

# Executive Orders

## EXECUTIVE ORDER KBB 06-22

### Emergency Procedures for Conducting State Business

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, et seq., a state of emergency/disaster was declared through Proclamation No. 48 KBB 2005 and Proclamation No. 53 KBB 2005, and most recently extended by Proclamation No. 23 KBB 2006 and Proclamation No. 22 KBB 2006;

WHEREAS, Hurricane Katrina and its aftermath, and Hurricane Rita caused unprecedented and extensive damage in the state of Louisiana and these tragic events have significant consequences on the financial conditions 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;

WHEREAS, Executive Order No. KBB 2005-66, issued on October 18, 2005, established certain procedures for conducting state business during such emergencies and/or disasters; and

WHEREAS, the conditions originally necessitating relaxation of the statutory requirements concerning procurement and contracting have to some extent abated and the state is now in the process of recovery from Hurricane Katrina and Hurricane Rita and preparation for the upcoming hurricane season;

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: For procurement and contracting, strict compliance with R.S. 39:1481, et seq., and R.S. 39:1551, et seq., shall be required except under those circumstances where the agency demonstrates in writing to the commissioner of administration (hereafter "commissioner") that strict compliance would have a detrimental effect on lives, property, or the efficient operation of the agency in its recovery or preparation efforts. The commissioner may direct that the agency comply with a modified plan for contracting or procurement.

Requests for authority to avoid strict compliance with statutory requirements should be addressed to the director of the Office of State Purchasing or the director of the Office of Contractual Review, as appropriate.

SECTION 2: In those circumstances where the commissioner determines that strict compliance is not required, agencies should comply with the following conditions:

A. An appointed official within the agency, or the equivalent for elected officials or higher education, must identify the emergency condition present and determine that the lack of strict compliance with the statutory restrictions is necessary due to the emergency;

B. A centralized point of contact for each agency must monitor all transactions conducted without strict statutory compliance, maintaining copies of all documentation. Documentation should specify whether the purchase falls into the "emergency" or "permanent" category and whether the purchase relates to Hurricane Katrina or Hurricane Rita;

C. Competitive quotes and/or offers must be obtained whenever possible and agencies must take the necessary steps to assess that fair and equitable pricing is being offered;

D. Performance-based contracting should be used where practical;

E. Statewide contracts should be used where practical;

F. Copies of contracts which would otherwise require approval by the Office of Contractual Review or the Office of State Purchasing must be provided to those agencies. Additionally, ISIS agencies should enter small purchases into the AGPS/CFMS database. (Note: For CFMS contracts, agencies should use the document type "MISC"); and

G. Payments to contractors should be made only after verification that all goods and services meet contract requirements.

SECTION 3: 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 4: All cabinet members, statewide elected officials, and department heads are authorized to transfer the directions, job assignments, personnel, and functions of their departments for the purpose of performing or facilitating emergency services as necessary.

SECTION 5: All available resources of state government should be utilized as reasonably necessary to cope with this emergency.

SECTION 6: Executive Order No. KBB 2005-66, issued on October 18, 2005, is hereby rescinded and terminated.

SECTION 7: 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 2nd day of June, 2006.

Kathleen Babineaux Blanco  
Governor

ATTEST BY  
THE GOVERNOR  
Al Ater  
Secretary of State  
0606#052

**EXECUTIVE ORDER KBB 06-23**

Urban Search and Rescue Commission  
Amends Executive Order No. KBB 05-5

WHEREAS, Executive Order No. KBB 05-5, issued on February 23, 2005, created the Urban Search and Rescue Commission (hereafter "Commission") designed to organize an urban search and rescue team, coordinate the team's training, and authorize the team's acquisition of necessary equipment;

WHEREAS, Executive Order No. KBB 2006-7, issued on February 15, 2006, increased the membership of the Commission to include representation by the Department of Wildlife and Fisheries due to their designation as the primary state agency responsible for search and rescue in accordance with the state's emergency operation plan; and

WHEREAS, it is necessary to expand the membership of the Commission to serve the best interests of the citizens of the state of Louisiana;

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 2005-5, issued on February 23, 2005, as amended by Executive Order No. 2006-7, issued on February 15, 2006, is amended as follows:

A. The Commission shall be composed of fifteen (15) members as follows:

B. The superintendent of the Louisiana State Police, or the superintendent's designee;

C. The adjutant general of the state of Louisiana, or the adjutant general's designee;

D. The director of the Governor's Office of Homeland Security and Emergency Preparedness, or the director's designee;

E. The secretary of the Department of Wildlife and Fisheries, or the secretary's designee;

F. One (1) representative of each of the ten (10) fire districts appointed by the president of the Louisiana Fire Chiefs Association; and

F. The president of the Louisiana Emergency Preparedness Association, or the president's designee.

SECTION 2: All other sections, subsections, and paragraphs of Executive Order No. KBB 2005-5, issued on

February 23, 2005, as amended by Executive Order No. KBB 2006-7, issued on February 15, 2006, 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.

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 2nd day of June, 2006.

Kathleen Babineaux Blanco  
Governor

ATTEST BY  
THE GOVERNOR  
Al Ater  
Secretary of State  
0606#053

**EXECUTIVE ORDER KBB 06-24**

Statewide Interoperable Communication  
System Executive Committee  
Amends Executive Order No. KBB 06-17

WHEREAS, Executive Order No. KBB 2006-17, issued on March 31, 2006, established a Statewide Interoperable Communication System Executive Committee (hereafter "Committee") to develop an inter-disciplinary approach among all levels of government to provide reliable communications for the state of Louisiana's entire emergency response community;

WHEREAS, it is necessary to add the chief information officer to the membership of the Committee and to correct other information relative to this Order;

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 6 of Executive Order No. KBB 2006-17, issued on March 31, 2006, is amended as follows:

The Committee shall be composed of twenty-eight (28) members, selected as follows:

A. The commissioner of the Division of Administration, or the commissioner's designee;

B. The director of the Governor's Office of Homeland Security and Emergency Preparedness, or the director's designee;

C. The adjutant general of the Louisiana National Guard, or the adjutant general's designee;

D. The secretary of the Department of Public Safety and Corrections, Corrections Services, or the secretary's designee;

E. The secretary of the Department of Transportation and Development, or the secretary's designee;

F. The secretary of the Department of Wildlife and Fisheries, or the secretary's designee;

G. The secretary of the Department of Health and Hospitals, or the secretary's designee;

H. The chief information officer, or the chief information officer's designee;

I. The deputy secretary of the Department of Public Safety and Corrections, Public Safety Services, or the deputy secretary's designee;

J. The executive secretary of the Louisiana Public Service Commission, or the executive secretary's designee;

K. The president of the Louisiana Sheriff's Association, or the president's designee;

L. The president of the Police Chiefs Association, or the president's designee;

M. The president of the Louisiana Fire Chiefs Association, or the president's designee;

N. The chair of the Regional Parish Homeland Security and Emergency Preparedness Directors Committee, or the chair's designee;

O. The chair of the Louisiana House of Representatives Committee on Administration of Criminal Justice, or the chair's designee;

P. The chair of the Louisiana State Senate Judiciary B Committee; or the chair's designee;

Q. The chair of the Louisiana House of Representatives Special Committee on Louisiana Homeland Security, or the chair's designee;

R. The chair of the Louisiana State Senate Select Committee on Homeland Security, or the chair's designee;

S. One (1) representative of the Louisiana Broadband Advisory Council, selected from a list of three (3) nominees submitted by the Louisiana Broadband Advisory Council; and

T. One (1) representative from each of the nine regional interoperable communications working groups as established in Section 5 of this Order.

SECTION 2: Section 8 of Executive Order No. KBB 2006-17, issued on March 31, 2006, is amended as follows:

The Committee shall meet at regularly scheduled intervals and at the call of the chair. The Committee's membership as outlined in Section 6(T) of this Order shall not be considered as part of a quorum until such time as the regional workgroup is duly constituted and selects its representative.

SECTION 2: All other sections, subsections, and paragraphs of Executive Order No. KBB 2006-17, issued on March 31, 2006, 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.

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 2nd day of June, 2006.

Kathleen Babineaux Blanco  
Governor

ATTEST BY  
THE GOVERNOR  
Al Ater  
Secretary of State  
0606#054