

STATE OF WEST VIRGINIA
EXECUTIVE DEPARTMENT
CHARLESTON
EXECUTIVE ORDER NO. 9-12

By the Governor

WHEREAS, due to severe weather, a State of Emergency was declared on the second day of March, Two Thousand Twelve, in the counties of Doddridge, Harrison, Marion, Monongalia, Preston, Ritchie and Taylor; and

WHEREAS, continuous severe weather required the extension of the State of Emergency to include the counties of Lincoln, Logan, Mingo and Wayne by Proclamations dated the fifth day of March, Two Thousand Twelve, and the sixteenth day of March, Two Thousand Twelve; and

WHEREAS, the severe weather in the aforementioned counties severely damaged or destroyed a significant number of residential and business properties, as well as public property of this State; and

WHEREAS, pursuant to Executive Order No. 3-12 and Executive Order No. 7-12, the West Virginia consumers sales and service tax and the West Virginia use tax were waived on the purchase of certain specified building construction materials and supplies, mobile homes, house trailers, modular homes and similar units to be used for the restoration and reconstruction of the weather-damaged properties; and

WHEREAS, subsection (g), section six, article five, chapter fifteen of the Code of West Virginia expressly authorizes the Governor “[t]o suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders, rules or regulations of any state agency, if strict compliance therewith would in any way prevent, hinder, or delay necessary action in coping with the emergency”; and

WHEREAS, subsection (k), section six, article five, chapter fifteen of the Code of West Virginia authorizes the Governor “[t]o perform and exercise such other functions, powers and duties as are necessary to promote and secure the safety and protection of the civilian population”; and

WHEREAS, the reconstruction of such severely damaged or destroyed properties remains an ongoing effort, and the public safety, health and welfare interests of those persons suffering property damage by severe weather continue to present an immediate need for housing repair and restoration; and

WHEREAS, the reconstruction efforts of the affected counties will be substantially furthered by a continued waiver of the West Virginia consumers sales and service tax and the West Virginia use tax.

NOW, THEREFORE, I, EARL RAY TOMBLIN, by virtue of the authority vested in me as the Governor of the State of West Virginia, do hereby **ORDER** the following:

That the suspension of the West Virginia consumers sales and service tax and the West Virginia use tax on purchases or uses of specified housing units, building materials and supplies ordered pursuant to Executive Order No. 3-12 and Executive Order No. 7-12 be extended and deemed continuing through the fourteenth day of July, Two Thousand Twelve.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



DONE at the Capitol, in the City of Charleston, State of West Virginia, this the fourteenth day of June, in the year of our Lord, Two Thousand Twelve, and in the One Hundred Forty-Ninth year of the State.

Carl Roy Tomblin
GOVERNOR

By the Governor

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SECRETARY OF STATE