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State of Montana
Office of the Governor



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JUN 09 1997
OF MONTANA

Executive Order No. 7-97

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EXECUTIVE ORDER DECLARING AN EMERGENCY
TO EXIST IN THE STATE OF MONTANA

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WHEREAS, above-average temperatures and significant precipitation since May 31, 1997, is melting the record snowpack in the Yellowstone River Basin and Upper Missouri River Basin; and

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WHEREAS, the Yellowstone River, Gallatin and Jefferson Rivers are currently above flood stage and at or near flood of record; and

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WHEREAS, Park County and the City of Livingston have declared disasters and are actively engaged in flood fighting efforts; and

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WHEREAS, the National Weather Service has issued flood warnings for the Yellowstone River as well as tributaries to the Yellowstone River with anticipated levels of historical proportions; and

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WHEREAS, weather systems currently in or approaching the southern portions of the state have and will continue to add to the flooding potential on the above river basins; and

1 WHEREAS, the Disaster and Emergency Services Division
2 continues to coordinate proactive response activities statewide;
3 and

4 WHEREAS, the availability and utilization of all necessary
5 state government services, equipment and supplies under this
6 executive order will further the efforts to protect health and
7 safety and to preserve the lives, property and resources of the
8 people of the State of Montana; and

9 WHEREAS, a proclamation of an emergency authorizes the
10 Governor, under section 10-3-104 (2) (a), MCA, to suspend
11 section 2-18-501 MCA, to allow reasonable expenditures for food
12 and lodging for activated National Guard and State agency
13 personnel responding to an emergency; and

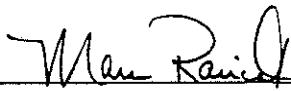
14 WHEREAS, an "emergency", as that term is defined in section
15 10-3-103 (6), MCA, means the imminent threat of a disaster
16 causing immediate peril to life or property that timely action
17 can avert or minimize, and, section 10-3-311 authorizes the
18 Governor to expend funds from the general fund to meet
19 contingencies and needs arising from an emergency or disaster.

20 NOW, THEREFORE, I, MARC RACICOT, Governor of the State of
21 Montana, pursuant to the authority vested in me as Governor
22 under the Constitution of the State of Montana, Title 10,
23 Chapter 3, MCA, and under other applicable statutes, do hereby
24 declare that an emergency exists in the State of Montana due to
25 the threat of flooding.

26 This order is effective immediately.
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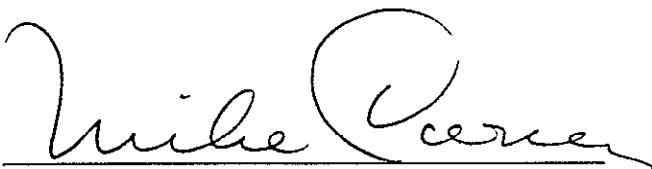
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GIVEN under my hand and the GREAT
SEAL of the State of Montana,
this 5th day of June, 1997.



MARC RACICOT, Governor

ATTEST:



MIKE COONEY, Secretary of State