



Executive Department  
State of Idaho

## The Office of the Governor Proclamation

State Capital  
Boise

*WHEREAS, the health and safety of all Idahoans is the greatest priority of our state and its leaders; and*

*WHEREAS, the Centers for Disease Control and Prevention has labeled the 2019 novel coronavirus (COVID-19) a pandemic that poses a serious public health threat; and*

*WHEREAS, the Secretary of Health and Human Services declared a public health emergency for the entire United States to aid the nation in responding to COVID-19; and*

*WHEREAS, on March 13, 2020, when the first case of COVID-19 was confirmed in Idaho, I issued a proclamation declaring a state of emergency in the State of Idaho pursuant to Chapter 10, Title 46, Idaho Code, due to the occurrence and imminent threat to public health and safety arising from the effects of COVID-19; and*

*WHEREAS, President Trump issued a proclamation on March 13, 2020, declaring a national emergency due to the outbreak of COVID-19 in the United States and in order to implement additional measures to successfully contain and combat the virus in the United States; and*

*WHEREAS, I issued a proclamation on March 25, 2020, declaring a state of extreme emergency in the State of Idaho pursuant to Chapter 6, Title 46, Idaho Code, due to incidences of community spread, increasing occurrence, and the threat to public health and safety arising from the effects of COVID-19; and*

*WHEREAS, on April 9, 2020, President Trump declared that a major disaster exists in the State of Idaho, which allows for additional federal assistance to aid in recovery efforts related to COVID-19; and*

*WHEREAS, on April 30, 2020, the Board of Examiners approved, pursuant to Section 67-3516(2), non-cognizable spending authority for the Governor's Office in fund 0345 for the \$1.25 billion for the time period of March 1, 2020 through December 30, 2020; and*

*WHEREAS, on October 5, 2020, I declared an emergency in the state of Idaho due to the ongoing occurrence and imminent threat to public health and safety arising from the effects of COVID-19; and*

*WHEREAS, as of November 3, 2020, there have been nearly 9.5 million confirmed cases of COVID-19 and approximately 233,000 deaths in the United States and 67,024 confirmed or probable cases of COVID-19 and 647 deaths in Idaho due to COVID-19; and*

*WHEREAS, COVID-19 clusters with substantial community spread have developed across the United States, including in Idaho and neighboring states. In Idaho, cases of COVID-19 have been reported in all forty-four (44) counties and community spread of COVID-19 has been confirmed in forty-three (43) counties. One (1) Idaho county had the highest per-capita number of cases in the country at one point in time; and thirty-one (31) of Idaho counties have had an average percent positivity of greater than 10 percent, which is double the White House recommendation, in the last month; and*

*WHEREAS, rapid community spread in one rural Idaho county was so severe it caused the local hospital to have to significantly reduce operations to protect its healthcare workers and caused patients to have to travel or be transported into other counties to be treated for COVID-19 or other illnesses and injuries. Idaho's rural communities are particularly at risk because of limited health care capacity and staff; and*

*WHEREAS, cases in Idaho have risen sharply in the past several weeks and are rising in most counties in the state. As a result, hospitals across the state of Idaho, including the Veterans*

*Affairs Medical Center, are at or nearing capacity. Due to the increase in COVID-19 patients, hospitals have had to divert patients to other hospitals within the state and, in some instances, to neighboring states. Hospitals in surrounding states are also experiencing a surge of COVID-19 cases and may not be able to receive Idaho patients; and*

*WHEREAS, the Idaho Department of Health and Welfare, other state agencies, and the local public health districts are expending resources to treat and track cases of COVID-19, supporting healthcare system response, and addressing resource shortages through the use of supplies and equipment from the Strategic National Stockpile (SNS) throughout the State of Idaho to reduce transmission and illness severity. The costs associated with facilitating the COVID-19 preparedness and response effort are expected to increase commensurate with the severity of the outbreak; and*

*WHEREAS, the Idaho Office of Emergency Management Emergency Operations Center is coordinating resources across state government to support the Idaho Department of Health and Welfare and local officials in alleviating the impacts to people, property, and infrastructure, and is assessing the magnitude and long-term effects of the incident with the Idaho Department of Health and Welfare; and*

*WHEREAS, Idaho is committed to being prepared and protecting Idahoans from COVID-19. There continues to be a risk to life and the continued operation of public infrastructure as a result of cases of COVID-19 throughout the State of Idaho, and the declaration of an emergency pursuant to Section 46-1008, Idaho Code, is necessary to receive and distribute emergency funds from the federal government and the State; and*

*WHEREAS, the Governor may suspend the provisions of any regulations that would in any way prevent, hinder, or delay necessary action in coping with the emergency, pursuant to Section 46-1008(5)(a), Idaho Code; and*

*WHEREAS, the Governor is authorized to utilize all resources of the state, including, but not limited to, those sums in the disaster emergency account as he shall deem necessary to pay obligations and expenses incurred during a declared state of disaster emergency, pursuant to Section 46-1008(5)(b), Idaho Code; and*

*WHEREAS, the Governor is authorized to transfer the functions of state departments and agencies or units thereof for the purpose of performing or facilitating emergency services, pursuant to Section 46-1008(5)(c), Idaho Code.*

*NOW, THEREFORE, I, Brad Little, Governor of the State of Idaho, by virtue of the authority vested in me by the Constitution of the United States, the Constitution of the State of Idaho, and by Section 46-1008 of the Idaho Code do hereby find and therefore proclaim and declare:*

- 1. That a state of emergency described in Section 46-1008, Idaho Code, continues to exist in the State of Idaho.
  - a. The nature of the emergency is the occurrence and imminent threat to public health and safety arising from the effects of COVID-19, including but not limited to, the limited healthcare capacity currently available within the State.*
  - b. The area threatened by the emergency includes the State of Idaho.*
  - c. The area subject to this proclamation shall include the State of Idaho.**
- 2. That the Proclamations dated March 13, 18, 23, 25, 27, April 1, 2, 22, 23, May 12, June 11, July 10, August 7, and September 4, 2020, are superseded by this Proclamation.*
- 3. That implementation of the plans and procedures of the State of Idaho Emergency Operations Plan are to continue.*
- 4. That this declaration of emergency is necessary to protect life and property of Idahoans and ensure the state of Idaho continues to have the state and federal resources and funding needed to protect the citizens of Idaho from the dangers and rapid spread of COVID-19.*
- 5. That the list of regulations appended to the October 5, 2020 emergency declaration*

shall continue to be suspended for the duration of the declared state of emergency, including extensions, in order to ensure these regulations do not in any way prevent, hinder, or delay necessary action in coping with the emergency. Each agency responsible for administering a regulation or regulations suspended by this Proclamation shall immediately post to its website in a place easy for the affected public to find a list identifying and stating the text of each rule that has been suspended. If an agency deems suspension of a certain regulation is no longer needed to respond to the emergency, the agency should immediately notify the Governor's Office and resume compliance with the applicable regulation.

6. That the Program to Procure and Distribute Personal Protective Equipment to Idaho Businesses and Nonprofits established by Executive Order 2020-09 continue pursuant to the terms of that Executive Order and this Proclamation.
7. That the actions related to the Idaho Department of Labor taken in Executive Order 2020-11 continue pursuant to the terms of that Executive Order and this Proclamation.
8. That the state of public health emergency herein described shall continue for a period of thirty days unless terminated, modified or extended.
9. That state agencies and departments are directed to continue to utilize state resources and to do everything reasonably possible to assist affected political subdivisions in an effort to respond to, protect Idaho citizens from, and recover from COVID-19.
10. That this proclamation serves pursuant to Section 46-1008, Idaho Code, as authorization for the resources of state government to continue to assist in efforts to deal with the public health emergency of COVID-19 in Idaho.
11. That this proclamation shall be disseminated promptly by means calculated to bring its contents to the attention of the general public and be promptly filed with the Idaho office of emergency management, the office of the secretary of state and the office of the recorder of each county.
12. That this proclamation is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the State of Idaho, its departments, agencies, or entities, its officers, employees, or agents, or any other person



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 4<sup>th</sup> day of November in the year of our Lord two thousand and twenty.

Brad Little  
GOVERNOR

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Lawrence Denney  
SECRETARY OF STATE