

Executive Orders

EXECUTIVE ORDER MJF 01-01

The Department of Economic Development
Reorganization Task Force

WHEREAS, the Vision 2020 program has provided a strong, clear, far-reaching economic development plan which is necessary to prepare Louisiana to meet the economic challenges and opportunities of the twenty-first century;

WHEREAS, Vision 2020 and other economic development studies have recommended significant organizational changes to the Department of Economic Development;

WHEREAS, the Department of Economic Development is currently organized to promote the development of traditional industries in the state;

WHEREAS, all studies have shown that Louisiana trails far behind the rest of the nation in the creation of new economy, high tech, high wage jobs;

WHEREAS, the staff of the Department of Economic Development have worked diligently to promote Louisiana interests but have been hampered by the current organizational structure of the department;

WHEREAS, Vision 2020 and other studies have identified the concept of cluster-based economic development as being best-suited to promote a new economy in Louisiana;

WHEREAS, the current organizational structure of the Department of Economic Development is overly cumbersome and bureaucratic, making it difficult to operate with the speed needed by companies seeking to locate or expand in Louisiana;

WHEREAS, the current organizational structure of the Department of Economic Development fragments the efforts of the department among many separate independent programs which were piecemealed together over time and therefore are unable to cooperate as fully and smoothly as necessary;

WHEREAS, reorganizing the Department of Economic Development around the cluster-based concept will allow Louisiana to aggressively target its efforts toward attracting high quality, high wage industries to locate and expand in Louisiana;

WHEREAS, such a cluster-based organization will allow for closer coordination between the Department of Economic Development and the educational system of Louisiana; and

WHEREAS, such a cluster-based organization will allow the Department of Economic Development to employ professionals who have experience and special expertise within a particular industry;

NOW THEREFORE, I, M.J. "MIKE" FOSTER, JR., 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 Department of Economic Development Reorganization Task Force (hereafter "Task

Force") is established within the executive department, Office of the Governor.

SECTION 2: The duties of the Task Force shall include, but are not limited to, the following:

1. review the studies and recommendations of Vision 2020 and the recent consultants' review of the organizational problems facing the Department of Economic Development;

2. recommend specific organizational changes in the Department of Economic Development necessary to achieve the overall recommendations of the previous studies;

3. identify statutory changes needed to accomplish such a reorganization and work with legislators and legislative staff to draft such legislation;

4. identify budgetary changes needed to accomplish such a reorganization and work with appropriate officials to implement such budgetary changes; and

5. recommend goals, objectives, and performance accountability measures for the reorganized department.

SECTION 3: The Task Force shall meet at the call of the chair. The Task Force shall submit a comprehensive report to the governor addressing the issues set forth in Section 2 of this Order by March 1, 2001. The Task Force shall also assist the legislature and its committees in understanding its recommendations and the reasons behind them.

SECTION 4: The Task Force shall be composed of a maximum of twenty-five (25) members who, unless otherwise specified, shall be appointed by, and serve at the pleasure of, the governor. The membership of the Task Force shall be selected as follows:

1. the governor, or the governor's designee;

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

3. the commissioner of administration, or the commissioner's designee;

4. the secretary of the Department of Labor, or the secretary's designee;

5. the secretary of the Department of Transportation and Development, or the secretary's designee;

6. a member of the Louisiana Economic Development Council, appointed by the governor;

7. a member of the Louisiana Industrial Development Executives Association, appointed by the governor;

8. a member of the Louisiana Association of Chamber of Commerce Executives, appointed by the governor;

9. a member of the Council for a Better Louisiana, appointed by the governor;

10. a member of the Committee of 100, appointed by the governor;

11. a member of the Louisiana Association of Business and Industry, appointed by the governor;

12. a member of the Louisiana Women Business Owners Association, appointed by the governor;

13. a member of the Louisiana Chemical Association, appointed by the governor;

14. a member of the Gulf South Minority Supplier Development Council, appointed by the governor;

15. a representative of a regional economic development agency located in Louisiana, appointed by the governor;

16. a member of the higher education community, appointed by the governor;

17. a representative of the Ports Association of Louisiana, appointed by the governor;

18. two (2) members of the business community, appointed by the governor;

19. three (3) members of the Louisiana Senate, designated by the president of the Senate; and

20. three (3) members of the Louisiana House of Representatives designated by the speaker of the House of Representatives.

SECTION 5: Support staff, facilities, and resources for the Task Force shall be provided by the Department of Economic Development.

SECTION 6: Task Force members shall not receive compensation, a per diem, or travel expenses from the Office of the Governor for serving on the Task Force.

SECTION 7: All departments, commissions, boards, agencies, and officers of the state, or any political subdivision thereof, are authorized and directed to cooperate with the Department of Economic Development in implementing the provisions of this Order.

SECTION 8: This Order is effective upon signature and shall continue in effect until June 18, 2001, unless it is amended, modified, terminated, or rescinded by the governor, or terminated by operation of law prior to that date.

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 17th day of January, 2001.

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

ATTEST BY
THE GOVERNOR
Fox McKeithen
Secretary of State
0102#001

EXECUTIVE ORDER MJF 01-02

Continuation of Hiring Freeze

WHEREAS, pursuant to Article IV, Section 5 of the Louisiana Constitution of 1974, as amended, Act No. 11 of the 2000 Second Extraordinary Session of the Louisiana Legislature, Act No. 2 of the 2000 Second Extraordinary Session of the Louisiana Legislature, and/or R.S. 42:375, the governor may issue executive orders which prohibit the filling of any new or existing employment vacancies in the executive branch of state government (hereafter "hiring freeze"); and

WHEREAS, to ensure that the state of Louisiana will not suffer a budget deficit due to 2000-2001 appropriations exceeding actual revenues, prudent money management

practices dictate that the best interests of the citizens of the state of Louisiana will be served by continuing until June 30, 2001, throughout the executive branch of state government, the hiring freeze which was initially ordered through June 30, 2000, by Executive Order No. MJF 2000-18, issued May 4, 2000; continued until September 30, 2000, by Executive Order No. MJF 2000-21, issued June 30, 2000; continued until November 1, 2000, by Executive Order No. MJF 2000-35, issued October 5, 2000; continued until December 1, 2000, by Executive Order No. MJF 2000-42, issued on October 31, 2000; and continued until February 1, 2001, by Executive Order No. MJF 2000-55, issued December 1, 2000;

NOW THEREFORE, I, M.J. "MIKE" 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: Unless specifically exempted by Section 2 of this Order, no vacancy in an existing or new position of employment within the executive branch of state government in a budget unit and/or activity funded by Act No. 2 of the 2000 Second Extraordinary Session of the Louisiana Legislature (hereafter "Act No. 2") and/or Act No. 11 of the 2000 Second Extraordinary Session of the Louisiana Legislature (hereafter "Act No. 11"), which existed on or occurred after May 4, 2000, the date of issuance of Executive Order No. MJF 2000-18, shall be filled without the express written approval of the commissioner of administration (hereafter "hiring freeze").

SECTION 2: All budget activities funded by Act No. 11 which were exempt from the hiring freeze ordered in Executive Order No. MJF 2000-18 continue to be exempt from the provisions of this Order. None of the budget activities funded by Act No. 2 are exempt from the provisions of this Order.

SECTION 3: Each department, agency, office, board, and/or commission shall file with the commissioner of administration, on the 10th day of each month, a monthly report reflecting projected savings that the department, agency, office, board or commission will generate through the implementation of this Order. Such reports shall reflect a full accounting of personnel changes within the department, agency, office, board or commission for the reporting period covered, including an accounting of employment figures at the beginning and end of the reporting period and the number of vacancies filled and/or not filled during the reporting period, pursuant to the provisions of this Order. The reports shall include a categorized summary of transactions which resulted pursuant to the exemption granted in Section 2 of this Order and/or permitted pursuant to Section 4 of this Order.

SECTION 4: The provisions of Section 4 of Executive Order No. MJF 2000-18 are continued in effect.

SECTION 5: This Order is effective upon signature and shall remain in effect through June 30, 2001, or 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 24th day of January, 2001.

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

ATTEST BY
THE GOVERNOR
Fox McKeithen
Secretary of State
0102#010

EXECUTIVE ORDER MJF 01-03

Additional Consensus Estimating Conferences

WHEREAS, R.S. 39:21.1 through 27 provides for consensus estimating conferences on economics, demographics, education, criminal justice, health and social services, transportation, and revenue for the purpose of developing official information on those issues for the state planning and budgeting system;

WHEREAS, existing consensus estimating conferences do not address all of the issues for which the state of Louisiana requires official consensus information for the state planning and budget system; and

WHEREAS, the best interests of the citizens of the state of Louisiana are served by the creation of three additional consensus estimating conferences to address the issues of higher education, human resources, and other matters which are not in the area of responsibility of a consensus estimating conference;

NOW THEREFORE, I, M.J. "MIKE" FOSTER, JR., 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: A. The Higher Education Estimating Conference is established within the executive department, Division of Administration.

B. The Higher Education Estimating Conference shall develop such official information related to the state of Louisiana's higher education system as the members of the conference determine is needed for purposes of the state planning and budgeting system, including official information on student enrollment, faculty pay and benefits, and/or comparisons of the state of Louisiana to other states.

C. The Higher Education Estimating Conference shall consist of the following six voting members:

1. The governor, or the governor's designee;
2. The commissioner of administration, or the commissioner's designee;
3. The president of the Louisiana Senate, or the president's designee selected from either the membership or staff of the Louisiana Senate;
4. The speaker of the Louisiana House of Representatives, or the speaker's designee selected from either the membership or staff of the Louisiana House of Representatives;
5. The legislative fiscal officer, or the officer's designee; and
6. The commissioner of higher education, or the commissioner's designee.

SECTION 2: A. The Human Resources Estimating Conference is established within the executive department, Division of Administration.

B. The Human Resources Estimating Conference shall develop such official information related to the human resources of the state of Louisiana as the members of the conference determine is needed for purposes of the state planning and budgeting system, including official information on employment, employee pay and benefits, and/or comparisons of the state of Louisiana to other states or to the private sector of the state of Louisiana and/or other states.

C. The Human Resources Estimating Conference shall consist of the following six voting members:

1. The governor, or the governor's designee;
2. The commissioner of administration, or the commissioner's designee;
3. The president of the Louisiana Senate, or the president's designee selected from either the membership or staff of the Louisiana Senate;
4. The speaker of the Louisiana House of Representatives, or the speaker's designee selected from either the membership or staff of the Louisiana House of Representatives;
5. The legislative fiscal officer, or the officer's designee; and
6. The director of the Department of Civil Service, or the director's designee.

SECTION 3: A. The State and National Data Estimating Conference is established within the executive department, Division of Administration.

B. The State and National Data Estimating Conference shall develop such official information on any issue not within the area of responsibility of any other consensus estimating conference created by 39:21.1-27 or the provisions of this Order, as the majority of voting members of the conference determine is needed for the purposes of the state planning and budgeting system.

C. The State and National Data Estimating Conference shall consist of the following five voting members:

1. The governor, or the governor's designee;
2. The commissioner of administration, or the commissioner's designee;
3. The president of the Louisiana Senate, or the president's designee selected from either the membership or staff of the Louisiana Senate;
4. The speaker of the Louisiana House of Representatives, or the speaker's designee selected from either the membership or staff of the Louisiana House of Representatives; and
5. The legislative fiscal officer, or the officer's designee.

D. The State and National Data Estimating Conference shall also consist of the following non-voting member:

1. The executive director of Public Affairs Research, Inc., or the executive director's designee.

SECTION 4: A. As used in this Order, "official information" means the data, forecasts, estimates, analyses, studies, and/or other information adopted by a conference.

B. The official information of a conference shall be adopted only by a favorable record vote of two-thirds (2/3) of the appointed voting members of the conference.

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Department of Economic Development
Reorganization Task Force

C. Each conference shall publish the official information adopted by the conference in the Louisiana Register.

D. Official information adopted by a conference shall constitute the official information of a conference until rescinded, replaced, and/or superceded at a subsequent meeting of the conference by a favorable record vote of two-thirds (2/3) of the appointed voting members of the conference.

E. The official forecasts of a conference shall be based upon the assumption that the current laws and administrative procedures of the state of Louisiana and/or the departments, commissions, boards, offices, agencies, and/or political subdivisions thereof, shall remain in effect throughout the forecast period.

F. Two-thirds (2/3) of the appointed voting members of a conference means four voting members of a conference consisting of five voting members and/or four voting members of a conference consisting of six voting members.

SECTION 5: Each conference shall issue initial official information determinations by February 15, 2001.

SECTION 6: A. The governor shall appoint the chair of each conference from its voting members.

B. Each conference shall meet at the call of its chair and/or by written notice of three or more voting members who dispute or question the continued validity of an item of official information previously adopted by the conference.

C. Support staff for the conferences and facilities for conference meetings shall be arranged by the Office of the Governor and/or the Division of Administration.

D. Conference members shall not receive additional compensation or a per diem from the Office of the Governor and/or the Division of Administration for serving on a conference. However, state officers and/or employees may seek reimbursement of travel expenses, in accordance with PPM 49, from their employing and/or elected department, agency, and/or office.

SECTION 7: A. All departments, commissions, boards, offices, agencies, and political subdivisions of the state of Louisiana, and the officers thereof, shall use the official information developed by the conference.

B. All departments, commissions, boards, offices, agencies, and political subdivisions of the state of Louisiana, and the officers thereof, are authorized and directed to cooperate in implementing the provisions of this Order.

SECTION 8: 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 24th day of January, 2001.

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

ATTEST BY
THE GOVERNOR
Fox McKeithen
Secretary of State
0102#011

WHEREAS, Executive Order No. MJF 2001-1, signed on January 17, 2001, established the Department of Economic Development Reorganization Task Force (hereafter "Task Force"); and

WHEREAS, it is necessary to amend Executive Order No. MJF 2001-1 to expand the membership of the Task Force;

NOW THEREFORE, I, M.J. "MIKE" FOSTER, JR., 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: Section 4 of Executive Order No. MJF 2001-1 is amended to provide as follows:

The Task Force shall be composed of a maximum of twenty-nine (29) members who, unless otherwise specified, shall be appointed by, and serve at the pleasure of, the governor. The membership of the Task Force shall be selected as follows:

- A. the governor, or the governor's designee;
- B. the secretary of the Department of Economic Development, or the secretary's designee;
- C. the commissioner of administration, or the commissioner's designee;
- D. the secretary of the Department of Labor, or the secretary's designee;
- E. the secretary of the Department of Transportation and Development, or the secretary's designee;
- F. three (3) members of the Louisiana Senate designated by the president of the Senate;
- G. three (3) members of the Louisiana House of Representatives designated by the speaker of the House of Representatives;
- H. a member of the Louisiana Economic Development Council;
- I. a member of the Louisiana Industrial Development Executives Association;
- J. a member of the Louisiana Association of Chamber of Commerce Executives;
- K. a member of the Council for a Better Louisiana;
- L. a member of the Committee of 100;
- M. a member of the Louisiana Association of Business and Industry;
- N. a member of the Louisiana Women Business Owners Association;
- O. a member of the Louisiana Chemical Association;
- P. a member of the Gulf South Minority Supplier Development Council;
- Q. a representative of a regional economic development agency located in Louisiana;
- R. a member of the higher education community;
- S. a representative of the Ports Association of Louisiana;
- T. a representative of the Board of Commerce and Industry;

U. a representative of the Louisiana Business Incubation Association;

V. a representative of the Louisiana Mid-Continent Oil and Gas Association;

W. a representative of the Louisiana Economic Development Corporation; and

X. two (2) representatives of Louisiana's business community.

SECTION 2: All other sections, subsections, and/or paragraphs of Executive Order No. MJF 2001-1 shall remain in full force and effect.

SECTION 3: 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 25th day of January, 2000.

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

ATTEST BY
THE GOVERNOR
Fox McKeithen
Secretary of State
0102#013

EXECUTIVE ORDER MJF 01-05

Bond Allocation Louisiana Public Facilities Authority

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, 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 2001 (hereafter "the 2001 Ceiling");

(2) the procedure for obtaining an allocation of bonds under the 2001 Ceiling; and

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

WHEREAS, the Louisiana Public Facilities Authority has requested an allocation from the 2001 Ceiling to finance student loans which, if the student meets certain timely payment requirements, will have interest rates below the interest rates established by the United States Department of Education and which

(1) have been made

(a) to residents of the state of Louisiana attending a post-secondary school located within or without the state of Louisiana, or

(b) to an out-of-state resident attending a post-secondary school located within the state of Louisiana;

(2) are guaranteed;

(3) are "eligible student loans" within the meaning of the Higher Education Act of 1965, including consolidation loans and certain loans to the parents of the students referred to in (1)(a) and (1)(b), *supra*, and (4) meet certain additional requirements pursuant to financing documents, in

accordance with the provisions of Section 146 of the Internal Revenue Code of 1986, as amended;

NOW THEREFORE, I, M.J. "MIKE" FOSTER, JR., 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 private activity bond volume limits for the calendar year of 2001 as follows:

Amount of Allocation	Name of Issuer	Name of Project
\$43,500,000	Louisiana Public Facilities Authority	Student Loans Revenue Bonds

SECTION 2: The granted allocation 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 granted allocation shall be valid and in full force and effect through the end of 2001, provided that such bonds are delivered to the initial purchasers thereof on or before May 8, 2001.

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 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 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 7th day of February, 2001.

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

ATTEST BY
THE GOVERNOR
Fox McKeithen
Secretary of State
0102#087

EXECUTIVE ORDER MJF 01-06

Louisiana Women's Policy and Research Commission

WHEREAS, Executive Order No. MJF 2000-6, signed on February 16, 2000, established the Louisiana Women's Policy and Research Commission (hereafter "Commission");

WHEREAS, Executive Order No. MJF 2000-54, issued on December 1, 2000, amended Executive Order No.

MJF 2000-6 to add additional members to the Commission¹ and to amend ancillary provisions;

WHEREAS, it is again necessary to amend Executive Order No. MJF 2000-6, as amended by Executive Order No. MJF 2000-54, in order to add additional members to the Commission and to amend ancillary provisions;

NOW THEREFORE, I, M.J. "MIKE" FOSTER, JR., 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: Section 3 of Executive Order No. MJF 2000-6, signed on February 16, 2000, is amended to provide as follows:

Commencing March 15, 2001, and on each February 15th thereafter, the Commission shall submit a detailed annual report to the governor, through the Office of Women's Services, which addresses the issues set forth in Section 2 of this Order.

SECTION 2: Section 4 of Executive Order No. MJF 2000-6 is amended to provide as follows:

The Commission shall consist of the following twenty-seven (27) members who, unless specified, shall be appointed by the governor and serve at his pleasure:

- A. The governor, or the governor's designee;
- B. The commissioner of administration, or the commissioner's designee;
- C. The secretary of the Department of Economic Development, or the secretary's designee;
- D. The secretary of the Department of Health and Hospitals, or the secretary's designee;
- E. The secretary of the Department of Labor, or the secretary's designee;
- F. The secretary of the Department of Social Services, or the secretary's designee;
- G. The commissioner of Higher Education, or the commissioner's designee;
- H. The executive director of the Children's Cabinet, Office of the Governor, or the executive director's designee;
- I. The executive director of the Office of Women's Services, Office of the Governor, or the executive director's designee;
- J. The executive director of the Office of Elderly Affairs, Office of the Governor, or the executive director's designee;
- K. The superintendent of the Department of Education, or the superintendent's designee;
- L. Five (5) members of the Women's Legislative Caucus; and

M. Eleven (11) Louisiana women who have significant academic and/or professional expertise in one (1) or more of the following areas:

1. business or industry,
2. economics,
3. education,
4. demographics,
5. public health,
6. law, or
7. social science and/or social work.

SECTION 3: Section 8 of Executive Order No. MJF 2000-6 is amended to provide as follows:

1. Commission members shall not receive additional compensation or a per diem for serving on the Commission.
2. Commission members who are an employee or an elected public official of the state of Louisiana may seek reimbursement of travel expenses, in accordance with PPM 49, from their employing and/or elected department, agency, and/or office.

SECTION 4: All other paragraphs, sections, and subsections of Executive Order No. MJF 2000-6 shall remain in full force and effect.

SECTION 5: Executive Order No. MJF 2000-8, signed on March 1, 2000, and Executive Order No. MJF 2000-54, signed on December 1, 2000, are terminated and rescinded.

SECTION 6: 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 9th day of February, 2001.

¹ Executive Order No. MJF 2000-8, issued on March 1, 2000, (hereafter "MJF 2000-8") also increased the membership of the Commission. However, the provisions of MJF 2000-8 were included in Executive Order No. MJF 2000-54 and, therefore, MJF 2000-8 was terminated and rescinded.

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

ATTEST BY
THE GOVERNOR
Fox McKeithen
Secretary of State
0102#088