

ANNEX P

CONTINUITY OF GOVERNMENT

A. PURPOSE

Continuity of government of the State of West Virginia must be assured to provide for the effective operation of government during an emergency. This annex describes the legally constituted leadership, authority and responsibilities of government.

B. CONCEPT OF OPERATIONS

1. In the event the Governor is not able to exercise the powers and discharge the duties of his office, or is unavailable, the President of the Senate shall act as Governor.
2. If President of the Senate is not able to exercise the powers and discharge the duties of the Office of Governor, or is unavailable, then the Speaker of the House of Delegates shall act as Governor.
3. If the Speaker of the House of Delegates is not able to exercise the powers and discharge the duties of the Office of Governor, then the Attorney General, the State auditor, and resident ex-governors of this State, in inverse order of service, shall be so named; until a new Governor is elected, or until a preceding named officer becomes available.
4. State officers, subject to such regulations as the Governor may issue, in addition to any deputy authorized pursuant to law, exercise all of the powers and discharge the duties of the office, designate by title emergency interim successors and specify their order of succession. The officer shall review and revise, as necessary, designations made to insure their current status. The officer will designate a sufficient number of such emergency interim successors so that there will be not less than three (3) nor more than seven (7) such deputies or emergency interim successors or any combination thereof at any time.
5. In the event of an emergency/disaster situation, and in the event that any State officer or his deputy, if any, is unavailable following such an incident, the said powers of his office shall be exercised and said duties of his office shall be discharged by his designated emergency interim successors in the order specified.
6. Such emergency interim successors shall exercise said powers and discharge said duties only until such time as the Governor, or other official authorized to exercise the powers and discharge the duties of the Office of Governor may, where a vacancy exists, appoint a successor to fill the vacancy or until a successor is otherwise appointed, or elected, and qualified as provided by law; or an officer or his deputy or

a preceding named emergency interim successor becomes qualified to exercise or resume the exercise of the powers and discharge the duties of his office.

C. AUTHORITIES AND REFERENCES

West Virginia Code, Chapter 6A, Article 1