



## EXECUTIVE DEPARTMENT

### PROCLAMATION NUMBER 173 JBE 2021

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#### ***STATE OF EMERGENCY – TROPICAL STORM NICHOLAS***

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**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 the 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,** when the Governor determines that a disaster or emergency has occurred, or the threat thereof is imminent, La. R.S. 29:724(B)(1) empowers him to declare a state of emergency by executive order or proclamation, or both;

**WHEREAS,** the National Weather Service indicates that Tropical Storm Nicholas developed in the southwest Gulf of Mexico and is expected to continue north-northwestward through tonight. It is anticipated that Nicholas will take a slower northward or north-northeastward motion by late Monday;

**WHEREAS,** data from Air Force reconnaissance aircraft indicate the maximum sustained winds are near 40 mph with higher gusts. Gradual strengthening is forecasted while Nicholas approaches the northwestern Gulf coast during the next day or so;

**WHEREAS,** the system is currently projected to make landfall in Texas on Monday; however, that would bring tropical-force winds and heavy rainfall anywhere between 10 to 20 inches to Southwestern Louisiana;

**WHEREAS,** the Louisiana coast could potentially experience severe damage from flash flooding and heavy rain that could threaten the safety, health, and security of the citizens of the state, along with damage to private property and public facilities;

**WHEREAS,** many parishes in Southwest Louisiana will need to take protective measures to help mitigate flooding and wind damage in response to this imminent threat; and

**WHEREAS,** the State anticipates that several parishes will declare states of emergency and will need assistance in their response to this developing threat.

**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 exist 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 undertake any activity

authorized by law that he deems appropriate in response to this declaration.

**SECTION 3:** Pursuant to the 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.

**SECTION 4:** 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 are hereby 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.

**SECTION 5:** 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.

**SECTION 6:** This order is effective upon signature and shall remain in effect from Sunday, September 12, 2021 to Monday, October 11, 2021, 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 12<sup>th</sup> day of September, 2021.

**s/JOHN BEL EDWARDS**

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**GOVERNOR OF LOUISIANA**

**ATTEST BY THE SECRETARY  
OF STATE**

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**SECRETARY OF STATE**