

**State of Montana
Office of the Governor
Executive Order No. 07-2011**

**EXECUTIVE ORDER PROCLAIMING A DISASTER TO EXIST WITHIN
THE STATE OF MONTANA**

WHEREAS, beginning this past winter and continuing in the spring of 2011, record levels of snowfall occurred across Montana at all elevations; and

WHEREAS, on April 22, 2011, I issued Executive Order No. 04-2011, declaring an emergency to exist in Valley County, the City of Glasgow, and the Town of Nashua due to rapid warming in this area, causing the Milk River Basin to flood and further causing widespread damage to farmland, private residences, and government infrastructure; and

WHEREAS, effective May 19, 2011, I issued Executive Order No. 5-2011, due to record rainfall across a wide area of central and eastern Montana which caused rapid river level rises and additional major flooding to homes, farms and ranches, roads, bridges, highways, and other publically owned infrastructure; and

WHEREAS, record snowpack with record snow water equivalent remains at middle and high elevations in nearly every river basin across Montana, which is soon expected to begin to melt off as temperatures begin to rise; and

WHEREAS, local emergency services across Montana are overwhelmed by having to respond to these conditions; and

WHEREAS, because of the aforementioned information, I have requested assistance through the Federal Emergency Management Agency (FEMA) including a declaration of a major disaster for the State of Montana as a result of substantial widespread flooding; and

WHEREAS, under § 10-3-104, MCA, the governor may suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or orders or rules of any state agency if strict compliance would prevent, hinder, or delay necessary action in coping with an emergency or disaster; and

WHEREAS, suspending § 2-18-501, MCA, to allow reasonable expenditures for food and lodging for activated members of the Montana National Guard and state agency personnel responding to the disaster caused by flooding will assist in providing Montanans with necessary state resources to respond to the flooding.

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NOW, THEREFORE, I, Brian Schweitzer, Governor of the State of Montana, pursuant to the authority vested in me as Governor under the Constitution of the State of Montana, Title 10, Chapter 3, MCA, and other applicable statutes, do hereby declare that a state of disaster exists within the State of Montana as provided in § 10-3-303, MCA, and do hereby authorize the continued mobilization of state resources, including the Montana National Guard, to protect life, health, and property, and do further authorize the continued incurring of liabilities and expenses to be paid as other claims against the State from the general fund, pursuant to § 10-3-312, MCA, and do further authorize the suspension of § 2-18-501, MCA, to the extent necessary to reimburse members of the Montana National Guard and state agency personnel for food and lodging expenses actually and necessarily incurred to respond to the statewide emergency.

This order is effective June 8, 2011.

Given under my hand and the GREAT SEAL
Of the State of Montana, this 6th day of
June, 2011.


BRIAN SCHWEITZER, Governor

Attest:


LINDA MCCULLOCH, Secretary of State