



EXECUTIVE DEPARTMENT

PROCLAMATION NUMBER 128 JBE 2022

RENEWAL OF STATE OF EMERGENCY – HURRICANE DELTA

- WHEREAS,** the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. 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 manmade causes, in order 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 people of the State of Louisiana;
- WHEREAS,** pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721, *et seq.*, Governor John Bel Edwards declared a state of emergency in response to the imminent threat posed by Hurricane Delta on October 6, 2020, in Proclamation Number 133 JBE 2020;
- WHEREAS,** Hurricane Delta made landfall on the Louisiana coast on the evening of Friday, October 9, 2020, bringing devastating winds, widespread power-outages, and severe damage to Louisiana;
- WHEREAS,** the State of Louisiana suffered severe flooding and damage to the state which threatens the safety, health, and security of the citizens of the State of Louisiana, along with private property and public facilities;
- WHEREAS,** La. R.S. 40:2116(D)(2) prohibits the Department of Health from approving additional beds in nursing facilities;
- WHEREAS,** the State of Louisiana desires to promote and protect the health, safety, and well-being of all Louisiana residents, and specifically those residents in nursing facilities;
- WHEREAS,** La. R.S. 29:724 authorizes the governor during a declared state of emergency to suspend the provisions of any state regulatory statute prescribing procedures for conducting state business, or the orders, rules or regulations 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; and
- WHEREAS,** damage from this storm continues to pose a threat to citizens and communities across the Gulf Coast and create conditions which place lives and property in the state in jeopardy.

NOW THEREFORE, I, JOHN BEL EDWARDS, 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 the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721, *et seq.*, a state of emergency is hereby declared to continue to exist statewide in the State of Louisiana as a result of the imminent threat of emergency conditions that threaten the lives and property of the citizens

of the State.

SECTION 2: The Director of the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) is hereby authorized to continue to undertake any activity authorized by law which he deems appropriate in response to this declaration.

SECTION 3: A) Pursuant to La. R.S. 29:732, during a declared state of emergency, the prices charged or value received for goods and services sold within the designated emergency area may not exceed the prices ordinarily charged for comparable goods and services in the same market area at or immediately before the time of the state of emergency, unless the price by the seller is attributable to fluctuations in applicable commodity markets, fluctuations in applicable regional or national market trends, or to reasonable expenses and charges and attendant business risk incurred in procuring or selling the goods or services during the state of emergency.

B) Pursuant to La. R.S. 29:724(D)(1), the Louisiana Procurement Code (La. R.S. 39:1551, *et seq.*) and Louisiana Public Bid Law (La. R.S. 38:2211, *et seq.*) and their corresponding rules and regulations continue to be suspended for the purpose of the procurement of any good or services necessary to respond to this emergency, including emergency contracts, cooperative endeavor agreements, and any other emergency amendments to existing contracts.

C) Pursuant to La. R.S. 29:724(D)(1), the provisions of La. R.S. 39:126 regarding prior approval of change orders continue to be suspended.

SECTION 4: All departments, commissions, boards, agencies and officers of the State, or any political subdivision thereof, are authorized and directed to cooperate in actions the State may take in response to the effects of this severe weather event.

SECTIONS 5: This order is effective upon signature and shall remain in effect from Tuesday, September 27, 2022 to Wednesday, October 26, 2022, unless terminated sooner.



IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 26th day of September, 2022.

A handwritten signature in black ink, appearing to read "John Bel Edwards", is written over a horizontal line.

GOVERNOR OF LOUISIANA

**ATTEST BY THE SECRETARY
OF STATE**

A handwritten signature in blue ink, appearing to read "R. Y. B. B. B.", is written over a horizontal line.

SECRETARY OF STATE