with objections; and

*Whereas*, on Monday, March 13, 2017, I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, pursuant to the provisions of Section 7301(c) of the Emergency Management Services Code, (35 Pa.C.S. §§ 7101 et seq., as amended) proclaimed the existence of a disaster emergency in the Commonwealth in anticipation of a severe winter weather event expected to impact the Commonwealth.

*Now, Therefore*, I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania, the Emergency Management Services Code, and other laws of the Commonwealth, do hereby issue this Executive Order as follows:

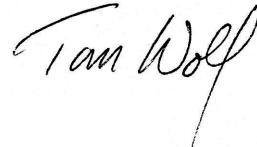
1. The deadline prescribed by Section 977 of the Pennsylvania Election Code (25 P.S. § 2937) by which objections to nomination petitions filed by candidates for nomination at the Municipal Primary Election must be filed with the Commonwealth Court and served on the Secretary of the Commonwealth, shall be extended by one additional day for each business day during the week of March 13, 2017, on which the Office of the Secretary of the Commonwealth, or the Commonwealth Court, is closed for business as a consequence of weather conditions.

2. The deadline prescribed by Section 977 of the Pennsylvania Election Code (25 P.S. § 2937) by which objections to nomination petitions filed by candidates for nomination at the Municipal Primary Election must be filed with the court of common pleas and served on the county board of elections, shall be extended by one additional day for each business day during the week of March 13, 2017, on which the office of the county board of elections, or the court of common pleas, is closed for business as a consequence of weather conditions.

3. No deadline may be extended pursuant to this Executive Order beyond 5:00 p.m. EDT on Thursday, March 16, 2017, unless otherwise extended by a superseding Executive Order.

4. The Office of the Secretary of the Commonwealth shall post this Executive Order in the Department of State's Bureau of Commissions, Elections and Legislation and in all other appropriate places, and shall communicate its contents to the county boards of election, the Administrative Office of the Pennsylvania Courts, the courts of common pleas, and the Commonwealth Court, and shall take all necessary action to provide notice of this Executive Order to the general public.

5. This Executive Order shall take effect immediately and remain in effect only until 5:00 p.m. EDT, Friday, March 17, 2017.



Governor

**Fiscal Note:** GOV-17-01. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 17-499. Filed for public inspection March 24, 2017, 9:00 a.m.]

## Proclamation of Disaster Emergency

March 13, 2017

*Whereas*, a severe winter event is expected to impact the Commonwealth of Pennsylvania, causing dangerous winter weather conditions including snow and ice accumulation; and

*Whereas*, this emergency event has the potential to cause significant adverse impacts upon the population throughout the Commonwealth; and

*Whereas*, this emergency event may prompt affected county and municipal governments to declare local disaster emergencies because of the winter weather conditions; and

*Whereas*, the emergency event is of such magnitude or severity as to render essential the Commonwealth's supplementation of county and municipal efforts and resources and the activation of all applicable state, county, and municipal emergency response plans; and

*Whereas*, the Commonwealth of Pennsylvania has enacted the Emergency Management Assistance Compact (EMAC) into law, and codified it at 35 Pa.C.S. §§ 7601—7604, in order to provide for mutual aid between states during an emergency that is duly declared by the Governor of the affected state.

*Now Therefore*, pursuant to the provisions of section § 7301(c) of the Emergency Management Services Code, 35 Pa.C.S. § 7101 et seq., I do hereby proclaim the existence of a disaster emergency in the Commonwealth and authorize and direct that the Pennsylvania Emergency Management Agency Director or designee assume command and control of all statewide emergency operations and that all Commonwealth departments

and agencies, under the direction of the Pennsylvania Emergency Management Agency Director or designee, utilize all available resources and personnel as is deemed necessary to cope with the magnitude and severity of this emergency event.

*Further*, I hereby transfer up to \$1,000,000 in unused appropriated funds to the Pennsylvania Emergency Management Agency, to be increased or decreased as conditions require pursuant to the provisions of section 7604(a) of the Emergency Management Services Code, 35 Pa.C.S. § 7604(a). In addition, I hereby transfer \$500,000 in unused appropriated funds, to be increased or decreased as conditions require, to the Pennsylvania Emergency Management Agency for Emergency Management Assistance Compact expenses related to this emergency pursuant to section 1508 of the Act of April 9, 1929 (P.L. 343, NO. 176) (the Fiscal Code), 72 P.S. § 1508. The aforementioned funds shall be used for expenses authorized and incurred related to this emergency. These funds shall be credited to a special account established by the Office of the Budget. I hereby direct that any funds transferred herein that remain unused after all costs related to this emergency have been satisfied shall be returned to the General Fund; and

*Further*, all Commonwealth agencies purchasing supplies or services in response to this emergency are authorized to utilize the emergency procurement procedures set forth in section 516 of the Commonwealth Procurement Code, 62 Pa.C.S. § 516. This Proclamation shall serve as the written determination of the basis for the emergency under 62 Pa.C.S. § 516; and

*Further*, I hereby direct the Pennsylvania Emergency Management Agency to staff the Commonwealth Response Coordination Center for the duration of this emergency event and to augment it with personnel from other state agencies and departments. I also authorize the Pennsylvania Emergency Management Agency to direct and coordinate the emergency response, recovery, and mitigation activities of other state agencies and departments as deemed necessary to deal with the exigencies of this disaster emergency through implementation of the State Emergency Operations Plan; and

*Further*, I hereby authorize the Secretary of Transportation to use all available equipment, resources, and personnel of the Department of Transportation, in whatever manner that she deems necessary, to ensure that all state highways in the areas that may be affected by the emergency event are cleared of snow, debris, and any other obstructions resulting from this event and to ensure that highways, bridges, roadbeds, and related facilities and structures, including federal-aid highways, that may sustain damage in the disaster affected areas are immediately repaired, maintained, reconstructed, or replaced, or that new construction is undertaken where necessary. In addition, I hereby waive any laws or regulations that would restrict the application and use of the Department's equipment, resources, and personnel to assist local jurisdictions in the repairs and clearing and removal of snow, debris, and other types of obstructions from non-state-owned highways. This assistance to local jurisdictions may be provided solely at the discretion of the Secretary of Transportation. This assistance, however, does not apply to privately owned highways, roads, streets, or other types of property; and I hereby authorize the Secretary of Transportation, in her sole discretion, to waive any provision of the Vehicle Code or any other law or regulation which she is authorized by law to administer or enforce as may be necessary to respond to this emergency event; and

*Further*, if investigations made on my behalf determine that the Commonwealth is in need of greater flexibility in the application of state and federal motor carrier regulations to accommodate utility operators and truck drivers in the transporting of fuel, food, or other commodities across the state to provide emergency relief and repairs during this event, I hereby direct the Department of Transportation to waive any laws or Federal or state regulations related to drivers of commercial vehicles; and

## THE GOVERNOR

*Further*, pursuant to the powers vested in me by the Constitution and laws of this Commonwealth, specifically 51 Pa.C.S. § 508, I hereby authorize the Adjutant General of Pennsylvania to place on state active duty for the duration of this disaster emergency proclamation, such individuals and units of the Pennsylvania National Guard, as requested by the Pennsylvania Emergency Management Agency, to alleviate the danger to public health and safety caused by this emergency event; and

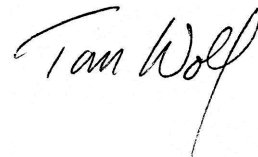
*Further*, I hereby authorize the Commissioner of the Pennsylvania State Police to use all available resources and personnel of the Pennsylvania State Police, in whatever manner he deems necessary, to aid in the recovery aspects related to all interstate and other federal and state highways in the Commonwealth to address this emergency event; and

*Further*, I hereby direct that the emergency response, recovery, and mitigation aspects of the Commonwealth and all applicable county, municipal, and other emergency response plans be activated and that all state, county, and municipal actions taken to implement those plans be coordinated through the Pennsylvania Emergency Management Agency; and

*Further*, I hereby suspend the provisions of any other regulatory statute prescribing the procedures for conduct of Commonwealth business, or the orders, rules or regulations of any Commonwealth agency, if strict compliance with the provisions of any statute, order, rule or regulation would in any way prevent, hinder, or delay necessary action in coping with this emergency event. All Commonwealth agencies may implement their emergency assignments without regard to procedures required by other laws, except mandatory constitutional requirements, pertaining to the performance of public work, entering into contracts, incurring of obligations, employment of temporary workers, rental of equipment, purchase of supplies and materials, and expenditures of public funds; and

*Still Further*, I hereby urge the governing bodies and executive officers of all political subdivisions that may be affected by this emergency event to act as necessary to meet the current exigencies as legally authorized under this proclamation, including by the employment of temporary workers; by the rental of equipment; and by entering into such contracts and agreements as may be required to meet the emergency, all without regard to those time-consuming procedures and formalities normally prescribed by law, mandatory constitutional requirements excepted.

*Given* under my hand and the Seal of the Governor, at the City of Harrisburg, this thirteenth day of March two thousand seventeen, the year of the commonwealth the two hundred forty-first.



Governor

[Pa.B. Doc. No. 17-500. Filed for public inspection March 24, 2017, 9:00 a.m.]