

Executive Orders

EXECUTIVE ORDER KBB 04-41

Governor's Military Advisory Board

WHEREAS, the state of Louisiana has a vital interest in the installations and/or units of the U.S. Coast Guard and/or the armed forces of the United States located within the state, in the Louisiana Military Department, and in the concerns of the Active, Guard, Reserve, and/or retired military personnel, and their families, who reside in Louisiana (hereafter "military");

WHEREAS, in the past, the state of Louisiana has successfully employed a coordinating body to provide a forum for these various military components and to serve as a liaison between the various military entities and representatives of civilian interests; and

WHEREAS, various situations will continue to arise which necessitates the continued use of such a coordinating body;

NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: The Governor's Military Advisory Board (hereafter "Board") is reestablished within the executive department, Office of the Governor.

SECTION 2: The duties and objectives of the Board shall include, but are not limited to, the following:

A. Providing a public forum for issues concerning the installations and/or units of the U.S. Coast Guard and/or the armed forces of the United States located within the state, Active, Guard, Reserve, and/or retired military personnel and their families who reside in Louisiana (hereafter "the military");

B. Formulating goals and objectives to enhance cooperation, coordination, communication, and understanding between the military, the Louisiana Congressional Delegation, the communities in the state interfacing with the military, and/or state and local government agencies;

C. Strengthening and/or increasing the state of Louisiana's role in securing defense related business contracts for Louisiana businesses and/or selling Louisiana products to the installations and/or units of the U.S. Coast Guard and/or the armed forces of the United States located within the state;

D. Studying and determining the means to increase and/or strengthen the presence of the U.S. Coast Guard and/or armed forces of the United States located within the state;

E. Reviewing and/or disseminating information about proposed legislation related to and/or directly impacting the U.S. Coast Guard and/or military communities within the state; and

F. Proposing and/or sponsoring activities, legislation, initiatives, programs, or projects which increase, support, or enhance the U. S. Coast Guard and/or military's

presence within the state or which enhance or improve the quality of life for the U.S. Coast Guard and/or military communities;

SECTION 3: Annually, on January 1st, the Board shall submit a report to the governor regarding the status of and/or progress achieved on the issues addressed in Section 2 of this Order.

SECTION 4: The Board shall be composed of a maximum of twenty-five (25) members, who shall be appointed by and serve at the pleasure of the governor.

A. The voting members of the Board shall be selected as follows:

1. The adjutant general of Louisiana, or the adjutant general's designee;

2. The president of the Louisiana State Senate, or the president's designee;

3. The speaker of the Louisiana House of Representatives, or the speaker's designee;

4. The secretary of the Department of Economic Development, or the secretary's designee;

5. The secretary of the Department of Veterans Affairs, or the secretary's designee;

6. The chair of the Louisiana Employer Support of the Guard and Reserve, or the chair's designee;

7. One (1) representative each from the Greater New Orleans, Ft. Polk-Central Louisiana, Barksdale/Bossier/Shreveport, and the Lake Charles area that have established ongoing relationships with the military from their community;

8. One (1) representative for Louisiana businesses and industries from the areas described in subsection 4(A)(7); and

9. One (1) representative of local governments from the areas described in subsection 4(A)(7).

B. The non-voting members of the Board shall be selected as follows:

1. The commander, Joint Readiness Training Center (JRTC) and Ft. Polk, or the commander's designee;

2. The commander, Eighth Air Force, or the commander's designee;

3. The commander, Naval Forces Reserve, or the commander's designee;

4. The commander, Marine Forces Reserve, or the commander's designee;

5. The commander, Eighth Coast Guard District, or the commander's designee;

6. The commander, 377th Theater Army Area Command, or the commander's designee; and

7. The commander, U.S. Army Corps of Engineers, Mississippi River Valley Division, or the commander's designee.

C. The Board may create subcommittees composed of Board members, non-Board members, and/or both Board members and non-Board members, which meet in accordance with the open meetings law, R.S. 42:4.1, *et seq.*

SECTION 5: The governor shall appoint the chair and vice-chair of the Board from its membership. All other

officers, if any, shall be elected by the Board from its membership.

SECTION 6: The Board shall meet at regularly scheduled quarterly meetings, and at the call of the chair.

SECTION 7: Support staff, facilities, and resources for the Board shall be provided by the Louisiana Department of Economic Development.

SECTION 8:

A. Board members shall not receive additional compensation or a per diem from the Office of the Governor for serving on the Board.

B. Board members who are employees or elected public officials of the state of Louisiana or a political subdivision of the state of Louisiana may seek reimbursement of travel expenses, in accordance with PPM 49, from their employing department, agency and/or office or elected office.

C. Board members who are also a member of the Louisiana Legislature may seek a per diem from the Louisiana State Senate or House of Representatives, as appropriate, for their attendance at Board meetings and/or services on the Board.

SECTION 9: All departments, commissions, boards, offices, entities, agencies, and officers of the state of Louisiana, or any political subdivision thereof, are authorized and directed to cooperate with the Board in implementing the provisions of this Order.

SECTION 10: This Order is effective upon signature and shall continue in effect until amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 15th day of October, 2004.

Kathleen Babineaux Blanco
Governor

ATTEST BY
THE GOVERNOR
Fox McKeithen
Secretary of State
0411#073

EXECUTIVE ORDER KBB 04-42

Bond Allocation Caddo-Bossier Parishes Port Commission

WHEREAS, pursuant to the Tax Reform Act of 1986 and Act 51 of the 1986 Regular Session of the Louisiana Legislature, Executive Order No. KBB 2004-21 was issued to establish:

(1) a method for allocating bonds subject to private activity bond volume limits, including the method of allocating bonds subject to the private activity bond volume limits for the calendar year of 2004 (hereafter "the 2004 Ceiling");

(2) the procedure for obtaining an allocation of bonds under the 2004 Ceiling; and

(3) a system of central record keeping for such allocations; and

WHEREAS, the Caddo-Bossier Parishes Port Commission has requested an allocation from the 2004

Ceiling to be used to finance the acquisition, construction, renovation, and equipping of a facility to clean and process industrial wastewater located at the Port of Shreveport-Bossier, parish of Caddo, state of Louisiana, in accordance with the provisions of Section 146 of the Internal Revenue Code of 1986, as amended;

NOW THEREFORE, I, KATHLEEN BABINEAUX BLANCO, 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: The bond issue, as described in this Section, shall be and is hereby granted an allocation from the 2004 Ceiling in the amount shown:

Amount of Allocation	Name of Issuer	Name of Project
\$5,500,000	Caddo-Bossier Parishes Port Commission	Arkla Disposal, LLC

SECTION 2: The allocation granted herein shall be used only for the bond issue described in Section 1 and for the general purpose set forth in the "Application for Allocation of a Portion of the State of Louisiana Private Activity Bond Ceiling" submitted in connection with the bond issue described in Section 1.

SECTION 3: The allocation granted herein shall be valid and in full force and effect through December 31, 2004, provided that such bonds are delivered to the initial purchasers thereof on or before December 21, 2004.

SECTION 4: All references in this Order to the singular shall include the plural, and all plural references shall include the singular.

SECTION 5: The undersigned certifies, under penalty of perjury, that the allocation granted herein was not made in consideration of any bribe, gift, or gratuity, or any direct or indirect contribution to any political campaign. The undersigned also certifies that the granted allocation meets the requirements of Section 146 of the Internal Revenue Code of 1986, as amended.

SECTION 6: This Order is effective upon signature and shall remain in effect until amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 15th day of October, 2004.

Kathleen Babineaux Blanco
Governor

ATTEST BY
THE GOVERNOR
Fox McKeithen
Secretary of State
0411#074

EXECUTIVE ORDER KBB 04-43

Louisiana's Plan For Choice in Long-Term Care

WHEREAS, it is desirable that Louisiana residents, who are elderly or have disabilities, and their families, have choices from among a broad range of services and supports

to most effectively meet their needs in their homes, community settings, facilities, or other residential settings;

WHEREAS, the state of Louisiana is committed to providing a full array of quality, long-term care services for the elderly and persons with disabilities, within resources available to the state, and recognizes that such supports and services advance the best interests of all Louisiana citizens;

WHEREAS, direction has been provided to states under the Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. 12101 et seq. and the United States Supreme Court's decision in *Olmstead v. L.C.*, 527 U.S. 581 (1999);

WHEREAS, the President's Executive Order 13217, part of the New Freedom Initiative, recognizes the need to have long-term care systems that offer community-based alternatives to foster independence and participation in the community for persons of all ages with disabilities;

WHEREAS, Louisiana is committed to developing a long-term care system that offers the elderly and people with disabilities the opportunity to enjoy full lives of inclusion, productivity, and self-determination;

WHEREAS, in March, 2004, Louisiana held a Health Care Summit and formed the Health Care Reform Panel to assist in restructuring Louisiana's health care delivery system to meet the needs of its citizens by providing quality health care services in a cost effective manner;

WHEREAS, Louisiana has expanded its initiatives to provide further opportunities for the elderly and persons with disabilities to live productively in settings of their choice, and has done so through the pursuit of federal grants, Medicaid home and community-based service waivers, State Plan optional services, and changes to policies and procedures that increase the array of service options available to enable people to choose services that best meet their needs and preferences;

WHEREAS, accessible, affordable, and integrated housing; accessible, affordable transportation; and educational, vocational, and a vocational opportunities are integral components of inclusion and independence for the elderly and persons with disabilities; and

WHEREAS, the citizens of the state of Louisiana will best be served by the adoption of a state policy on long-term care, a plan that enhances choice within Louisiana's long-term care system that is based on national best practices as well as broad stakeholder input;

NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: The Department of Health and Hospitals shall be the lead agency and shall convene the Department of Social Services, the Governor's Office of Elderly Affairs, and the Governor's Office of Disability Affairs to develop a plan identifying administrative actions for immediate implementation and legislative actions for consideration in the 2005 Regular Session of the Louisiana Legislature (hereafter "Plan for Immediate Action"). A draft Plan for Immediate Action for reform of Louisiana's long-term care system shall be submitted to the Health Care Reform Panel for consideration at its December 2004 meeting. There shall be presentations made to the Regional Healthcare Consortia and other bodies as appropriate. The Plan for Immediate Action shall then be submitted to the Health Care Reform

Panel for final review and comment at its March 2005 meeting prior to submission to the governor for consideration and approval.

SECTION 2:

A. Upon completion of the Plan for Immediate Action, the Department of Health and Hospitals shall be the lead agency and shall convene the Department of Social Services, the Department of Transportation and Development, the Department of Public Safety and Corrections, the Department of Labor, the Department of Education, the Department of Veterans Affairs, the Department of Economic Development, the Governor's Office of Elderly Affairs, the Governor's Office of Disability Affairs, the Louisiana Housing Finance Agency, and the Louisiana State Board of Nursing (hereafter "Agencies"), to develop a comprehensive and effective plan for reform of Louisiana's long-term care system that may reasonably be achieved by 2010 with the resources that are available to the state. The comprehensive plan shall be presented to the Health Care Reform Panel no later than December, 2005. Upon obtaining input from the Health Care Reform Panel, this comprehensive plan shall be presented to the governor for consideration and approval and shall thereafter constitute Louisiana's Plan for Choice in Long-Term Care (hereafter "Louisiana's Plan").

B. Louisiana's Plan shall include, but is not limited to, the following:

1. A review and analysis of all laws, rules and regulations, programs and/or policies of the state of Louisiana and/or any of the departments, commissions, boards, agencies, and/or offices in the executive branch thereof, which pertain to long-term supports and services, to identify barriers to choice and make recommendations that would enable residents of Louisiana who require assistance to have more choices of where services are provided;

2. Proposals for administrative restructuring, programs, policies, procedures and/or partnerships to improve the long-term care delivery system, including non-medical services like transportation, housing, education and vocational assistance that are necessary if long-term care recipients are to be fully integrated participants in the lives of their communities, which are achievable within the resources that are available to the state;

3. Analysis of programmatic, procedural and fiscal impacts of any policies/practices recommended for adoption;

4. Exploration of means to secure increased funding for community-based services for persons needing long-term assistance; and

5. Recommendations on strategies to educate the public as to long-term care services and methods of accessing long-term care services, as well as to the need for personal responsibility in financial planning for future long-term care needs.

SECTION 3: In developing both the Plan for Immediate Action and the Louisiana's Plan, the Agencies will:

1. seek input from a broad range of stakeholders, including consumers, their family members, and their advocates, as well as providers of both institutional and community-based services;

2. consider all existing studies, reports, and settlement agreements related to Louisiana's system of long-term services and supports;

3. consider all proposals within the context of resources available to the state;

4. take advantage of relevant work already underway and/or completed by the Agencies and various statewide task forces, councils, commissions, and other bodies that have convened to address issues related to longterm care; and

5. seek consultation from nationally recognized experts and officials in other states in order to identify promising and/or proven practices that are consumer-centered, research-based, cost effective, and applicable to improving accessibility, capacity, quality, and financing across all longterm care services and supports; and to increasing community-based options for long-term care in Louisiana.

SECTION 4: Upon approval of Louisiana's Plan, the Agencies will meet quarterly to review progress in the implementation of the plan and will revise the plan as needed based on lessons learned, stakeholders input, and advances in best practices for long-term care delivery.

SECTION 5: The secretary of the Department of Health and Hospitals, as chair of the Governor's Health Care

Reform Panel, shall submit the Plan for Immediate Action and Louisiana's Plan to the governor for consideration and approval.

SECTION 6: All departments, commissions, boards, offices, entities, agencies, and officers of the state of Louisiana, or any political subdivision thereof, are authorized and directed to cooperate with the implementation of the provisions of this Order.

SECTION 7: This Order is effective upon signature and shall continue in effect until amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 22nd day of October, 2004.

Kathleen Babineaux Blanco
Governor

ATTEST BY
THE GOVERNOR
Fox McKeithen
Secretary of State
0411#075