

Executive Orders

EXECUTIVE ORDER KBB 05-95

Emergency Procedures for Conducting State Business for the Louisiana Superdome

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 Nos. 54 KBB 2005, 61 KBB 2005, and 68 KBB 2005;

WHEREAS, Hurricane Katrina has caused unprecedented and extensive damage in the state of Louisiana and this tragic event has significant consequences on the financial conditions of the state;

WHEREAS, the Louisiana Superdome is a unique asset and an integral part of the economic vitality and recovery of the state, fostering tourism, generating revenue for the hotel, travel, and restaurant industry, and garnering recognition nationally and globally as a premier destination for sporting events, conventions, and shows;

WHEREAS, any delay in the restoration of the Louisiana Superdome to a full service facility may force continued cancellation of sporting events, conventions and shows, thus, severely decreasing tourism and ultimately affecting the overall economic recovery of the state;

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; and

WHEREAS, the Louisiana Superdome, through the Louisiana Stadium and Exposition District (hereafter "LSED"), and the Office of Facility Planning and Control (hereafter "FP&C"), have requested that time-lines be abbreviated to expedite procurement of certain items, including but not limited to, the services of general contractors, construction managers, subcontractors, laborers, materialmen, suppliers, and other goods and services for the construction, repair, and replacement of damage at the Louisiana Superdome from Hurricane Katrina and its aftermath, so that the Louisiana Superdome is made ready to host sporting events, conventions, and shows, as soon as possible, which will produce significant tax revenues and increased tourism for the state of Louisiana and will signal the revitalization and rebuilding of the city of New Orleans;

NOW THEREFORE, 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: That such statutes or regulations which might prevent the Louisiana Superdome, through the LSED,

as a political subdivision of the state of Louisiana, or the FP&C from being authorized and empowered to contract for services of general contractors, construction managers, subcontractors, laborers, materialmen, suppliers, and for other goods and services for the construction, repair, and replacement of all damages at the Louisiana Superdome as a result from Hurricane Katrina and its aftermath, specifically R.S. 38:2181, et seq., R.S. 39:1481, et seq., R.S. 39:1551, et seq., and Title 34 of the Louisiana Administrative Code, are hereby suspended. The Louisiana Superdome, LSED, and FP&C shall maintain documentation which shall include the vendor's names and addresses, goods or services purchased, prices paid, invoices and other emergency related reasons for those purchases or contracts. Strict compliance with R.S. 38:2181, et seq., R.S. 39:1481, et seq., R.S. 39:1551, et seq., and Title 34 of the Louisiana Administrative Code shall not be required.

SECTION 2: The FP&C in the Division of Administration shall administer the project and may issue requests for proposals for the competitive selection of a construction management firm and other suppliers of goods and services as described in Section 1 above, shall be allowed to negotiate prices with the firm(s) and suppliers of goods and services, through expedited and competitive requests for proposals process. Strict compliance with R.S. 38:2181, et seq., R.S. 39:1481, et seq., R.S. 39:1503, et seq., R.S. 39:1551, et seq., and Title 34 of the Louisiana Administrative Code shall not be required.

SECTION 3: Notwithstanding any provisions of this Order, when procurements are made which would otherwise be subject to the provisions of R.S. 38:2181, et seq., R.S. 39:1481, et seq., R.S. 39:1551, et seq., or Title 34 of the Louisiana Administrative Code, procedures and requirements set forth in R.S. 38:2212(D)(2) shall be complied with. Additionally, the Louisiana Superdome, LSED, and FP&C shall at a minimum:

A. Establish a centralized point of contact that monitors all transactions conducted without strict statutory compliance and maintains copies of all documentation;

B. Solicit competitive quotes and/or offers from at least three potential offerers, whenever possible, and take the necessary steps to assess that fair and equitable pricing is being offered; and

C. Only issue payments to contractors, suppliers, or vendors after verification that all goods, services, and repairs meet contract requirements.

SECTION 4: The inspector general is directed and authorized to monitor those 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 directly to the governor.

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 prior to that date.

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 9th day of December, 2005.

Kathleen Babineaux Blanco
Governor

ATTEST BY
THE GOVERNOR
Al Ater
Secretary of State
0601#093

EXECUTIVE ORDER KBB 05-96

Delay of the Qualifying Period and the February 4, 2006 and March 4, 2006 Elections in the Parish of Orleans

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 December 2, 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 Katrina a state of emergency exists in the parish of Orleans and recommends that the qualifying period scheduled for December 14, 2005 through December 16, 2005, and the proposition election and primary elections scheduled to be held on Saturday, February 4, 2006, and the general elections scheduled to be held on Saturday, March 4, 2006, be postponed and delayed;

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 December 2, 2005, certification of the secretary of state that a state of emergency exists in the parish of Orleans, and the recommendation that the qualifying period, proposition and primary elections, and the general elections in the parish of Orleans be postponed and delayed; the qualifying period scheduled for December 14, 2005 through December 16, 2005, the proposition election and primary elections scheduled for February 4, 2006, and the general elections scheduled for March 4, 2006, in the parish of Orleans, are hereby postponed and delayed and shall resume or be rescheduled as soon as practicable.

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 9th day of December, 2005.

Kathleen Babineaux Blanco
Governor

ATTEST BY
THE GOVERNOR
Al Ater
Secretary of State
0601#094

EXECUTIVE ORDER KBB 05-97

Bond Allocation—Louisiana Public Facilities 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 Louisiana Public Facilities Authority has requested an allocation from the 2005 Ceiling to be used to finance the acquisition, construction, installation, and equipping of solid waste disposal facilities, recycling facilities, resource recovery facilities or industrial sewage and wastewater treatment facilities, in connection with the Motiva Enterprises Refinery in Convent, Louisiana and/or the nearby Marathon Ashland Refinery, and the Company's pipeline system, located in the parish of St. James, state of Louisiana, 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
\$35,000,000	Louisiana Public Facilities Authority	Air Products and Chemicals, Inc.

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 29, 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 19th day of December, 2005.

Kathleen Babineaux Blanco
Governor

ATTEST BY
THE GOVERNOR
Al Ater
Secretary of State
0601#095

EXECUTIVE ORDER KBB 05-98

Suspension of Certain Residency
Requirements for Certain Boards

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, 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 Nos. 54 KBB 2005, 60 KBB 2005 and 68 KBB 2005;

WHEREAS, Hurricane Katrina struck the state of Louisiana on August 29, 2005, causing severe and extreme flooding and damage to the southeastern part of the state;

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

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, R.S. 38:304(A) provides parish residency requirements and the mass displacement of residents of the most affected parishes has impacted the applicant pool and continued service of commissioners of levee districts and levee and drainage districts.

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. 38:304(A) regarding residency requirements for appointment to and service on levee districts or levee and drainage districts is hereby suspended. All other subsections of R.S. 38:304 shall remain in full force and effect.

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 14th day of December, 2005.

Kathleen Babineaux Blanco
Governor

ATTEST BY
THE GOVERNOR
Al Ater
Secretary of State
0601#096

EXECUTIVE ORDER KBB 05-99

Emergency Suspension of In-State Licensure
Laws for Out-of-State Towing Operators
Extends Executive Order No. KBB 05-60

WHEREAS, Executive Order No. KBB 2005-60, issued on October 13, 2005, suspended certain specifications of the Towing and Storage Act, R.S. 32:1715(A), solely with regard to the requirement of the display of a towing license plate, and R.S. 32:1716(B), and only those rules promulgated pursuant specifically thereto in the affected areas so that a temporary tow truck license plate issued by the Department of Public Safety and Corrections may be accepted in lieu of a license tag, provided that the tow truck is properly registered and licensed in the state of origin; and

WHEREAS, The Department of Public Safety and Corrections has requested the Order be extended until March 31, 2006;

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 7 of Executive Order No. KBB 2005-60, issued on October 13, 2005, is amended as follows:

This Order is effective upon signature and shall continue in effect until Friday, March 31, 2006, unless amended, modified, terminated, or rescinded by the governor, or terminated by operation of law prior to such time.

SECTION 2: All other sections, subsections, and paragraphs of Executive Order No. KBB 2005-60, issued on October 13, 2005, shall remain in full force and effect.

SECTION 3: This Order is effective upon signature and shall continue in effect until Friday, March 31, 2006, 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 27th day of December, 2005.

Kathleen Babineaux Blanco
Governor

ATTEST BY
THE GOVERNOR
Al Ater
Secretary of State
0601#097

EXECUTIVE ORDER KBB 05-100

Emergency Suspension of Certain Workers' Compensation Laws—Extends Executive Order No. KBB 05-52

WHEREAS, Executive Order No. KBB 2005-52, issued on September 29, 2005, suspended portions of R.S. 23:1124 regarding consequences for failure to timely submit to a medical examination and portions of R.S. 23:1203(A) to the extent that such statute differentiates between in-state and out-of-state providers and facilities, due to the mass displacement of claimants across the state of Louisiana and the nation; and

WHEREAS, Executive Order No. KBB 2005-74, issued on October 25, 2005, extended the effective date until Monday, November 28, 2005; and

WHEREAS, Executive Order No. KBB 2005-88, issued on November 21, 2005, extended the effective date until Sunday, January 1, 2006;

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 2005-52, issued on September 29, 2005, as amended by Executive Order No. KBB 2005-74, issued on October 25, 2005, is amended as follows:

This Order is effective upon signature and shall apply retroactively from Monday, August 29, 2005, through Tuesday, February 28, 2006, unless amended, modified, terminated, or rescinded by the governor, or terminated by operation of law prior to Tuesday, February 28, 2006.

SECTION 2: All other sections, subsections, and paragraphs of Executive Order No. KBB 2005-52, issued on September 29, 2005, as amended by Executive Order No. KBB 2005-74, issued on October 25, 2005, shall remain in full force and effect.

SECTION 3: Executive Order No. KBB 2005-88, issued on November 21, 2005, is hereby rescinded and terminated.

SECTION 4: This Order is effective upon signature and shall continue in effect until Tuesday, February 28, 2006, 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 27th day of December, 2005.

Kathleen Babineaux Blanco
Governor

ATTEST BY
THE GOVERNOR
Al Ater
Secretary of State
0601#098

EXECUTIVE ORDER KBB 05-101

2005 Carry-Forward Bond Allocation
Louisiana Housing Finance Agency
Multi-Family Mortgage Revenue Bond Program

WHEREAS, pursuant to the Tax Reform Act of 1986 and Act 51 of the 1986 Regular Session of the Louisiana Legislature (hereafter "Act"), 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;

WHEREAS, Section 4(H) of KBB 2005-12 provides that if the ceiling for a calendar year exceeds the aggregate amount of bonds subject to the private activity bond volume limit issued during the year by all issuers, by executive order, the governor may allocate the excess amount to issuers or an issuer for use as a carry-forward for one or more carry-forward projects permitted under the Act;

WHEREAS, Executive Order No. KBB 2005-85, issued on November 15, 2005, allocated four million one hundred fifty thousand dollars (\$4,150,000) from the 2005 Ceiling to the Louisiana Public Facilities Authority in connection with North Park Apartments, a mixed income multi-family housing project, but fifty thousand dollars (\$50,000) of the allocation was returned unused to the 2005 Ceiling;

WHEREAS, Hurricanes Katrina and Rita have

(1) displaced hundreds of thousands of households from core disaster areas determined by the president to warrant individual and public assistance from the federal government under Section 401 of the Robert T. Stafford Act;

(2) created a critical shortfall in the labor force jeopardizing vital industries and businesses in such core disaster areas;

(3) destroyed thousands of residential housing units in the core disaster areas that are critical to housing the labor force serving vital industries and businesses in the core disaster areas; and

(4) substantially damaged tens of thousands of other residential units in the core disaster areas that must be rehabilitated in order for the population base and labor force to be able to return to the core disaster areas to service the economic generators and industries of such disaster areas;

WHEREAS, the Louisiana Recovery Authority and its permanent housing task force are working closely with the Louisiana Housing Finance Agency to develop a comprehensive statewide housing plan, including the use of private activity volume cap as outlined in this Order, to address the challenges and needs presented by Hurricanes Katrina and Rita;

WHEREAS, the governor desires to allocate private activity volume cap on a priority basis to the core disaster areas to stimulate the investment of funds for affordable housing in such areas; and

WHEREAS, the governor desires to allocate eighty million seven hundred one thousand five hundred twenty dollars (\$80,701,520) of the excess 2005 Ceiling as a carry-forward for a project which is permitted and eligible under the Act;

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: Pursuant to and in accordance with the provisions of Section 146(f) of the Internal Revenue Code of 1986, as amended, and in accordance with the request for a carry-forward filed by the designated issuer, excess private activity bond volume limit under the 2005 Ceiling is hereby allocated to the following issuer, for the following carry-forward project, and in the following amount, to increase the availability of housing for citizens displaced by Hurricanes Katrina and Rita:

Issuer	Carry-Forward Project	Carry-Forward Amount
Louisiana Housing Finance Agency	Multi-Family Mortgage Revenue Bond Program	\$80,701,520

SECTION 2: All references in this Order to the singular shall include the plural, and all plural references shall include the singular.

SECTION 3: The undersigned certifies, under penalty of perjury, that the granted allocation 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 4: 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 the state

of Louisiana, at the Capitol, in the city of Baton Rouge, on this 30th day of December, 2005.

Kathleen Babineaux Blanco
Governor

ATTEST BY
THE GOVERNOR
Al Ater
Secretary of State
0601#099

EXECUTIVE ORDER KBB 05-102

2005 Carry-Forward Bond Allocation
Louisiana Public Facilities Authority
Student Loan Revenue Bonds

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;

WHEREAS, Section 4(H) of KBB 2005-12 provides that if the ceiling for a calendar year exceeds the aggregate amount of bonds subject to the private activity bond volume limit issued during the year by all issuers, by executive order, the governor may allocate the excess amount to issuers or an issuer for use as a carry-forward for one or more carry-forward projects permitted under the Act; and

WHEREAS, the governor desires to allocate seventy-nine million dollars (\$79,000,000) of the excess 2005 Ceiling as a carry-forward for a project which is permitted and eligible under the Act;

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: Pursuant to and in accordance with the provisions of Section 146(f) of the Internal Revenue Code of 1986, as amended, and in accordance with the request for a carry-forward filed by the designated issuer, excess private activity bond volume limit under the 2005 Ceiling is hereby allocated to the following issuer, for the following carry-forward project, and in the following amount:

Issuer	Carry-Forward Project	Carry-Forward Amount
Louisiana Public Facilities Authority	Student Loan Revenue Bonds	\$79,000,000

SECTION 2: All references in this Order to the singular shall include the plural, and all plural references shall include the singular.

SECTION 3: The undersigned certifies, under penalty of perjury, that the granted allocation 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 4: 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 the state of Louisiana, at the Capitol, in the city of Baton Rouge, on this 30th day of December, 2005.

Kathleen Babineaux Blanco
Governor

ATTEST BY
THE GOVERNOR
Al Ater
Secretary of State
0601#100