

Executive Orders

EXECUTIVE ORDER MJF 00-56

Carry-Forward Bond Allocation
Louisiana
Housing Finance Agency

WHEREAS, pursuant to the Tax Reform Act of 1986 and Act 51 of the 1986 Regular Session of the Louisiana Legislature, Executive Order No. MJF 96-25, as amended by Executive Order No. MJF 2000-15, (hereafter collectively "MJF 96-25") 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 2000 (hereafter the 2000 Ceiling@);

(2) the procedure for obtaining an allocation of bonds under the 2000 Ceiling; and

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

WHEREAS, Executive Order No. MJF 2000-48, issued on December 1, 2000, allocated two million dollars (\$2,000,000) from the 2000 Ceiling to the Louisiana Public Facilities Authority in connection with a project of Lafourche Sugars, L.L.C., but the two million dollar (\$2,000,000) allocation has been returned unused to the 2000 Ceiling;

WHEREAS, Executive Order No. MJF 2000-52, issued on December 1, 2000, allocated six million dollars (\$6,000,000) from the 2000 Ceiling to the parish of St. John the Baptist, state of Louisiana, in connection with a project of Marathon Ashland Petroleum, LLC, but the six million dollar (\$6,000,000) allocation has been returned unused to the 2000 Ceiling;

WHEREAS, an additional nineteen million six hundred fifty-one thousand seven hundred fifty dollars (\$19,651,750) of the 2000 Ceiling remains unallocated and/or unissued;

WHEREAS, subsection 4.8 of MJF 96-25 provides that if the ceiling for a calendar year exceeds the aggregate amount of bonds subject to the private activity bond volume limit issued during the year by all issuers, by executive order, the governor may allocate the excess amount to issuers for use as a carry-forward for one or more carry-forward projects permitted under the Act; and

WHEREAS, the governor desires to allocate the excess and/or unused amount of the 2000 Ceiling as a carry-forward for a project which is permitted and eligible under the Act;

NOW THEREFORE I, M.J. AMIKE@ FOSTER, JR., 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: Pursuant to and in accordance with the provisions of Section 146(f) of the Internal Revenue Code of 1986, as amended, and in accordance with the request for a carry-forward filed by the designated issuer, the excess and/or unissued private activity bond volume limit under the

2000 Ceiling is hereby allocated to the following issuer, for the following carry-forward project, and in the following amount:

Issuer	Carry-Forward Project	Carry-Forward Amount
Louisiana Housing Finance Agency	Single Family Mortgage Revenue Bond Program	\$27,651,750

SECTION 2: All references in this Order to the singular shall include the plural, and all plural references shall include the singular.

SECTION 3: The undersigned certifies, under penalty of perjury, that the granted allocation 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 4: 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 the state of Louisiana, at the Capitol, in the city of Baton Rouge, on this 27th day of December, 2000.

M.J. "Mike" Foster, Jr.
Governor

ATTEST BY
THE GOVERNOR
Fox McKeithen
Secretary of State
0101#001

EXECUTIVE ORDER MJF 00-57

State Rehabilitation Advisory Council

WHEREAS: Executive Order No. MJF 96-43, signed on September 26, 1996, recreated and re-established the Governor's Rehabilitation Advisory Council within the Department of Social Services;

WHEREAS: it is necessary to amend and reenact the provisions of Executive Order No. MJF 96-43 due to the enactment of Workforce Investment Act (Public Law 105-220) which provides for the Rehabilitation Act Amendments of 1998 and the subsequent 1999 amendments to 29 U.S.C.A. 725;

NOW THEREFORE I, M. J. AMIKE@ FOSTER, JR., 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 State Rehabilitation Advisory Council shall be recreated and re-established within the

executive department, Department of Social Services, as the Louisiana Rehabilitation Council (hereafter **ACouncil**).

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

A. reviewing, analyzing, and advising the Office of Louisiana Rehabilitation Services, Department of Social Services regarding the performance of its responsibilities, particularly the responsibilities relating to:

1. eligibility (including order of selection);
2. the extent, scope, and effectiveness of services provided; and
3. functions performed by state agencies that affect or that potentially affect the ability of individuals with disabilities in achieving employment under 29 U.S.C.A. 720 et seq.;

B. in partnership with the Louisiana Rehabilitation Service:

1. developing, agreeing to, and reviewing the state goals and priorities for rehabilitation services in accordance with 29 U.S.C.A. 721(a)(15)(E); and
2. evaluating the effectiveness of the vocational rehabilitation program and submitting progress reports to the commissioner of the Rehabilitation Service Administration, Department of Education, Washington, D.C.;

C. advising the Department of Social Services and the Louisiana Rehabilitation Service regarding activities authorized to be carried out under the Rehabilitation Act, and assisting in the preparation of and amendments to the state plan, together with the necessary applications, reports, needs assessments, and evaluations as required by 29 U.S.C.A. 720 et seq.;

D. to the extent feasible, conducting a review and analysis of the effectiveness of, and consumer satisfaction with:

1. the functions performed by the Louisiana Rehabilitation Service;
2. the vocational rehabilitation services provided by Louisiana Rehabilitation Service and other public and private entities responsible for providing vocational rehabilitation services to individuals with disabilities under 29 U.S.C.A. 701 et seq.; and
3. the employment outcomes achieved by eligible individuals receiving services under 29 U.S.C.A. 725, including the availability of health and other employment benefits in connection with such employment outcomes;

E. preparing and submitting an annual report to the governor and the commissioner of the Rehabilitation Service Administration, Washington, D.C., on the status of vocational rehabilitation programs operated within the state, and making the report available to the public;

F. to avoid duplication of efforts and enhance the number of individuals served, coordinating activities with the activities of other councils within the state, including the Statewide Independent Living Council, established under 29

U.S.C.A. 796d, the advisory panel established under Section 612(a)(21) of the Individuals with Disabilities Education Act (as amended by section 101 of the Individuals with Disabilities Education Act Amendments of 1997; Public Law 105-17), [20 U.S.C.A. 1412 (a)(21)], the State Developmental Disabilities Council described in section 124 of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6024), and the State Mental Health Planning Council established under Section 1914(a) of the Public Health Service Act (42 U.S.C. 300x-4(a)), and the State Workforce Investment Board;

G. providing for coordination and the establishment of working relationships between the Louisiana Rehabilitation Service and the Statewide Independent Living Council and the Centers for Independent Living within the state;

H. preparing, in conjunction with Louisiana Rehabilitation Services, a plan for the provision of such resources, including such staff and other personnel, as may be necessary and sufficient to carry out the functions of the Council under this section. The resource plan shall, to the maximum extent possible, rely on the use of resources in existence during the period of implementation of the plan;

I. supervising and evaluating such staff and other personnel as may be necessary to carry out its functions; and

J. performing such other functions as the State Rehabilitation Council determines to be appropriate, that are comparable to the other functions performed by the Council.

SECTION 3: Members of the Council shall be selected from all areas of the state and shall be knowledgeable of the vocational rehabilitation services offered to individuals with disabilities. The majority of the membership of the Council shall be composed of Louisiana citizens with disabilities, representing a broad range of disabilities, and who are not employed by the Louisiana Rehabilitation Services or any state agency.

SECTION 4: The Council shall consist of thirty-one (31) members who shall be appointed by, and serve at the pleasure of, the governor, for a term of up to three (3) years, including:

A. twenty-nine (29) voting members selected as follows:

1. one (1) representative from a parent training and information center established pursuant to section 682(a) of the Individuals with Disabilities Education Act (as added by section 101 of the individuals with Disabilities Education Act Amendments of 1997; Public Law 105-17) [20 U.S.C.A. 1482(a)];

2. one (1) representative from the voting membership of the Statewide Independent Living Council established under 29 U.S.C.A. 796d;

3. one (1) representative of the client assistance program established under 29 U.S.C.A. 732;

4. one (1) representative from the service providers for the community rehabilitation program;

5. four (4) representatives of business, industry, and labor;

6. eighteen (18) members representing a cross section of the following categories:

a. disability advocacy groups which represent a cross section of individuals with disabilities;

b. representatives of individuals with disabilities who have difficulty representing themselves;

c. current or former applicants of vocational rehabilitation services;

7. one (1) representative of the State Workforce Investment Board;

8. one (1) representative of the state educational agency responsible for the public education of students with disabilities who are eligible to receive services under 29 U.S.C.A. 720 and part B of the Individuals with Disabilities Education Act; and

9. one (1) director of a project carried out under Section 121 of the Federal Rehabilitation Act Amendments of 1998;

B. one (1) vocational rehabilitation counselor, with knowledge of, and experience with, vocational rehabilitation programs who shall serve as an ex officio, nonvoting member of the council if the counselor is an employee of the Office of Louisiana Rehabilitation Services, Department of Social Services; and

C. the director of the Office of Louisiana Rehabilitation Services, Department of Social Services shall serve as an ex officio, nonvoting member of the council.

SECTION 5: The voting members of the Council shall select a chair from among its voting membership.

SECTION 6: No member of the Council, other than the representative of the Client Assistance Program, may serve more than two consecutive full terms.

SECTION 7: The majority of the voting membership of the Council shall not be composed of individuals who receive compensation, either directly or indirectly, for work they perform on behalf of any vocational rehabilitation service provider.

SECTION 8: The Council shall coordinate its activities with the Office of Disability Affairs, Office of the Governor. The Council shall follow all rules and regulations of the state of Louisiana including those concerning purchasing, procurement, hiring, and ethics.

SECTION 9: Council members shall not receive compensation or a per diem. Nonetheless, contingent upon the availability of funds, members who are not an employee of the state of Louisiana or one of its political subdivisions, or an elected official, may receive reimbursement with advance written approval of the Office of the Governor for actual travel expenses incurred, in accordance with state guidelines and procedures, and upon approval of the commissioner of administration.

SECTION 10: The Council shall convene six (6) meetings a year in such places as it determines to be necessary to conduct Council business and conduct such forums or hearings as the Council considers appropriate.

SECTION 11: All departments, commissions, boards, agencies, and officers or employees of the state, or of any political subdivision thereof, are authorized and directed to cooperate with the Council in implementing the provisions of this Order.

SECTION 12: Effective Dates. Unless specifically designated otherwise, upon signature of the governor, the provisions of this Order shall be applicable to the current and future Council(s) and, as to the current Council, be retroactive to noon on August 7, 1998. Any rights accrued to Council members prior to August 6, 1998, pursuant to the provisions of Executive Order No. MJF 96-43, shall not be adversely affected by the retroactive application of this Order. The provisions of this Order 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 the state of Louisiana, at the Capitol, in the city of Baton Rouge, on this 29th day of December, 2000.

M.J. "Mike" Foster, Jr.
Governor

ATTEST BY
THE GOVERNOR
Fox McKeithen
Secretary of State
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