

Executive Orders

EXECUTIVE ORDER KBB 05-37

Emergency Suspension of Certain Provisions Regarding Temporarily Inoperable Hospitals

WHEREAS, Hurricane Katrina struck the state of Louisiana resulting in severe flooding and damage to the southeastern part of the state which has threatened the safety, health, and security of the citizens of the state of Louisiana, along with private property and public facilities;

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, et seq., confers upon the governor of the state of Louisiana emergency powers to deal with emergencies and disasters, including those caused by fire, flood, earthquake or other natural or man-made causes;

WHEREAS, pursuant to such Act, a state of emergency was declared through Proclamation No. 48 KBB 2005;

WHEREAS, pursuant to the Louisiana Health Emergency Powers Act, R.S. 29:760, et seq., a state of public health emergency was declared through Executive Order KBB 2005-26;

WHEREAS, R.S. 29:724(D)(1) and 766(D)(1) authorize the governor, during a state of emergency, to suspend the provisions of any regulatory statute prescribing procedures for the conducting of state business, or the orders, rules or regulations of any state agency, if strict compliance with the provisions of any statute, order, rule or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency;

WHEREAS, as a direct consequence of the disaster and evacuation, several hospitals in the parishes affected by Hurricane Katrina became temporarily inoperable, not fit for operation, and/or unable to provide services to the community;

WHEREAS, LCA 48:I-9305 and 9307 provide that a hospital's license shall be immediately void if a hospital ceases to operate and provides procedures for the closure of a hospital, including the disposition of patient records, public notice, etc.;

WHEREAS, there is a profound need for hospital services in the affected parishes to resume operations as soon as possible; and

WHEREAS, the secretary of the Department of Health and Hospitals has requested the suspension of certain regulations, for hospitals located in the parishes of Jefferson, Orleans, Plaquemines, St. Bernard, St. Tammany, Tangipahoa, and Washington which became temporarily inoperable, not fit for operation, or unable to provide services to the community as a result of Hurricane Katrina and its aftermath so as to allow a prudent and expedited return to operation;

NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: LCA 48:I-9305(B)(3), which voids a hospital license once a hospital ceases to operate, is hereby suspended to the extent it applies to any hospital located in the parishes of Jefferson, Orleans, Plaquemines, St. Bernard, St. Tammany, Tangipahoa, and Washington that have ceased to operate or provide services to the community as a consequence of Hurricane Katrina and its aftermath. This suspension applies only to the extent that such regulation automatically voids a license when a hospital ceases to operate. Any hospital located in any other parish that ceases to operate or any ownership changes of a hospital located in any parish statewide shall continue to void a hospital's license as provided in LCA 48:I-9305(B)(3).

SECTION 2: LCA 48:I-9307, which provides procedures for the closure of a hospital upon cessation of business is hereby suspended to the extent that it applies to any hospital located in the parishes of Jefferson, Orleans, Plaquemines, St. Bernard, St. Tammany, Tangipahoa, and Washington that have ceased to operate or provide services to the community as a consequence of Hurricane Katrina and its aftermath. Any hospital located in any other parish that ceases to operate shall continue to be required to follow the procedures outlined in LCA 48:I-9307.

SECTION 3: Hospitals located in Jefferson, Orleans, Plaquemines, St. Bernard, St. Tammany, Tangipahoa, and Washington parishes and have ceased to operate shall notify the Department of Health and Hospitals, Health Standard Section, in writing when the hospital becomes operable and capable of providing services to the community.

SECTION 4: The Department of Health and Hospitals is hereby authorized to conduct any and all necessary surveys, inspections, and/or reviews of the hospital's facilities upon receipt of such notification.

SECTION 5: All departments, commissions, boards, offices, entities, agencies, and officers of the state of Louisiana, or any political subdivision thereof, are authorized and directed to cooperate with implementing the provisions of this Order.

SECTION 6: This Order is effective upon signature and shall apply retroactively from Monday, August 29, 2005, through Monday, October 17, 2005, unless amended, modified, terminated, or rescinded by the governor, or terminated by operation of law prior to Monday, October 17, 2005.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 19th day of September, 2005.

Kathleen Babineaux Blanco
Governor

ATTEST BY
THE GOVERNOR
Al Ater
Secretary of State
0510#094

EXECUTIVE ORDER KBB 05-38

Executive Branch Hiring and Spending Freeze

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, et seq., a state of emergency was declared through Proclamation No. 48 KBB 2005;

WHEREAS, such Act also confers upon the governor powers to deal with emergencies and disasters, including those caused by fire, flood, earthquake or other natural or man-made causes, to ensure that preparations of this state will be adequate to deal with such emergencies or disasters, and to preserve the lives and property of the citizens of the state of Louisiana;

WHEREAS, Hurricane Katrina and its aftermath caused unprecedented and extensive damage in our state and this tragic event has resulted in significant consequences on our people and our businesses as well as state finances;

WHEREAS, pursuant to the provisions of Article IV, Section 5 of the Louisiana Constitution of 1974, as amended, and Act No. 16 of the 2005 Regular Session of the Louisiana Legislature, the governor may issue executive orders which limit the expenditure of funds by the various agencies in the executive branch of state government (hereafter "spending freeze"); and

WHEREAS, underlying assumptions and needs in the development of the current year's state budget have been drastically altered by the impact of Hurricane Katrina and its aftermath and the interests of the citizens of our state are best served by implementing fiscal management practices to ensure that appropriations will not exceed actual revenues and resources are made available to address post-Katrina shift in needs;

NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: Heads of state agencies and human resource directors shall, to the maximum degree possible, follow Department of State Civil Service General Circular No. 001620, "KATRINA - Assigning employees where most needed," with particular attention to the section titled "Referral of Displaced Employees," in order to make the best use of our state workforce by redeploying displaced state employees.

SECTION 2:

A. Unless specifically exempted by a provision of this Order, no vacancy in an existing or new position of employment within the executive branch of state government, which exists on or occurs after September 19, 2005, shall be filled without the express written approval of the commissioner of administration; and

B. Unless specifically exempted by a provision of this Order, no expenditure of funds shall be made within the executive branch of state government for travel, supplies, professional services, other charges (excluding interagency transfers and debt service), acquisitions, and/or major repairs, without the express written approval of the commissioner of administration.

SECTION 3:

A. The budget activities funded by Act No. 16 of the 2005 Regular Session of the Louisiana Legislative (hereafter

"Act No. 16"), which are exempt from the prohibitions set forth in Section 2 of the Order are as follows:

1. All budget activities directly related to Hurricane Katrina recovery and rebuilding efforts;

2. All budget activities directly necessary for a statewide elected official to perform his or her constitutional functions;

3. All essential budget activities which are expressly and directly mandated by constitution, existing court orders, or existing cooperative endeavor agreements;

4. All essential budget activities of statewide control agencies;

5. All essential budget activities directly required for collection of state revenues recognized by the Revenue Estimating Conference; and

6. All budget activities which are not financed by funds from the State General Fund (Direct), as that term is used in Act No.16, or other funds the balances of which revert to the State General Fund (Direct), as that term is used in Act No. 16 (hereafter "State General Fund Equivalent").

B. Other budget activities funded by Act No. 16 are exempt from the prohibitions set forth in Section 2 of this Order to the following degree:

1. Positions, field travel, and supplies for incarceration, rehabilitation, diagnostic and health services, transportation of inmates, and probation and parole services related to adult corrections as well as positions and field travel for the Pardon Board and Parole Board in the Department of Public Safety and Corrections, Corrections Services;

2. Positions, field travel, and supplies for juvenile secure care facilities and the Field Services Program in the Department of Public Safety and Corrections, Youth Services;

3. Positions, field travel, and supplies related to direct patient care;

4. All positions in the Department of Social Services needed to meet the federal criteria to receive the Temporary Assistance to Needy Families block grant and to continue to provide necessary child welfare services (including Family Independence Temporary Assistance Program eligibility determination case workers, Family Independence work employment and training staff, child support enforcement personnel, disability determination workers, child care assistance employees, and child welfare services positions), and required field travel for these positions and services;

5. All State Police commissioned trooper positions as well as data processing, communications, and crime lab positions in Public Safety Services, field travel for public safety and regulatory activities of the State Police, as well as automotive, aviation, and forensic supplies for the State Police; and

6. All instructional and residential personnel, field travel, and supplies deemed to be absolutely critical for the operations of Special Schools and Special School District #1.

C. The budget activities funded by Act No. 16 which are exempt from the prohibitions set forth in Subsection 2(A) of this Order are: employee transfers, promotions, or reallocations within a department, office, agency, board or commission of the executive branch of state government

which will not, in any manner, increase the aggregate number of filled positions in that department, office, agency, board or commission as of the effective date of this Order. This includes positions being filled through reassignment of displaced state employees.

D. The budget activities funded by Act No. 16 which are exempt from the portion of the provisions of Subsection 2(B) of this Order that prohibits the expenditure of funds for travel are as follows:

1. All travel associated with promoting or marketing the state of Louisiana and/or its products by: a) the Office of Tourism within the Department of Culture, Recreation and Tourism; or b) the Department of Economic Development;

2. Field travel for the Mental Health Advocacy Service;

3. Field travel required for the Office of Legal Affairs, district managers and roving motor vehicle workers in the Office of Motor Vehicles, and inspectors and arson investigators of the Office of the State Fire Marshal in the Department of Public Safety and Corrections, Public Safety Services;

4. Field travel for the Municipal Fire and Police Civil Service Commission and the State Police Commission deemed to be essential;

5. Travel for the Board of Elementary and Secondary Education for board meetings; and

6. Field travel associated with Minimum Foundation Program internal auditors and field travel associated with the accountability initiatives and monitoring local teacher assessments.

E. The budget activities funded by Act No. 16 which are exempt from the portions of the provisions of Subsection 2(B) of this Order that prohibits the expenditure of funds for supplies are as follows.

1. Expenditures of all departments, agencies, offices, boards, and commissions for supplies that total no more than 75 percent of the initial appropriation for supplies for the department, agency, office, board or commission from State General Fund (direct) or State General Fund Equivalent for supplies expenditures;

2. Supplies for the Office of State Parks within the Department of Culture, Recreation and Tourism for maintenance and household needs to maintain state parks and commemorative areas;

3. Instructional supplies for post-secondary education; and

4. Automotive supplies for travel excepted in Subsection 3(D) above.

SECTION 4: The commissioner of administration is authorized to develop additional guidelines as necessary to facilitate the administration of this Order.

SECTION 5:

A. The commissioner of administration is authorized to grant an agency, department, office, board or commission in the executive branch of state government an exemption, on a case-by-case basis or by category, from all or a part of the prohibitions set forth in Section 2 of this Order, as he deems necessary and appropriate. Such an exemption shall be express and in writing;

B. Requests for an exemption from all or a part of the prohibitions set forth in Section 2 of this Order, on a case-

by-case basis or by category, shall be submitted only by a statewide elected official, by the secretary or head of a department, or by the head of an agency, office, board or commission which is not within a department. Each request for an exemption shall be in writing and shall contain a description of the type of exemption sought and full justification for the request;

C. The commissioner of administration may develop guidelines pertaining to requests for exemption from all or a part of the prohibitions set forth in Section 2 of this Order; and

D. If necessary, the commissioner of administration may develop definitions for the terms and/or the description used in this Order.

SECTION 6:

A. Unless otherwise modified by the commissioner of administration, each department, agency, office, board or commission shall file reports with the commissioner of administration on November 3, 2005, January 3, 2006, and April 3, 2006, reflecting projected savings, by means of financing, that the department, agency, office, board, or commission will generate through the implementation of this Order. The report shall reflect a full accounting of personnel changes within the department, agency, office, board or commission for the reporting period covered, including an accounting of employment figures at the beginning and end of the reporting period and the number of vacancies filled and/or not filled during the reporting period pursuant to the provisions of this Order.

B. For positions of employment affected by this expenditure and hiring freeze, the report shall include a description of the methodology used to formulate the personnel savings. This description shall include, at a minimum, the following information for each position of employment affected:

1. The type of position of employment to remain vacant, including job title; and

2. The job function of the position of employment and an analysis of how it meets or serves the role, scope, and/or mission of the Unit.

SECTION 7: All departments, commissions, boards, offices, entities, agencies, and officers of the state of Louisiana, or any political subdivision thereof, are authorized and directed to cooperate with implementing the provisions of this Order.

SECTION 8: This Order is effective upon signature and shall remain in effect through June 30, 2006, until amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 19th day of September, 2005.

Kathleen Babineaux Blanco
Governor

ATTEST BY
THE GOVERNOR
Al Ater
Secretary of State
0510#095

EXECUTIVE ORDER KBB 05-39

Declaration of Public Health Emergency for Control and Disposition of Human Remains

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, et seq., a state of emergency was declared through Proclamation No. 48 KBB 2005;

WHEREAS, subsequently, Hurricane Katrina struck the state of Louisiana causing severe flooding and damage to the southeastern part of the state which has threatened the safety, health, and security of the citizens of the state of Louisiana, along with the private property and public facilities;

WHEREAS, shortly thereafter, levees broke in the parish of Orleans, exacerbating the flooding and posing further threats to the safety, health, and security of the citizens of Louisiana, private property and public facilities;

WHEREAS, hundreds of people have perished and many citizens have suffered or will suffer injury and/or illness;

WHEREAS, R.S. 29:769(D) authorizes the governor to declare a state of public health emergency and order that the Office of Public Health exercise control over the disposition of human remains of people who died in or as a result of Hurricane Katrina and its aftermath; and

WHEREAS, the secretary of the Department of Health and Hospitals and the state health officer have requested there be an appointment of an Office of Public Health, State Medical Examiner to exercise control over the disposition of human remains of people who died in or as a result of Hurricane Katrina and its aftermath;

NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: Pursuant to Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:724, et seq., and more specifically R.S. 29:769(D), a state of public health emergency is hereby declared for the purpose of the control and disposition of human remains.

SECTION 2: The secretary of the Department of Health and Hospitals is hereby authorized to appoint an Office of Public Health, State Medical Examiner to exercise control over the disposal of human remains of individuals who died in or as a result of Hurricane Katrina and its aftermath.

SECTION 3: Such appointee is authorized and empowered to set up, operate, and control a regional morgue and autopsy facility (DMORT) in St. Gabriel, Louisiana to receive, identify, and process human remains of those who died in or as a result of Hurricane Katrina collected from the parishes affected by Hurricane Katrina, and throughout the state, for coroners who are unable or unwilling to handle the remains themselves, including but not limited to the parishes or Jefferson Orleans, Plaquemines, St. Bernard, St. Charles, St. John the Baptist, St. Tammany, and Washington. Such appointee shall coordinate and cooperate with the coroners of the above parishes in the recovery, retrieval, identification, interment or cremation of hurricane related remains.

SECTION 4: Such appointee is authorized and empowered to order and obtain medical records, including hospital, nursing home, physicians, dental and other useful medical records of possible hurricane decedents to aid in their identification and in order to establish their cause of death.

SECTION 5: Such appointee is hereby authorized to sign death certificates, burial permits, and cremation permits for human remains whose death is related to Hurricane Katrina and its aftermath when the jurisdictional coroner is unidentified, unavailable, unable or unwilling to sign.

SECTION 6: This Order is effective upon signature and shall be applicable from Monday, September 12, 2005, until such time as amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.

WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 19th day of September, 2005.

Kathleen Babineaux Blanco
Governor

ATTEST BY
THE GOVERNOR
Al Ater
Secretary of State
0510#096

EXECUTIVE ORDER KBB 05-40

Limited Transfer of Authority to Commissioner of Insurance and Rules Directive for Patient's Compensation Fund

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, et seq., a state of emergency was declared through Proclamation No. 48 KBB 2005;

WHEREAS, subsequently, Hurricane Katrina struck the state of Louisiana resulting in severe flooding and damage to the southeastern part of the state, which has threatened the safety and security of the citizens of the affected areas of the state of Louisiana, along with private property and public facilities;

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, et seq., confers upon the governor of the state of Louisiana emergency powers to deal with emergencies and disasters, including those caused by fire, flood, earthquake or other natural or man-made causes, to ensure that preparations of this state will be adequate to deal with such emergencies or disasters, and to preserve the lives and property of the citizens of Louisiana;

WHEREAS, in accordance with R.S. 29:724, the governor may 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 with the provisions of any statute, order, rule, regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency; and

WHEREAS, pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C.

5121-5206, a similar federal declaration of emergency was declared for affected parishes;

WHEREAS, thousands of families and businesses have suffered damages due to the hurricane and its aftermath and many of such families and businesses have had to relocate temporarily due to mandatory or voluntary evacuations and/or damage to their dwelling or office rendering it uninhabitable and certain healthcare provider networks, or portions thereof, have collapsed;

WHEREAS, in addition to the displacement of thousands of citizens, Hurricane Katrina has also resulted in mass interruption of communication including phone service, internet service and the delivery of mail in numerous areas throughout southeast Louisiana;

WHEREAS, in the ordinary course of business, insurance companies send notices to their insureds, many of such notices are required by law to be responded to within specified time limits with consequence for failure to do so;

WHEREAS, state law, in many instances, also provides requirements for the approval and denial of claims by insurers that compliance therewith is not practical for the thousands of displaced insureds and necessary third parties such as healthcare provider networks;

WHEREAS, in addition, the Patient's Compensation Fund Oversight Board similarly collects surcharges from enrolled and/or qualified healthcare providers for coverage under Louisiana's Patient's Compensation Fund which will yield similar issues for healthcare providers regarding notice of and remittance of payment thereof;

WHEREAS, the commissioner of Insurance has advised the governor that citizens in fourteen parishes are at risk with regard to any and all kinds of insurance; and

WHEREAS, the commissioner of Insurance has requested that the governor use her authority to authorize him to suspend laws regarding legal deadlines and certain processes and procedures as it applies to Louisiana citizens who on August 29, 2005, resided in certain parishes regarding any and all insurance matters, including but not limited to, flood insurance, life insurance, commercial general insurance, property and casualty insurance, vehicle insurance, liability insurance, burglary and forgery insurance, glass insurance, homeowner's insurance, health and accident insurance, health maintenance organizations, fire and extended coverage insurance, crop and livestock insurance, marine and transportation insurance, credit life insurance, health and accident insurance, all surplus lines insurance, reciprocal insurance, reinsurance, credit property and casualty insurance;

NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: The commissioner of Insurance shall have limited transfer of authority to act according to the requirements for implementation of Emergency Rule 15 (Title 37, Part XI, Chapter 27). The governor's authority pursuant to R.S. 29:724 to suspend provision of any regulatory statute prescribing the procedures for conduct of state business, or the orders, rules or regulations of the Department of Insurance is transferred to the commissioner of Insurance for purposes of enacting and enforcing Emergency Rules 15 (Title 37, Part XI, Chapter 27).

SECTION 2: The commissioner of Insurance shall have limited transfer of authority to act according to the requirements for implementation of Emergency Rule 16 (Title 37, Part XI, Chapter 27). The governor's authority pursuant to R.S. 29:724 to suspend provision of any regulatory statute prescribing the procedures for conduct of state business, or the orders, rules or regulations of the Department of Insurance is transferred to the commissioner of Insurance for purposes of enacting and enforcing Emergency Rules 16 (Title 37, Part XI, Chapter 27).

SECTION 3: The commissioner of Insurance shall have limited transfer of authority to act according to the requirements for implementation of Emergency Rule 17 (Title 37, Part XI, Chapter 27). The governor's authority pursuant to R.S. 29:724 to suspend provision of any regulatory statute prescribing the procedures for conduct of state business, or the orders, rules or regulations of the Department of Insurance is transferred to the commissioner of Insurance for purposes of enacting and enforcing Emergency Rules 17 (Title 37, Part XI, Chapter 27).

SECTION 4: This limited transfer of authority referenced in Sections 1, 2, and 3 specifically includes, but is not limited to, the authority to suspend applicable statutes, issue any rules, regulations, directives or take any other actions that the commissioner deems necessary to protect the public health, safety, and welfare of the citizens of Louisiana, who were affected by Hurricane Katrina and on August 29, 2005 resided in the following parishes: Jefferson; Lafourche; Livingston; Orleans; Plaquemines; St. Bernard; St. Charles; St. James; St. John the Baptist; St. Mary; St. Tammany; Tangipahoa; Terrebonne; and Washington.

SECTION 5: Any rules, regulations, directives or any other actions taken by the commissioner of Insurance shall have the full force and effect as if said rules, regulations, directives or any other actions were issued by the governor of the state of Louisiana.

SECTION 6: The governor of the state of Louisiana shall retain her power, coterminous with the power transferred to the commissioner of Insurance, to issue any rules, regulations, directives or take any other actions with regard to any and all insurance matters necessary to protect the public health, safety and welfare of the citizens of Louisiana.

SECTION 7 This limited transfer of authority shall remain in full force and effect for the duration of the state of emergency and/or any subsequent state of emergency declared thereafter, with regard to the disaster caused by Hurricane Katrina and its aftermath. Additionally, any rules, regulations, directives or any actions taken by the governor or the commissioner of Insurance during the state of emergency is in effect or any subsequent state of emergency is declared, shall remain in full force and effect notwithstanding the lifting of the state of emergency.

SECTION 8: The Department of Insurance Emergency Rule Nos. 15, 16, and 17 are hereby declared to be part of this Order, and authorizes if necessary, the suspension of any laws, rules, and regulations necessary for the implementation and enforcement of such laws, rules and regulations.

SECTION 9: All emergency orders, rules, regulations, directives or any other actions taken by the commissioner of Insurance referenced in the Order shall be

publicized according to law and posted on the Department of Insurance website at www.lidi.state.la.us.

SECTION 10: The Patient's Compensation Fund Oversight Board is hereby directed to adopt emergency rules regarding a temporary suspension of payment of surcharges by healthcare providers who practice or operate in disaster affected areas in order for such coverage of the fund to continue. Such rules shall be publicized according to law and posted on the Patient's Compensation Fund website at www.lapcf.state.la.us.

SECTION 11: All departments, commissions, boards, offices, entities, agencies, and officers of the state of Louisiana, or any political subdivision thereof, are authorized and directed to cooperate with the implementation of the provisions of this Order.

SECTION 12: This Order is effective upon signature and shall continue in effect until amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 19th day of September, 2005.

Kathleen Babineaux Blanco
Governor

ATTEST BY
THE GOVERNOR
Al Ater
Secretary of State
0510#097

EXECUTIVE ORDER KBB 05-41

Emergency Commandeering of
Property in St. Bernard Parish

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, et seq., confers upon the governor of the state of Louisiana emergency powers to deal with emergencies and disasters, including those caused by fire, flood, earthquake or other natural or man-made causes, to ensure that preparations of this state will be adequate to deal with such emergencies or disasters, and to preserve the lives and property of the citizens of the state of Louisiana;

WHEREAS, pursuant to Proclamation No. 48 KBB 2005, a state of emergency was declared to exist and is currently in effect;

WHEREAS, R.S. 29:724(D)(4) provides that the governor, subject to any applicable requirements for compensation, may commandeer or utilize any private property if she finds it necessary to cope with the disaster or emergency;

WHEREAS, the expeditious restoration of electrical services is crucial for the health, safety, and welfare of the citizens of Louisiana, and for the preservation of life and property in the recovery efforts from the devastating effects of Hurricane Katrina;

WHEREAS, Entergy Louisiana, Inc. (hereafter "Entergy") is and has been aggressively working to restore electric utility service to residential, industrial, commercial and government customers in numerous areas affected by

Hurricane Katrina, including customers in St. Bernard Parish;

WHEREAS, for purposes of restoring electric service to customers in St. Bernard Parish, a location is required that can store necessary materials and equipment and from which such materials and equipment can be transported to actual job sites for restoration work, referred to herein as a "laydown yard";

WHEREAS, the nature of the restoration work requires the utilization of helicopters to transport material and equipment from the laydown yard to restoration jobsites;

WHEREAS, for safety purposes, it is desirable that helicopters transporting such equipment minimize flying over houses, buildings, streets and/or highways;

WHEREAS, due to the extensive damages in St. Bernard Parish as a result of Hurricane Katrina, Entergy has identified a property in St. Bernard Parish for a laydown yard, giving due consideration to the safety of the area and minimizing the risks arising from using helicopters in the above described manner; and

WHEREAS, Entergy, in consultation with staff of the Public Service Commission, has requested that such property be made available as a laydown yard in order that power may be restored to their customers in St. Bernard parish.

NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: The state of Louisiana hereby commandeers the property located in the parish of St. Bernard, state of Louisiana at Section 46, Township-13-South, Range-13-East, bounded on the West by Paris Road, on the East by Section 45, Township-13-South, Range 13-East, on the South by the 40 Arpent Canal and on the North by Bayou Bienvenue, containing approximately five acres, more or less in Chalmette, Louisiana, to be used by Entergy as a laydown yard for a period not to exceed three months from the date hereof.

SECTION 2: The use of such property by Entergy shall be subject to requirements for compensation as provided by R.S. 29:724(D)(4), to be paid by Entergy.

SECTION 3: Entergy has agreed to hold the owner or owners of such property harmless and defend such owner or owners from and against any liability arising from Entergy's uses of such property as a laydown yard.

SECTION 4: This Order is effective upon signature and shall continue in effect until amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 21st day of September, 2005.

Kathleen Babineaux Blanco
Governor

ATTEST BY
THE GOVERNOR
Al Ater
Secretary of State
0510#098

EXECUTIVE ORDER KBB 05-42

Emergency Filing Procedures for UCC And Notary Bonds
Extension of Executive Order No. KBB 05-30

WHEREAS, Executive Order No. KBB 2005-30, issued on September 7, 2005, suspended the requirement that certain Uniform Commercial Code (hereafter "UCC") filings be filed in the same parish as the original financing statement and that such notary, with temporary residence outside of their original parish, not be required to file additional bonds nor be assessed penalties for late annual report filings.

WHEREAS, Executive Order No. KBB 2005-30 is in effect until September 25, 2005; and

WHEREAS, the secretary of state has requested Executive Order No. KBB 2005-30 be extended for an additional 30 days;

NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: Section 1 of Executive Order No. KBB 2005-30, issued on September 7, 2005, is amended as follows:

Until October 25, 2005, or the date the appropriate Clerk of Court's office becomes operational, all future UCC filings and subsequent UCC filings required to be filed in Jefferson, Plaquemines, St. Bernard, St. Tammany and Washington Parishes and in the Recorder of Mortgages in Orleans Parish, may be filed in any operational Clerk of Court office within the state of Louisiana.

SECTION 2: Section 3 of Executive Order No. KBB 2005-30, issued on September 7, 2005, is amended as follows:

Enforcement of annual report late penalties as provided in R.S. 35:202(B) shall be suspended against any resident of Jefferson, Orleans, Plaquemines, St. Bernard, St. Tammy and Washington Parishes, during the time period of Friday, August 26, 2005, and Tuesday, October 25, 2005.

SECTION 3: Section 2 of Executive Order No. KBB 2005-30 shall remain in full force and effect.

SECTION 4: This Order is effective upon signature and shall continue in effect until Tuesday, October 25, 2005, unless amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 22nd day of September, 2005.

Kathleen Babineaux Blanco
Governor

ATTEST BY
THE GOVERNOR
Al Ater
Secretary of State
0510#099

EXECUTIVE ORDER KBB 05-43

Emergency Suspension of In-State
Licensure for Veterinarians
Extension of Executive Order No. KBB 05-35

WHEREAS, Executive Order No. KBB 2005-35, issued on September 12, 2005, suspended state licensure laws, rules, and regulations for veterinarians relative to the requirement of possessing a Louisiana license to practice veterinary medicine for those veterinarians from other states offering veterinary services to those animals needing such services as a result of the disaster caused by Hurricane Katrina, provided that said out-of-state veterinarians possess a current veterinary license in good standing in his or her respective state of licensure and that he or she practices in good faith and within the reasonable scope of his or her skills, training, or ability;

WHEREAS, Executive Order No. KBB 2005-35 is in effect until September 25, 2005; and

WHEREAS, the Louisiana Board of Veterinary Medicine and the state veterinarian has requested Executive Order No. KBB 2005-35 be extended for an additional 30 days;

NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: Section 3 of Executive Order No. KBB 2005-35, issued on September 12, 2005, is amended as follows:

The suspension of these rules, regulations, and laws shall extend through Tuesday, October 25, 2005.

SECTION 2: All other sections, subsections, and paragraphs of Executive Order No. KBB 2005-35 shall remain in full force and effect.

SECTION 3: This Order is effective upon signature and shall remain in effect until Tuesday, October 25, 2005, unless amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 22nd day of September, 2005.

Kathleen Babineaux Blanco
Governor

ATTEST BY
THE GOVERNOR
Al Ater
Secretary of State
0510#100

EXECUTIVE ORDER KBB 05-44

Emergency Procedures for the
Department of Transportation and Development

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, et seq., a state of emergency was declared through

Proclamation No. 48 KBB 2005, as amended by Proclamation No. 54 KBB 2005, and Proclamation No. 54 KBB 2005;

WHEREAS, Hurricane Katrina made landfall in the state of Louisiana on Monday, August 29, 2005, leaving death and destruction of the state's infrastructure in its path, especially in the parishes of Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Tammany, Tangipahoa, Terrebonne, and Washington and severely impacting the traffic and infrastructure services in adjoining parishes, including but not limited to the parishes of Ascension and East Baton Rouge; and

WHEREAS, R.S. 29:724 authorizes the governor, during a state of emergency, to suspend the provisions of any state regulatory statute prescribing procedures for conducting state business, or the orders, rules or regulation of any state agency, if strict compliance with the provision of any statute, order, rule or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency;

NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: The Louisiana Department of Transportation and Development (hereafter *LA DOTD*), acting through its secretary, or his designee, may act on an emergency basis to clean or temporarily repair, refurbish, reestablish, rehabilitate, and maintain all routes, roads, bridges, and facilities constituting the state highway system and supporting infrastructure owned by LA DOTD within the parishes directly affected by Hurricane Katrina, pursuant to the emergency authority granted by R.S. 48:207 and R.S. 48:252.1.

SECTION 2: Additionally, LA DOTD is authorized to forgo, to the minimum extent necessary, the selection process provided for in R.S. 48:285, *et seq.*, in order to effectively meet the demands of this emergency and meet the needs of the public. However, the secretary of LA DOTD shall, to the extent practicable, assure a competitive process for the employment of consultants for construction and preconstruction engineering services, research, planning, environmental, and other activities contemplated under R.S. 48:285, *et seq.*

SECTION 3: The LA DOTD may, as directed by the secretary, or his designee, use shortened, abbreviated or amended procedures for the selection and procurement of goods, services, supplies, equipment, engineering services and contracting services as allowed under the emergency provisions of R.S. 48:207 and R.S. 48:252.1.

SECTION 4: The LA DOTD, as directed by the secretary, or his designee, may perform or contract work or services necessary to assist local and state officials connected with repair or reconstruction of any municipal or parish highway, bridge, levee or transportation infrastructure or facility in the state of Louisiana, during this emergency.

SECTION 5: Emergency work performed to assist local and state officials shall be performed by written agreement only and actual costs thereof borne by the LA DOTD shall be recorded and maintained for possible future reimbursement provided that such emergency contracts may be initiated through an abbreviated written contract, but must

be memorialized by formal contract procedures within 10 working days of commencement of services. Any authorized reimbursement to the state, known at the time of contracting, from any source of emergency relief available to local or state government, shall be included in the written agreement.

SECTION 6: The inspector general is directed and authorized to monitor all transactions conducted outside the scope of regulatory statutes, orders, rules, and regulations to insure that those transactions are directly related to the emergency situation and are prudently handled and, if any inappropriate transactions are noted, those situations shall be reported to the governor.

SECTION 7: Transportation Trust Fund dollars must be spent according to Louisiana Constitutional Article VII, '27. Additional state funding can be provided pursuant to R.S. 48:757(B) as authorized by the governor. Federal money can also be used for the purposes of this Order if approved and provided by the Federal Emergency Management Agency or any other authorized Federal agency.

SECTION 8: The secretary of LA DOTD, or his designee, is authorized to transfer job assignments, personnel, and functions of his department for the purpose of performing or facilitating emergency purchases, services, and contracting as necessary to comply with this Order and existing law.

SECTION 9: All available department resources should be utilized as reasonably necessary to cope with this emergency.

SECTION 10: All departments, commissions, boards, offices, entities, agencies, and officers of the state of Louisiana, or any political subdivision thereof, are authorized and directed to cooperate with the implementation the provisions of this Order.

SECTION 11: This Order is effective upon signature and shall remain in effect until Saturday, December 31, 2005, unless amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 23rd day of September, 2005.

Kathleen Babineaux Blanco
Governor

ATTEST BY
THE GOVERNOR
Al Ater
Secretary of State
0510#101

EXECUTIVE ORDER KBB 05-45

Suspension of Deadlines and Obligations
of Assessors and Tax Collectors

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of emergency was declared through Proclamation No. 48 KBB 2005, as amended by Proclamation No. 54 KBB 2005, and Proclamation No. 54 KBB 2005;

WHEREAS, Hurricane Katrina has caused unprecedented and extensive flooding and other damage;

WHEREAS, the Louisiana Constitution and relevant statutes have imposed certain deadlines and obligations upon assessors and tax collectors regarding public exposure of assessment lists, hearings by local boards of review, filing of tax rolls with the Louisiana Tax Commission, collection of taxes and sale of property for delinquent taxes; and

WHEREAS, the Louisiana Tax Commission, members of the Louisiana Assessors Association, representatives of the Sheriffs Association, members of the Police Jury Association and the Louisiana Municipal Association jointly request the governor to suspend certain deadlines and obligations of assessors and tax collectors for a period of one hundred twenty (120) days for the parishes of Jefferson, Plaquemines, Orleans, St. Bernard, St. Charles, St. Tammany, and Washington;

NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: All obligations and deadlines imposed by the following statutes are hereby suspended until at least December 29, 2005, for the parishes of Jefferson, Plaquemines, Orleans, St. Bernard, St. Charles, St. Tammany, and Washington;

A. La. R.S. 47:1997(B): Filing of rolls, payment of taxes, sale of property for delinquent taxes for Orleans Parish;

B. La. R.S. 47:1992(F): Inspection of assessment lists, notification and review of assessments by Board of Review for Orleans Parish;

C. La. R.S. 47:1992(G): Inspection of assessment lists, notification and review of assessments by Board of Review;

D. La. R.S. 47:1993(D): Preparation and filing of rolls by assessor;

E. La. R.S. 47:2101: Time for payment of taxes; except that subsection (A)(2), prohibiting forced collection of taxes on movable property prior to February 1 of the succeeding year unless the collector has good reason to believe that government will lose the collection, shall continue to be in effect;

F. La. R.S. 47:2171: Movable property, notice of delinquency;

G. La. R.S. 47:2180: Immovable property, notice of delinquency; and

H. La. R.S. 47:2180.1: Notice of mortgagee;

SECTION 2: This Order is effective upon signature and shall be applicable from Monday, August 29, 2005, unless amended, modified, terminated, or rescinded by the governor, or terminated by operation of law prior to such time.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of

Louisiana, at the Capitol, in the city of Baton Rouge, on this 23rd day of September, 2005.

Kathleen Babineaux Blanco
Governor

ATTEST BY
THE GOVERNOR

Al Ater
Secretary of State
0510#102

EXECUTIVE ORDER KBB 05-46

Emergency Suspension of Certain
Unemployment Insurance Laws
Extension of Executive Order No. KBB 2005-34

WHEREAS, Executive Order No. KBB 2005-34, issued on September 12, 2005, suspended La. R.S. 23:1553, 23:1541, 23:1600(2) and (3), and 23:1601(1), (2), and (7) as a result of Hurricane Katrina's aftermath and the extreme volume of unemployment claims which needed to be processed timely and fairly;

WHEREAS, Executive Order No. KBB 2005-34 is in effect until September 25, 2005; and

WHEREAS, the secretary of Department of Labor has indicated that it is necessary that Executive Order No. KBB 2005-34 be extended;

NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: Section 1 of Executive Order No. KBB 2005-34, issued on September 12, 2005, is amended as follows:

A. The following statutes relative to unemployment insurance are hereby suspended during the state of emergency until Sunday, October 23, 2005, unless extended by subsequent executive order:

1. R.S. 23:1541 and 1553 which provide for a claimant benefits to be charged against a base period employer for purposes of that employer's tax experience rating and the protesting of such charges by employer. All such benefit charges shall be against the social charge tax rate and not against a specific employer.

2. R.S. 23:1600(2) and (3) which require that claimants register for work and conduct work search activities. Work registration and search activities are not practical for claimants without fixed temporary or permanent housing and verification of such activities is not practical in the many areas that continue to have communication challenges. Claimants otherwise eligible, shall be eligible notwithstanding the requirement to register for work and to conduct a work search.

3. R.S. 23:1601(1), (2) and (7) which provide certain disqualifications for otherwise eligible claimants. Such disqualification include reasons for separation,

including a substantial change in employment by the employer or intentional misconduct connected with employment by the employee and offsets for receipt of other benefits. Many separations are the direct result of the damage and destruction from Hurricane Katrina and its aftermath and not the fault of either the employer or the claimant. Also, calculation of offsets for benefits would unduly delay payment, given the volume of claims and the volume of employers without access to their personnel files. Eligible claimants shall not be disqualified based on the above identified Paragraphs.

B. The suspension of laws provided in Subsection A of this Section shall only apply to a claimant who, on August 29, 2005, resided or was employed in any of the following parishes: Acadia, Ascension, Assumption, Calcasieu, Cameron, East Baton Rouge, East Feliciana, Iberia, Iberville, Jefferson, Jefferson Davis, Lafayette, Lafourche, Livingston, Orleans, Pointe Coupee, Plaquemines, St. Bernard, St. Charles, St. Helena, St. James, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Vermilion, Washington, West Baton Rouge and West Feliciana.

SECTION 2: This Order is effective upon signature and shall continue in effect until Sunday, October 23, 2005, unless amended, modified, terminated, or rescinded by the governor, or terminated by operation of law prior to such time.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 23rd day of September, 2005.

Kathleen Babineaux Blanco
Governor

ATTEST BY
THE GOVERNOR
Al Ater
Secretary of State
0510#103

EXECUTIVE ORDER KBB 05-47

Declaration of Public Health Emergency and Suspension
of In-State Licensure for Medical/Health Professionals
and Personnel Licensed Out-of-State
Extension of Executive Order No. KBB 05-33

WHEREAS, Executive Order No. KBB 2005-33, issued on September 12, 2005, suspended Louisiana State licensure laws, rules, and regulations for medical/health professionals and personnel for those professionals and personnel from other states and nations offering medical services to those needing medical services as a result of Hurricane Katrina, and the potential results of Hurricane Rita, provided that said out-of-state or out-of-country medical/health professionals and personnel possess a current medical license in good standing in their respective state or country of licensure and that they practice in good faith, and within the reasonable scope of his or her skills, training, or ability;

WHEREAS, Executive Order No. KBB 2005-33 is in effect until September 25, 2005; and

WHEREAS, the secretary of the Department of Health and Hospitals and the state health officer request that Executive Order No. 2005-33, issued on September 12, 2005, be extended for an additional 30 days;

NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: Section 2 of Executive Order No. KBB 2005-33, issued on September 12, 2005, is amended as follows:

Until Tuesday, October 25, 2005, the Louisiana State licensure laws, rules, and regulations for medical/health professionals and personnel are hereby suspended for those medical/health professionals and personnel from other states or other countries offering medical services in Louisiana to those needing medical services as a result of this disaster provided that said out-of-state or out-of-country medical/health professionals and personnel possess a current medical license in good standing in their respective state or country of licensure and that they practice in good faith and within the reasonable scope of his or her skills, training, or ability.

SECTION 2: Section 3 of Executive Order No. KBB 2005-33, issued on September 12, 2005, is amended as follows:

All out-of-state or out-of-country medical/health professionals and personnel offering services to the state of Louisiana by authority of this Order shall be covered by R.S. 40:1299.39, et seq., and shall thus be considered agents of the state of Louisiana for tort liability purposes contingent upon said out-of-state or out-of-country medical/health professionals and personnel possessing a current medical license in good standing in their respective state or country of licensure and that they practice in good faith and within the reasonable scope of his or her skills, training or ability.

SECTION 3: Section 4 of Executive Order No. KBB 2005-33, issued on September 12, 2005, is amended as follows:

All out-of-state or out-of-country medical/health professionals and personnel offering services to the state of Louisiana by authority of this Order shall submit to the state health officer or his designee at the Office of Public Health within the Louisiana Department of Health and Hospitals, or the appropriate state health provider licensing board, a copy of their respective license and photo identification. Such persons shall contact the Public Health Office at 225-763-5762 or 225-763-5763.

SECTION 4: All other sections, subsections, and paragraphs of Executive Order No. KBB 2005-33, issued on September 12, 2005 shall remain in full force and effect.

SECTION 5: This Order is effective upon signature and shall remain in effect until Tuesday, October 25, 2005, unless amended, modified, terminated, or rescinded by the governor, or terminated by operation of law prior to such time.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 23rd day of September, 2005.

Kathleen Babineaux Blanco
Governor

ATTEST BY
THE GOVERNOR
Al Ater
Secretary of State
0510#104

EXECUTIVE ORDER KBB 05-48

Emergency Suspension of Prescription,
Peremption and Other Legal Deadlines
Extension of Executive Order No. KBB 05-32

WHEREAS, Executive Order No. KBB 2005-32, issued on September 6, 2005, suspended all deadlines applicable to legal proceedings, including prescription and peremption, in all Louisiana state courts, administrative agencies and boards;

WHEREAS, Executive Order No. KBB 2005-32 is in effect until September 25, 2005; and

WHEREAS, the Louisiana State Bar Association, the Louisiana Trial Lawyers Association, and the Louisiana Association of Defense Counsel jointly requested that Executive Order No. 2005 - 32 be extended for an additional 30 days;

NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: Section 1 of Executive Order No. KBB 2005-32, issued on September 6, 2005, is amended as follows:

A. All deadlines in legal proceedings, including liberative prescriptive and preemptive periods in all courts, administrative agencies, and boards are hereby suspended until at least October 25, 2005, including, but not limited to, non-constitutionally mandated deadlines in criminal proceedings and any such deadlines set for in the following:

1. Louisiana Civil Code;
2. Louisiana Code of Civil Procedure;
3. R.S. Title 9, Civil Code Ancillaries;
4. La. R.S. Title 13, Courts and Judicial Procedure;
5. La. R.S. Title 23, Chapter 10, Worker's Compensation;
6. a. R.S. Title 40, Chapter 5 Part XXI-A, Malpractice Liability for State Services; and
7. a. R.S. Title 40, Chapter 5, Part XXIII, Medical Malpractice.

B. The suspension of laws as provided in Subsection 1(A) of this Executive Order shall apply statewide and in all matters, except to the extent that the suspension of deadlines in legal proceedings may hereafter be shortened or lifted, in whole or in part, by an order issued by the Louisiana Supreme Court acting in accordance with the power vested pursuant to Article V of the Constitution.

SECTION 2: This Order is effective upon signature and shall remain in effect until Tuesday, October 25, 2005, unless amended, modified, terminated, or rescinded by the governor, or terminated by operation of law prior to such time.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 23rd day of September, 2005.

Kathleen Babineaux Blanco
Governor

ATTEST BY
THE GOVERNOR
Al Ater
Secretary of State
0510#105

EXECUTIVE ORDER KBB 05-49

Temporary Location of LSU School of Medicine

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, et seq., a state of emergency was declared through Proclamation No. 48 KBB 2005, as amended by Proclamation No. 54 KBB 2005;

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721 et seq., confers upon the governor of the state of Louisiana emergency powers to deal with emergencies and disasters, including those caused by fire, flood, earthquake or other natural or man-made causes, to ensure that preparations of this state will be adequate to deal with such emergencies or disasters, and to preserve the lives and property of the citizens of the state of Louisiana;

WHEREAS, Hurricane Katrina and the related flooding damaged and/or destroyed the facilities used by the Health Sciences Center of Louisiana State University;

WHEREAS, the Louisiana State University Health Science Center is a dominant provider of education for medical doctors, dentists, nurses and allied health care providers;

WHEREAS, the faculty of the Louisiana State University School of Medicine also provide substantial clinical medical services for the citizens of Louisiana, including the indigent and uninsured who were displaced from the New Orleans area to Baton Rouge;

WHEREAS, the faculty, staff, and students of the Louisiana State University Health Science Center have been displaced as a result of this disaster;

WHEREAS, Louisiana State University has temporarily moved the operations of the Health Science Center to Baton Rouge, with classes starting at Louisiana State University's Pennington Biomedical Research Center, as well as other locations;

WHEREAS, the influx of evacuees from the disaster area as well as the influx of emergency and relief personnel to address the tremendous needs of the area have created a critical shortage of available housing in the Baton Rouge area;

WHEREAS, Louisiana State University, in conjunction with state officials and the Federal Emergency Management Agency (hereafter "FEMA") has arranged to provide temporary emergency housing for many of these displaced faculty, staff, and students in a chartered ship which can be docked on the Mississippi River in the Baton Rouge area;

WHEREAS, FEMA in approving the use of the chartered ship, recognized that the continued viability of the Louisiana State University Health Science Center is at stake and that the providing of housing for students, faculty, and staff was essential to maintain the institution which produces doctors, nurses, dentists, and allied health care professionals for state of Louisiana, now and in the future;

WHEREAS, docking space is available in the Port of Greater Baton Rouge, which is governed by the Greater Baton Rouge Port Commission, a political subdivision of the state of Louisiana pursuant to Article VI, Section 44(2) of the Louisiana Constitution of 1974;

WHEREAS, pursuant to R.S. 29:724(D), the governor is authorized to use all available resources to the state and of each political subdivision of the state as reasonably necessary to cope with the disaster and emergency; and

WHEREAS, Louisiana State University Health Science Center has requested that docking space at the Greater Baton Rouge Port be made available for such charter ship as it is critical to the continued viability of their Health Science Center;

NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: The Greater Baton Rouge Port Commission (hereafter "Commission") shall take all reasonable steps, in light of the emergency circumstances, to make available to Louisiana State University School of Medicine an appropriate docking facility within the Port of Greater Baton Rouge suitable for use by the chartered ship as temporary emergency housing for displaced faculty, staff, and students of their Health Science Center.

SECTION 2: The Commission shall allow Louisiana State University the use of, and suitable access to, this docking facility beginning on the day this executive order is signed by the governor, and to continue use as long as necessary to fulfill the purposes of this Order.

SECTION 3: All departments, commissions, boards, offices, entities, agencies, and officers of the state of Louisiana, or any political subdivision thereof, are authorized and directed to cooperate with the implementation the provisions of this Order.

SECTION 4: This Order is effective upon signature and shall continue in effect until amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of

Louisiana, at the Capitol, in the city of Baton Rouge, on this 23rd day of September, 2005.

Kathleen Babineaux Blanco
Governor

ATTEST BY
THE GOVERNOR

Al Ater
Secretary of State
0510#106

EXECUTIVE ORDER KBB 05-50

Suspension of Special Officer's Commission Bond Amends
Executive Order No. KBB 05-29

WHEREAS, Executive Order No. KBB 2005-29, issued on September 3, 2005, regarding a special officer's commission by the superintendent of state police suspended the requirement of a bond and proof thereof provided for in La. R.S. 40:1379.1, and the qualifications and requirements provided in LAC 55:I-1303(G);

WHEREAS, Executive Order No. KBB 2005-29 provides that these suspensions are in effect until September 25, 2005; and

WHEREAS, the superintendent of State Police has requested Executive Order No. KBB 2005-34 be extended, particularly since Hurricane Rita has compounded issues presented by Hurricane Katrina;

NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: Section 4 of Executive Order No. KBB 2005-29, issued on September 3, 2005, is amended as follows:

The suspension of the bond requirements by a person receiving a special officer's commission from the superintendent of State Police and LAC 55:1-1303(G) shall extend through Tuesday, October 25, 2005.

SECTION 2: All other sections of Executive Order No. KBB 2005-29 shall remain in full force and effect.

SECTION 3: This Order is effective upon signature and shall continue in effect until Tuesday, October 25, 2005, unless amended, modified, terminated, or rescinded by the governor, or terminated by operation of law prior to such time.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 25th day of September, 2005.

Kathleen Babineaux Blanco
Governor

ATTEST BY
THE GOVERNOR

Al Ater
Secretary of State
0510#107

EXECUTIVE ORDER KBB 05-51

Emergency Occupation of Hotel and Motel Rooms: Katrina and Rita Amends Executive Order No. KBB 2005-24

WHEREAS, Executive Order No. KBB 2005-24, issued on September 1, 2005, stated that no evacuee shall be replaced by a non-evacuee as long as the evacuee currently occupying a hotel or motel room is able to pay the nightly rates, including applicable taxes, or is able to guarantee payment through appropriate insurance coverage or by the Federal Emergency Management Agency (FEMA);

WHEREAS, Proclamation No. 53 KBB 2005, issued on September 20, 2005, proclaimed a state of emergency due to Hurricane Rita; and

WHEREAS, it is necessary to amend Executive Order No. KBB 2005-24 in order to include those parishes affected by Hurricane Rita;

NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: Section 3 of Executive Order No. KBB 2005-24, issued on September 1, 2005, is amended as follows:

The attorney general, state police, and local governmental authorities are authorized to ensure compliance with this Order for the amount of time the state of Louisiana remains in a state of emergency pursuant to Proclamation No. 48 KBB 2005, as amended by 54 KBB 2005; or Proclamation No. 53 KBB 2005;

SECTION 2: All other sections of Executive Order No. KBB 2005-24, issued on September 1, 2005, shall remain in full force and effect.

SECTION 3 This Order is effective upon signature and shall continue in effect until amended, modified, terminated, or rescinded by the governor, or terminated by operation of law prior to such time.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 27th day of September, 2005.

Kathleen Babineaux Blanco
Governor

ATTEST BY
THE GOVERNOR
Al Ater
Secretary of State
0510#108

EXECUTIVE ORDER KBB 05-52

Emergency Suspension of Certain
Workers' Compensation Laws

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, et seq., a state of emergency was declared through Proclamation No. 48 KBB 2005, as amended by Proclamation No. 54 KBB 2005, and Proclamation No. 53 KBB 2005;

WHEREAS, Hurricane Katrina struck the southeastern part of the state of Louisiana and Hurricane Rita struck the southwestern part of the state causing severe flooding and damage which has threatened the safety, health, and security of the citizens of the state of Louisiana, along with private property and public facilities;

WHEREAS, Hurricane Katrina and its aftermath, and Hurricane Rita rendered over eight hundred thousand (800,000) workers, employers, healthcare professionals and workers' compensation payors displaced;

WHEREAS, in addition to the displaced individuals and businesses, there are thousands of individuals remaining in south Louisiana with which there has been numerous communication challenges due to the mass extended interruption of mail service, phone service and electricity;

WHEREAS, the evacuations, displacements and communication issues as well as the inability of workers' compensation claimants and payors and their representatives to gain access to their files has resulted in challenges to the administration of the workers' compensation system;

WHEREAS, R.S. 29:724, authorizes the governor during a state of emergency to suspend the provisions of any state regulatory statute prescribing procedures for conducting state business, or the orders, rules or regulation of any state agency, if strict compliance with the provision of any statute, order, rules or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency;

WHEREAS, the secretary of the Department of Labor has requested, due to the mass displacement of claimants across our state and our nation, that portions of R.S. 23:1124 regarding consequences for failure to timely submit to a medical examination and R.S. 23:1203(A) regarding out-of-state healthcare providers be suspended;

NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: R.S. 23:1124 which suspends an employee's right to workers' compensation benefits for failure to timely submit to a medical examination is hereby suspended. The suspension shall only apply to claimants who evacuated due to Hurricane Katrina and/or Hurricane Rita and only for such time as such claimant is in evacuee status.

SECTION 2: R.S. 23:1203(A) is hereby suspended to the extent that such statute differentiates between in-state and out-of-state providers and facilities. The suspension shall only apply for a claimant who evacuated to a location outside of Louisiana and for the time period that such claimant remains residing outside of Louisiana. In such instances, medical care, services and treatment shall be provided as though the provider or facility was located in Louisiana.

SECTION 3: This Order is effective upon signature and shall apply retroactively from Monday, August 29, 2005, through Monday, October 24, 2005, unless amended, modified, terminated, or rescinded by the governor, or terminated by operation of law prior to Monday, October 24, 2005.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 29th day of September, 2005.

Kathleen Babineaux Blanco
Governor

ATTEST BY
THE GOVERNOR
Al Ater
Secretary of State
0510#109

EXECUTIVE ORDER KBB 05-53

Emergency Suspension of Time Limitations Applicable to Benefits, Emoluments, Entitlements, and Opportunities Available to Public Employees

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721 et seq., confers upon the governor of the state of Louisiana emergency powers to deal with emergencies and disasters, including those caused by fire, flood, earthquake or other natural or man-made causes, to ensure that preparations of this state will be adequate to deal with such emergencies or disasters, and to preserve the lives and property of the citizens of the state of Louisiana;

WHEREAS, Hurricane Katrina struck the southeastern part of the state of Louisiana and Hurricane Rita struck the southwestern part of the state causing severe flooding and damage which has threatened the safety, health, and security of the citizens of the state of Louisiana, along with private property and public facilities;;

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, et seq., a state of emergency was declared through Proclamation No. 48 KBB 2005, as amended by Proclamation No. 54 KBB 2005, and Proclamation No. 53 KBB 2005;

WHEREAS, public employees enjoy benefits, emoluments, entitlements, and opportunities as a result of such employment which are established and governed by state statutes and/or orders, rules, and regulations that contain time limitations applicable to the enjoyment of those benefits, emoluments, opportunities, and entitlements;

WHEREAS, the effects of Hurricane Katrina, and the potential effects of Hurricane Rita, will prevent many public employees whose work domicile is in a parish subject to an official closure from meeting the requirements of those time limitations;

WHEREAS, the Department of State Civil Service has requested the governor to suspend the running of those time limitations;

NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: All time limitations contained in any statute, order, rule, or regulation affecting any benefit, emolument, entitlement or opportunity available to public employees as a result of their public employment and whose work domicile or location, whether permanent or temporary,

was at an office or institution subject to an official closure at any time during the declared emergency are hereby suspended until the state of emergency is lifted, or the particular office or institution reopens, whichever occurs first.

SECTION 2: This Order is effective upon signature and shall be applicable from Saturday, August 27, 2005, unless amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 29th day of September, 2005.

Kathleen Babineaux Blanco
Governor

ATTEST BY
THE GOVERNOR
Al Ater
Secretary of State
0510#110

EXECUTIVE ORDER KBB 05-54

Delay of the October 15, 2005 and November 12, 2005 Elections in the Parishes of Allen, Beauregard, Calcasieu, Jefferson Davis and Vermilion

WHEREAS, "in order to ensure maximum citizen participation in the electoral process and provide a safe and orderly procedure for persons seeking to qualify or exercise their right to vote, to minimize to whatever degree possible a person's exposure to danger during declared states of emergency, and to protect the integrity of the electoral process," the Louisiana Legislature enacted R.S. 18:401.1 to provide "a procedure for the emergency suspension or delay and rescheduling of absentee voting in person and elections"; and

WHEREAS, on September 28, 2005, pursuant to the provisions of R.S. 18:401.1(B), the secretary of state certified to the governor that as a result of Hurricane Rita a state of emergency exists in the parishes of Allen, Beauregard, Calcasieu, Jefferson Davis and Vermilion and recommends that the primary election scheduled to be held on Saturday, October 15, 2005, be postponed and delayed in those parishes;

NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: Under the authority of R.S. 18:401.1(B) and based on the September 28, 2005, certification of the secretary of state that a state of emergency exists in the parishes of Allen, Beauregard, Calcasieu, Jefferson Davis and Vermilion and the recommendation that the primary election in these parishes be postponed and delayed; the primary and proposition elections scheduled to be held on Saturday, October 15, 2005, in the parishes of Allen, Beauregard, Calcasieu, Jefferson Davis and Vermilion shall be held on Saturday, November 12, 2005; and the general and proposition elections in the parishes of Allen, Beauregard, Calcasieu, Jefferson Davis and Vermilion

scheduled to be held on Saturday, November 12, 2005, be postponed and delayed until Saturday, December 10, 2005.

SECTION 2: This Order is effective upon signature.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of the state of Louisiana, at the Capitol, in the city of Baton Rouge, on this 29th day of September, 2005.

Kathleen Babineaux Blanco
Governor

ATTEST BY
THE GOVERNOR
Al Ater
Secretary of State
0510#111

EXECUTIVE ORDER KBB 05-55

Bond AllocationC Rapides Finance Authority

WHEREAS, pursuant to the Tax Reform Act of 1986 and Act 51 of the 1986 Regular Session of the Louisiana Legislature, Executive Order No. KBB 2005-12 was issued to establish:

- (1) a method for allocating bonds subject to private activity bond volume limits, including the method of allocating bonds subject to the private activity bond volume limits for the calendar year of 2005 (hereafter "the 2005 Ceiling");
- (2) the procedure for obtaining an allocation of bonds under the 2005 Ceiling; and
- (3) a system of central record keeping for such allocations; and

WHEREAS, the Rapides Finance Authority has requested an allocation from the 2005 Ceiling to be used with a program of financing mortgage loans for single family, owner-occupied residences for low and moderate income families throughout the parish of Rapides, in accordance with the provisions of Section 146 of the Internal Revenue Code of 1986, as amended;

NOW THEREFORE, I, KATHLEEN BABINEAUX BLANCO, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and the laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: The bond issue, as described in this Section, shall be and is hereby granted an allocation from the 2005 Ceiling in the amount shown:

Amount of Allocation	Name of Issuer	Name of Project
\$10,000,000	Rapides Finance Authority	Single Family Mortgage Revenue Bonds

SECTION 2: The allocation granted herein shall be used only for the bond issue described in Section 1 and for the general purpose set forth in the "Application for Allocation of a Portion of the State of Louisiana Private Activity Bond Ceiling" submitted in connection with the bond issue described in Section 1.

SECTION 3: The allocation granted herein shall be valid and in full force and effect through December 31, 2005, provided that such bonds are delivered to the initial purchasers thereof on or before December 27, 2005.

SECTION 4: All references in this Order to the singular shall include the plural, and all plural references shall include the singular.

SECTION 5: The undersigned certifies, under penalty of perjury, that the allocation granted herein was not made in consideration of any bribe, gift, or gratuity, or any direct or indirect contribution to any political campaign. The undersigned also certifies that the granted allocation meets the requirements of Section 146 of the Internal Revenue Code of 1986, as amended.

SECTION 6: This Order is effective upon signature and shall remain in effect until amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 5th day of October, 2005.

Kathleen Babineaux Blanco
Governor

ATTEST BY
THE GOVERNOR
Al Ater
Secretary of State
0510#112

EXECUTIVE ORDER KBB 05-56

Emergency Filing Procedures for UCC and Notary Bonds

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, et seq., a state of emergency was declared through Proclamation No. 48 KBB 2005, as amended by 54 KBB 2005, and Proclamation No. 53 KBB 2005;

WHEREAS, Hurricane Katrina struck the southeastern part of the state of Louisiana and Hurricane Rita struck the southwestern part of the state causing severe flooding and damage which has threatened the safety, health, and security of the citizens of the state of Louisiana, along with private property and public facilities;

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, et seq., confers upon the governor of the state of Louisiana emergency powers to deal with emergencies and disasters, including those caused by fire, flood, earthquake or other natural or man-made causes, to ensure that preparations of this state will be adequate to deal with such emergencies or disasters, and to preserve the lives and property of the citizens of Louisiana;

WHEREAS, R.S. 29:724(D)(1) authorizes the governor to 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 with the provisions of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency;

WHEREAS, the filing office for Uniform Commercial Code (UCC) filings is the Clerk of Court's office, except in Orleans Parish where it is the Recorder of Mortgages office;

WHEREAS, the filing of UCC-3 and UCC-3F and subsequent filings are required by law to be filed in the same Clerk of Court's office (or Recorder of Mortgages office in Orleans Parish) as the original financing statement;

WHEREAS, Hurricane Katrina and its aftermath, and Hurricane Rita rendered several Clerk of Court offices and the Orleans Parish Recorder of Mortgages office inoperable and/or not fit for occupancy, rendering strict compliance with the law impossible;

WHEREAS, R.S. 1:55 provides dates in which the courts are closed due to an emergency situation are considered to be legal holidays;

WHEREAS, certain commerce can continue if filings are permitted to take place with alternate sites;

WHEREAS, R.S. 35:191, requires a notary public to be commissioned and bonded in his or her parish of residence and R.S. 35:202 requires that such notary file annual reports with the Secretary of State office on or before the anniversary date of his or her commission;

WHEREAS, Hurricane Katrina and its aftermath, and Hurricane Rita has resulted in several parishes of southeast and southwest Louisiana being subject to mandatory or voluntary evacuations and thousands of residents thereafter securing temporary residency outside of their original parish;

WHEREAS, the Secretary of State has requested that the governor suspend the requirement that certain UCC filings be filed in the same parish as the original financing statement and that such notary, with temporary residence outside of their original parish, not be required to file additional bonds nor be assessed penalties for late annual report filings.

NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: Until October 25, 2005, or the appropriate Clerk of Court's office becomes operational, all future UCC filings and subsequent UCC filings required to be filed in the parishes of Jefferson, Plaquemines, St. Bernard, St. Tammany, and Washington and in the Recorder of Mortgages in Orleans Parish, may be filed in any operational Clerk of Court office within the state of Louisiana.

SECTION 2: The residents of the parishes of Jefferson, Plaquemines, Orleans, St. Bernard, St. Tammany, and Washington who hold a commission of notary in those parishes may exercise the functions of a notary public within the parish of their temporary residence without additional bonding requirements provided such notary registers his or her temporary address with the Secretary of State's office.

SECTION 3: Enforcement of annual report late penalties as provided in R.S. 35:202(B) shall be suspended against any resident of the parishes of Jefferson, Orleans, Plaquemines, St. Bernard, St. Tammy, and Washington during the time period of Friday, August 26, 2005, and October 25, 2005.

SECTION 4: Also until October 25, 2005, or the appropriate Clerk of Court's office becomes operational, all future UCC filings and subsequent UCC filings required to be filed in the parishes of Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis, and Vermilion may be filed in

any operational Clerk of Court office within the state of Louisiana.

SECTION 5: The residents of the parishes of Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis, and Vermilion who hold a commission of notary in those parishes may exercise the functions of a notary public within the parish of their temporary residence without additional bonding requirements provided such notary registers his or her temporary address with the Secretary of State's office.

SECTION 6: Enforcement of annual report late penalties as provided in R.S. 35:202(B) shall be suspended against any resident of the parishes of Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis, and Vermilion during the time period of Tuesday, September 20, 2005, and October 25, 2005.

SECTION 7: Sections 1, 2 and 3 of this Order shall be applicable from the Monday, August 29, 2005, and Sections 4, 5 and 6 of this Order shall be applicable from Tuesday, September 20, 2005;

SECTION 8: Executive Order No. KBB 2005-30, issued on September 7, 2005, as amended by Executive Order No. KBB 2005-42, issued on September 22, 2005 are hereby terminated and rescinded.

SECTION 9: This Order is effective upon signature and shall continue in effect until Tuesday, October 25, 2005, unless amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 6th day of October, 2005.

Kathleen Babineaux Blanco
Governor

ATTEST BY
THE GOVERNOR
Al Ater
Secretary of State
0510#113

EXECUTIVE ORDER KBB 05-57

Temporary Transitional Housing on State Property

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, et seq., a state of emergency was declared through Proclamation No. 48 KBB 2005, as amended, and Proclamation No. 54 KBB 2005, and Proclamation No. 53 KBB 2005;

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, et seq., confers upon the governor of the state of Louisiana emergency powers to deal with emergencies and disasters, including those caused by fire, flood, earthquake, hurricane or other natural or man-made causes, to ensure that preparations of this state will be adequate to deal with such emergencies or disasters, and to preserve the lives and property of the citizens of the state of Louisiana;

WHEREAS, Hurricane Katrina struck the southeastern part of the state of Louisiana and Hurricane Rita struck the southwestern part of the state causing severe

and extensive flooding and other damage, rendering thousands of our citizens temporarily without housing;

WHEREAS, in addition to housing totally destroyed by the storms and flooding, Hurricanes Katrina and Rita has also resulted in the disruption of essential utilities, including water and electric, in several areas of the southern part of the state which has led to dangerous and unsanitary conditions in housing partially damaged;

WHEREAS, many Louisiana citizens displaced from their homes are currently living with family and friends or in hurricane evacuation shelters or hotels and motels located throughout the state and throughout the country;

WHEREAS, R.S. 29:724(D)(2) authorizes the governor during a state of emergency to utilize all available resources of the state government and of each political subdivision of the state as reasonably necessary to cope with the disaster or emergency;

WHEREAS, R.S. 29:724(D)(9) specifically authorizes the governor to issue executive orders necessary to make provision for the availability and use of temporary emergency housing; and

WHEREAS, it has become necessary to utilize available and vacant state property for purposes of temporary transitional housing for Louisiana's thousands of displaced citizens whose housing was destroyed or seriously damaged by the storms and its aftermath until such time as the evacuees are able to return to their homes or obtain alternate long-term housing;

NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: State-owned property may be used for temporary, transitional housing for displaced Louisiana evacuees. Any local ordinance which purports to prohibit the use of such property for residential purposes is hereby suspended.

SECTION 2: Nothing in this Order shall be construed to waive any other restrictions, or required permits, construction code standards or similar standards established to promote the health, safety, and welfare of Louisiana citizens who will be residing in such temporary, transitional housing.

SECTION 3: Permitting and inspection agencies are hereby directed to prioritize requests by contractors, state agencies or the Federal Emergency Management Agency (FEMA) for permits and inspections that directly relate to such temporary, transitional housing in order to expedite the readiness of such housing. Inspections and processes required to be performed for issuance of necessary permits allowing the placement and construction of temporary housing shall:

A. Be performed within three business days; or

B. Be specifically documented by the permitting authority as to why the proposed plan for emergency housing cannot be accomplished, or permit can not be issued to the requesting authority in writing.

SECTION 4: All departments, commissions, boards, offices, entities, agencies, and officers of the state of Louisiana, or any political subdivision thereof, are authorized and directed to cooperate with the implementation of the provisions of this Order.

SECTION 5: This Order is effective upon signature and shall continue in effect until amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 6th day of October, 2005.

Kathleen Babineaux Blanco
Governor

ATTEST BY
THE GOVERNOR
Al Ater
Secretary of State
0510#114

EXECUTIVE ORDER KBB 05-58

Emergency Suspensions to Assist in Meeting
Educational Needs of Louisiana Students

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721 et seq., confers upon the governor of the state of Louisiana emergency powers to deal with emergencies and disasters, including those caused by fire, flood, earthquake or other natural or man-made causes, to ensure that preparations of this state will be adequate to deal with such emergencies or disasters, and to preserve the lives and property of the citizens of the state of Louisiana;

WHEREAS, Hurricane Katrina and Hurricane Rita struck the state of Louisiana causing severe flooding and damage to the southern part of the state, which has threatened the safety, health, and security of the citizens of the state of Louisiana, along with private property and public facilities;

WHEREAS, pursuant to Proclamation No. 48 KBB 2005, as amended by Proclamation No. 54 KBB 2005, and Proclamation No. 53 KBB 2005, a state of emergency was declared for the entire state and is currently in effect;

WHEREAS, as a direct consequence of the disaster and evacuation, many Louisiana schools were damaged or destroyed and are currently inoperable. Thousands of public school students are unable to attend the schools in the school district in which they resided prior to the hurricanes and such students have temporarily enrolled in other school districts throughout the state. However, many of these students will return to the school district in which they resided prior to the hurricanes in need of an operational school to attend;

WHEREAS, La. Constitution Art. VIII §1 states that the Louisiana Legislature shall provide for the education of the people of the state and shall establish and maintain a public educational system. In addition to local public school boards, charter schools, created pursuant to La. R.S. 17:3971, et seq., may fulfill this obligation;

WHEREAS, Charter schools are required to comply with various statutory and regulatory provisions governing the operation of their schools. The State Board of Elementary and Secondary Education and the Louisiana Department of Education also incur responsibilities under

certain regulatory statutes governing charter schools and the chartering process;

WHEREAS, R.S. 29:724(D)(1) authorizes the governor to 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 with the provisions of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency; and

WHEREAS, the State Board of Elementary and Secondary Education (hereafter "BESE") has requested the suspension of certain charter school provisions within Title 17 of the Louisiana Revised Statutes in order to facilitate the use of charter schools to assist in meeting the educational needs of Louisiana students. Certain provisions of law prevent the rapid expansion of charter schools by either requiring a process that extends over a period of time or by establishing a requirement of law to which the charter cannot comply due to the disaster;

NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: The following provisions in Title 17 of the Louisiana Revised Statutes are hereby suspended:

A. R.S. 17:1990(F) to the extent that it specifies students eligible to enroll in and attend a charter school;

B. R.S. 17:3973(2)(b)(iv) to the extent that it provides that prior to the creation of a Type 4 charter to convert a preexisting school, it shall be approved by the professional faculty and staff of the preexisting school and approved by the parents or guardians of children enrolled in the school as provided in R.S. 17:3983(C);

C. R.S. 17:3973(2)(b)(v) to the extent that it specifies students eligible to enroll in and attend a charter school;

D. R.S. 17:3983 (A)(3)(a) to the extent that it establishes timelines for the application for and approval of a charter school;

E. R.S. 17:3983 (A)(4)(c) to the extent that it establishes a timeline for the approval of a charter school application;

F. R.S. 17:3983(A)(4)(f) to the extent that it establishes a timeline for the charter school to begin operation;

G. R.S. 17:3991(C)(1)(b) to the extent that it establishes a timeline for an application process; and

H. R.S. 17:3996(B)(4) to the extent that it requires compliance with a minimum number of instructional minutes and instructional days in a school year.

SECTION 2: This Order is effective upon signature and shall continue in effect, until amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 7th day of October, 2005.

Kathleen Babineaux Blanco
Governor

ATTEST BY
THE GOVERNOR
Al Ater
Secretary of State
0510#115