



STEVEN L. BESHEAR
GOVERNOR

EXECUTIVE ORDER

2008-967

September 12, 2008

Secretary of State
Frankfort
Kentucky

**STATE OF EMERGENCY RELATING TO
THE PROHIBITION AGAINST PRICE GOUGING**

WHEREAS, beginning on September 9, 2008, the Commonwealth of Kentucky received an Emergency Management Assistance Compact (EMAC) Interstate Mutual Aid Request for Assistance from Louisiana requesting assistance from the Commonwealth of Kentucky and the Kentucky National Guard in supporting their efforts in preparation for and during Hurricane Ike occurring within Southern Louisiana; and

WHEREAS, beginning on September 10, 2008, the Commonwealth of Kentucky received an Emergency Management Assistance Compact (EMAC) Interstate Mutual Aid Request for Assistance from Texas requesting assistance from the Commonwealth of Kentucky and the Kentucky National Guard in supporting their efforts in preparation for and during Hurricane Ike occurring within Texas; and

WHEREAS, beginning on September 12, 2008, the Commonwealth of Kentucky received information that Hurricane Ike could cause market uncertainties and consumer shortages; and

WHEREAS, I, STEVEN L. BESHEAR, Governor of the Commonwealth of Kentucky, by virtue of the authority vested in me by the Constitution of the Commonwealth of Kentucky and by Chapter 39A of the Kentucky Revised Statutes, declare the existence of a State of Emergency in the Commonwealth of Kentucky to protect the citizens of the Commonwealth from predatory pricing by unscrupulous providers of goods and services including but not limited to gasoline and building supplies; and

WHEREAS, under such circumstances, I am empowered by the Constitution of the Commonwealth of Kentucky and Chapter 367 of the Kentucky Revised Statutes to implement certain provisions of law aimed toward protecting Kentucky consumers:



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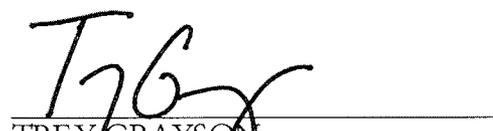
September 12, 2008

NOW, THEREFORE, I, Steven L. Beshear, Governor of the Commonwealth of Kentucky, by virtue of the authority vested in me by the Constitution of the Commonwealth of Kentucky and Chapter 367 of the Kentucky Revised Statutes, do hereby implement the provisions of KRS 367.372, *et seq.*, as to the sale of goods and services in Kentucky, and do hereby ORDER and DIRECT that:

1. No person, within the meaning of KRS 446.010, shall sell or offer to sell any goods or service delineated in KRS 374(1)(b) at a price grossly in excess of the price prior to the declaration by Executive Order on September 12, 2008, that a State of Emergency exists in the Commonwealth of Kentucky.
2. The foregoing is subject to the qualifications and limitations set forth otherwise in KRS 367.372, *et seq.*, with regard to increased cost to sellers, *inter alia*.
3. Any person who violates the provisions of KRS 367.372, *et seq.*, as implemented by this Order, shall be subject to the penalties set forth in KRS 367.378.
4. The Division of Emergency Management shall immediately notify the public and those registered with the Division for the purpose of receiving notice of the implementation, renewal, or termination. The Division shall notify the public by any means available, including the Division's Web site, news media, and electronic mail. Any person or trade association may register with the Division for the purpose of receiving notification.

This Order shall be in effect for the duration of the State of Emergency herein referenced, and shall be subject to renewal thereafter, subject to applicable law, if necessary to protect the lives, property, or welfare of the citizens of the Commonwealth of Kentucky.


STEVEN L. BESHEAR
Governor


TREY GRAYSON
Secretary of State