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No.05 An Emergency Order Suspending Provisions Of A Certain Law And Rules Related To The Provision Of Security Services In Order To Provide Necessary Relief To Victims Of Recent Storms And Flooding

Bill Haslam

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SECRETARY OF STATE
PUBLICATIONS

STATE OF TENNESSEE
EXECUTIVE ORDER
BY THE GOVERNOR

Number 5

**AN EMERGENCY ORDER SUSPENDING PROVISIONS OF A CERTAIN LAW
AND RULES RELATED TO THE PROVISION OF SECURITY SERVICES IN
ORDER TO PROVIDE NECESSARY RELIEF TO VICTIMS OF RECENT
STORMS AND FLOODING**

WHEREAS, in response to emergency conditions existing in the aftermath of recent devastating storms and flooding, the Tennessee Emergency Management Plan was activated on April 26, 2011, thereby declaring a state of emergency in Tennessee; and

WHEREAS, Tennessee Code Annotated § 58-2-107(e)(1) provides that during a state of emergency the Governor is authorized to “[s]uspend the provisions of any law, order, rule or regulation prescribing the procedures for the conduct of state business or the orders or rules or regulations of any state agency, if strict compliance with the provisions of any such law, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency”; and

WHEREAS, I previously signed Executive Order No. 4, which provides for the temporary suspension of several state laws and rules in order to cope with the current emergency situation; and

WHEREAS, I have determined that the temporary suspension of an additional state law and related rules is necessary in order to more effectively respond to this state emergency.

NOW THEREFORE, I, Bill Haslam, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and law, do hereby order and direct that the following state law and rules be suspended until 12:00 a.m., Central Daylight Time, on June 25, 2011:

1. The provisions of Tenn. Code. Ann. § 62-35-115, as well as any related rules of the Department of Commerce and Insurance, are hereby suspended to the extent such statute and rules would otherwise apply to those non-resident employees of Security Consultants Group, Inc. (hereinafter the "security company"), who, pursuant to a contract between them and the United States Department of Homeland Security's Federal Protective Services ("Federal Protective Services"), are providing security guard support to the federally designated disaster relief areas in Tennessee, provided that all of the following conditions are met:

- i. Such non-resident employees are certified by the United States Department of Homeland Security's Federal Protective Services;
- ii. Such non-resident employees are employed only within the federally designated disaster relief area;
- iii. The security company and Federal Protective Services shall provide to the Department of Commerce and Insurance a list of the names, addresses and social security numbers of all non-resident employees utilized by the security companies pursuant to the terms of this Executive Order.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 6th day of May 2011.



GOVERNOR

ATTEST:



SECRETARY OF STATE

