

State of Louisiana Proclamation

PROCLAMATION NUMBER 170 JBE 2021

AMENDMENT TO STATE OF EMERGENCY - HURRICANE IDA

- WHEREAS,** pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721, *et seq.*, a state of emergency was declared through Proclamation Number 165 JBE 2020;
- WHEREAS,** Hurricane Ida made landfall on the Louisiana coast as a major hurricane on Sunday, August 29, 2021, bringing devastating winds, widespread power-outages, and severe damage to Louisiana;
- WHEREAS,** the damage resulting from Hurricane Ida poses a threat to citizens and communities in the storm's path and has created conditions which place lives and property in the state in jeopardy;
- WHEREAS,** the State of Louisiana, recognizing the significant impact of Hurricane Ida, desires to minimize this impact on the residents and assist communities in their recovery; and
- 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.

NOW THEREFORE, 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, hereby ordered and directed as follows:

SECTION 1: UNEMPLOYMENT INSURANCE

- A) For the purpose of this Proclamation, "disaster-related claims" shall mean claims for unemployment compensation filed by persons whose unemployment is directly due to the effects of Hurricane Ida or due to their inability to get to their job or worksite because they live, work or travel through a disaster parish, as determined by the administrator of the state's unemployment compensation program, i.e. the Secretary of the Louisiana Workforce Commission. Disaster-related claims will not necessarily include all claims in all parishes included in the flooding disaster proclamations, declarations, or orders.

B) The following statutes relative to unemployment insurance, to the extent and in the manner described below, are hereby suspended:

1) La. R.S. 23:1533, which provides for claimants' benefits to be charged against base period employers for purposes of employers' tax experience rating and the protesting of such charges by employers, shall be suspended for disaster-related claims made during the effective period of this proclamation.

2) La. R.S. 23:1552, which provides for the charging of claimants' benefits to certain employers, shall be suspended for disaster-related claims made during the effective period of this proclamation.

3) La. R.S. 23:1600(2) and (3) shall be suspended while this proclamation is in effect for disaster-related claims to the extent that they require claimants to register and search for work. However, the requirements in La. R.S. 23:1600(2) that claimants continue to report at an employment office in the manner prescribed by the administrator are not suspended. The requirement of La. R.S. 23:1600(3) that claimants be able to work and be available for work are not suspended. The requirement to continue to report at an employment office, which is accomplished through either an automated telephone system or the Internet, is not impractical and avoids overpayments, which claimants would be liable to repay. In the immediate aftermath of Hurricane Ida the suspended requirements are not practical for claimants without fixed temporary or permanent housing and verification of such activities is not practical in many areas affected by Hurricane Ida.

4) La. R.S. 23:1600(4) shall be suspended while this proclamation is in effect for claims to the extent that claimants are required to wait a period of one week before receiving benefits. The state is experiencing emergency needs throughout the state for critical resources. This need is not in only the declared disaster areas.

5) La. R.S. 23:1601(1), (2) and (7)(a), (b) and (d), which provide certain disqualifications for otherwise eligible claimants, shall be suspended for disaster-related claims beginning while this proclamation is in effect. Regardless of the waiver of La. R.S. 23:1601(7), the requirement in La. R.S. 23:1600, that a claimant be "unemployed" as defined in La. R.S. 23:1472(19), is not waived. Persons who are paid by their employers, but who performed no services for the week(s) paid, are not unemployed and therefore are not eligible to receive unemployment benefits for any such week. Also, this suspension shall not affect the offset of wages from a claimant's weekly benefit amount pursuant to La. R.S. 23:1593.

SECTION 2: LEGAL AND ADMINISTRATIVE DEADLINES

- 1) Legal deadlines applicable to legal proceedings in all courts, administrative agencies, and boards, are hereby suspended until September 24, 2021, including, but not limited to, any such deadlines set forth by law within the following:
 - a) Louisiana Civil Code;
 - b) Louisiana Code of Civil Procedure;
 - c) Louisiana Children's Code;
 - d) Title 9 of Louisiana Revised Statutes, Civil Code Ancillaries;
 - e) Title 13 of Louisiana Revised Statutes, Courts and Judicial Procedure;
 - f) Title 18 of Louisiana Revised Statutes, Louisiana Election Code;
 - g) Title 23 of Louisiana Revised Statutes, Labor and Worker's Compensation;
 - h) Title 32 of Louisiana Revised Statutes, Motor Vehicles and Traffic Regulations;
 - i) Title 40 of Louisiana Revised Statutes, Public Health and Safety;
 - j) Title 46 of Louisiana Revised Statutes, Public Welfare and Assistance are hereby suspended;
 - k) Title 47 of Louisiana Revised Statutes, Revenue and Taxation;
 - l) Title 49 of Louisiana Revised Statutes, State Administration; and
 - m) Title 56 of Louisiana Revised Statutes, Wildlife and Fisheries.
- 2) In addition, all other deadlines in legal proceedings in all courts, administrative agencies, and boards shall remain suspended until September 24, 2021.
- 3) The provisions of La. R.S. 18:1362.1 requiring a meeting of the Voting System Commission by September 1, 2021 are hereby suspended.
- 4) The provisions of La. R.S. 37:2714(c) relating to social workers are suspended to the extent a license, certificate, or registration lapses if not renewed by August 31st.
- 5) Courts, administrative agencies and boards statewide shall continue to use due diligence in communicating with attorneys, parties to proceedings with pending deadlines, and the public how the court, agency, or board will implement and interpret the provisions of this Order.
- 6) Paragraph 2 of this Subsection shall not be interpreted so as to prohibit an owner of immovable property from reclaiming leased property if abandoned as provided by law, or entering leased property to make necessary repairs as provided by law.
- 7) Any state department or agency or political subdivision is hereby granted authority to further extend any non-essential deadline for a period of no longer than 30 days if deemed necessary to respond to the threat of this emergency.
- 8) The provisions of this Section shall not suspend any prescriptive, preemptive, or abandonment time periods over which the Louisiana Supreme Court has suspension authority pursuant to C.C.P. arts. 562 and 3472.1. The provisions of this Section shall also not suspend any time periods, limitations, or delays pertaining to the initiation, continuation, prosecution, defense, appeal, and post-conviction relief of any prosecution of any state or municipal criminal, juvenile, wildlife, or traffic matter over which the Louisiana Supreme Court has suspension authority pursuant to La. C.Cr.P art. 958.

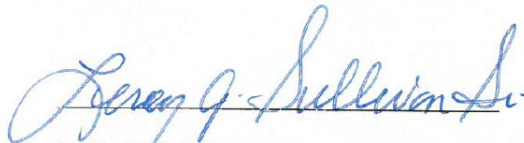
SECTION 3: IDA ESSENTIAL WORKER LODGING

Hotels, motels, and other places of lodging shall, to the extent practical, accommodate and prioritize lodging for the following workers responding to this emergency: (a) first responders as defined in La. R.S. 29:739(C); (b) health care workers; and (3) individuals performing disaster or emergency-related work to critical infrastructure as defined in La. R.S. 47:53.5(8). Hotels, motels, and other places of lodging are hereby authorized to cancel any reservations which would result in the displacement or eviction of any such workers.

SECTION 4: Unless otherwise provided in this order, these provisions are effective from Thursday, August 26, 2021 to Friday, September 24, 2021, or as extended by any subsequent Proclamation, unless terminated sooner.

NOW THEREFORE, I, LEROY J. SULLIVAN, SR., Mayor of the City of Donaldsonville, by the authority vested in me by the Ordinances of the City of Donaldsonville, and any other acts which may prevail, do hereby order and direct the provisions as outlined in Proclamation Number 170 JBE 2021 Amendment to State of Emergency – Hurricane Ida in the City of Donaldsonville.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Seal of the City of Donaldsonville, on this 7th day of September 2021.

A handwritten signature in blue ink, reading "Leroy J. Sullivan Sr.", is written over a faint horizontal line.

LEROY J. SULLIVAN, SR., MAYOR