**DRAFT EXECUTIVE ORDER FOR IMPLEMENTATION OF PRIORITIES FOR ESSENTIAL SERVICES**

**Executive Order [insert number and year]**

**State of [Energy] Emergency [or Disaster]**

**Implementation of Priorities for Essential Services**

WHEREAS, [insert citation to legal authorities that establish the governor’s ability to take the actions contained in the order];

WHEREAS, [insert brief description of the event(s) that have required this action]; and

WHEREAS, [insert brief description of the consequences and impacts of the event(s)]; and

WHEREAS, it is in the best interests of the State of [insert name] to provide priority to emergency responders for petroleum product supplies needed to protect the health, safety, and economic well-being of the state’s residents and visitors; and

NOW, THEREFORE, I, [insert governor’s name] Governor of the State of [insert name], by virtue of the power and authority vested in the Governor by [cite statute] upon declaration of a state of emergency in the Executive Proclamation [insert number] under this act, I, [insert governor’s name], Governor, hereby implement a Priority End-User Program, [statewide, in the state of, or to become effective in the counties of] as set forth below on [insert time, month, day, year].

**Priority End Users**

Petroleum suppliers shall supply 100 percent of the current fuel requirements to emergency responders (law enforcement, firefighting units, and emergency medical services) upon certification. This certification, to be submitted from a priority end-user to their supplier, shall contain:

1. Statement of the most recent 12 months of purchases in gallons.
2. Anticipated requirements for each of the next 12 months.
3. Written justification explaining the need for any volumes in excess of historical or contractual purchases.
4. A sworn statement by the responsible party that the information contained in the certification is true and accurate and that the petroleum product to be provided will only be used for priority use as indicated by the emergency responders.

Suppliers will have ten (10) work days to begin supplying a priority account with the current requirements upon submission of the certificate of need.

I hereby designate the [insert state agency name], as the state office responsible for the administration of this program. As such, the [insert state agency name] shall provide for a mechanism that will allow for the resolution of any dispute arising out of the imposition of the Priority End-User Program.

**Violation of Order**

Any person who knowingly violates this directive is guilty of a [insert any penalties that may be provided by state law. For example, this might be “a misdemeanor punishable by a fine of not more than [insert number of dollars].] Each day a violation continues is a separate offense. The Attorney General or a Prosecuting Attorney of a county may bring an action in a court of competent jurisdiction to prevent a violation of this order or to compel a person to perform a duty imposed on the person under this Executive Order.

**Duration of Order**

This order shall remain in effect for [insert number of] days from its effective date unless amended, superseded, or rescinded by further Executive Order [or Proclamation]. It shall expire in [insert number of] days after the proclamation of a state of emergency unless extended as provided for in [insert reference to the statute under which this action is based. Alternatively, it could say until such time as supply conditions improve and the plan is no longer needed, and the governor issues an order rescinding the plan.].

Governor: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [insert location]

File with [insert name of the state officer, department, or legislative body with which the order may need to be filed]