



OFFICE OF THE GOVERNOR

EXECUTIVE ORDER #308

Relating to a Proclamation Declaring a State of Emergency, Calling to Active Duty Elements of the Wisconsin National Guard under the Emergency Management Assistance Compact and allowing the Transportation of Emergency Relief Supplies

WHEREAS, Hurricane Florence is a major hurricane that has made landfall in North Carolina and has caused or has the potential to cause dangerous and life-threatening conditions and destruction of property for the population of North Carolina, South Carolina, and Virginia thus requiring assistance and other aid to areas affected by the storm; and

WHEREAS, the Governors of Georgia, Maryland, North Carolina, South Carolina, and Virginia have declared that a state of emergency exists in their respective states; and

WHEREAS, President Trump has approved an emergency declaration in the States of North Carolina, South Carolina, and Virginia, and ordered federal assistance to supplement the response efforts due to the emergency conditions resulting from Hurricane Florence; and

WHEREAS, a request is expected to be made by the States of North Carolina, South Carolina, and Virginia for the assistance of other State's National Guard forces under the Emergency Management Assistance Compact (EMAC); and

WHEREAS, a response by the Wisconsin National Guard cannot be made under the Emergency Management Assistance Compact, section 323.80 Wisconsin Statutes, without a declaration of emergency and an authorization to utilize the Wisconsin National Guard personnel in a State Active Duty Status; and

WHEREAS, personnel and resources of the Wisconsin Army and Air National Guard are required and critical for this EMAC response; and

WHEREAS, in addition to the formal response pursuant to the EMAC, Wisconsinites and other Midwesterners have generously offered to assist those in areas projected to be most affected by providing emergency relief and assistance; and

WHEREAS, this potentially catastrophic damage creates a need to transport large amounts of emergency relief supplies (including food, clothing, fuel, building materials, and medical supplies) on Wisconsin highways; and

WHEREAS, allowing the transportation of loads of emergency relief supplies and equipment, in a safe manner and as described in this Order, will benefit persons injured by Hurricane Florence; and

WHEREAS, on September 10, 2018, in response to Hurricane Florence and its anticipated effects on people and property, including the immediate threat to human life or public welfare, the Regional Field Administrators for the Federal Motor Carrier Safety Administration's Southern and Eastern Service Centers issued a Regional Declaration of Emergency in the States of Delaware, District of Columbia, Florida, Georgia, Kentucky, Maryland, New Jersey, New York, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia and an exemption from Parts 390 through 399 of Title 49 Code of Federal Regulations, subject to restrictions; and

WHEREAS, the Secretary of the Wisconsin Department of Transportation has waived the fee required to obtain a 72-hour trip permit for vehicles traveling into Wisconsin that are not registered in Wisconsin nor enrolled in the International Registration Plan (IRP) of the International Fuel Tax Agreement (IFTA) and are providing emergency relief and assistance to the affected areas;

NOW THEREFORE, I, SCOTT WALKER, Governor of the State of Wisconsin, by the authority vested in me by the Constitution and the laws of this State, and specifically by sections §§ 321.39(1)(a), 323.10, and 323.12(3), (4) of the Wisconsin Statutes, and section 390.23 of Title 49 of the Code of Federal Regulations do hereby:

1. Declare the catastrophic damage that could be caused by Hurricane Florence to be a potential natural disaster causing indirect impacts on the State of Wisconsin; and
2. Proclaim the State of Wisconsin to be in a State of Emergency, and that the States of North Carolina, South Carolina, and Virginia have requested assistance from the State of Wisconsin under the provisions of the Emergency Management Assistance Compact; and
3. Direct all state agencies of the State of Wisconsin to assist the Wisconsin Department of Military Affairs in responding to this situation; and
4. Call to state active duty such elements of the Wisconsin National Guard as the Adjutant General deems necessary to assist in responding to the Emergency Management Assistance Compact in providing rescue and relief to those affected states; and
5. Authorize the Adjutant General to use personnel called to state active duty pursuant to this Order in emergency status; and
6. Order that interstate and intrastate carriers providing direct emergency relief and assistance relating to Hurricane Florence are relieved from the requirements contained in the Federal Motor Carrier Safety Regulations, Title 49 C.F.R. Parts 390-399 and Wis. Admin. Code chs. TRANS 325 and 327, subject to the restrictions and limitations described in the U.S. Department of Transportation, Federal Motor Carrier Safety Administration's September 10, 2018, Regional Declaration of Emergency Under 49 C.F.R. § 390.23. This relief is valid for the duration of the motor carrier's assistance in the disaster relief effort or the duration of this Order, whichever is less; and
7. This Order does not suspend the operation of any state or federal laws within the State of Wisconsin except as specifically described in the Order. All other laws remain in full force and will be enforced.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this fourteenth day of September in the year two thousand eighteen.


SCOTT WALKER
Governor

By the Governor:


DOUGLAS LA FOLLETTE
Secretary of State