

# Executive Orders

## EXECUTIVE ORDER MJF 01-57

Governors Military Advisory Board

WHEREAS, Executive Order No. MJF 2000-40, issued on October 25, 2000, established the Governors Military Advisory Board (hereafter "Board") within the executive department, Office of the Governor; and

WHEREAS, it is necessary to amend Executive Order No. MJF 2000-40 in order to recreate the Board within the executive department, Department of Economic Development, and make ancillary changes to provisions of the executive order;

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: Section 1 of Executive Order No. MJF 2000-40, issued on October 25, 2000, is amended to provide as follows:

The Governors Military Advisory Board (hereafter "Board") is recreated within the executive department, Department of Economic Development.

SECTION 2: Section 7 of Executive Order No. MJF 2000-40 is amended to provide as follows:

Support staff for the Board and facilities for its meetings shall be provided by the Department of Economic Development.

SECTION 3: Section 8 of Executive Order No. MJF 2000-40 is amended to provide as follows:

1. Board members shall not receive additional compensation or a per diem from the Department of Economic Development for serving on the Board.
2. Board members may be reimbursed for actual travel expenses, in accordance with PPM 49, upon approval of the secretary of the Department of Economic Development when funds have been appropriated, and are available, for such purposes.
3. Board members who are also members of the Louisiana Legislature may seek a per diem from the House of Representatives or the Senate, as appropriate, for their attendance at Board meetings and/or service on the Board.

SECTION 4: All other sections, subsections, and paragraphs of Executive Order No. MJF 2000-40 shall remain in full force and effect.

SECTION 5: This Order is effective upon signature and shall continue in effect until amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.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 28th day of November, 2001.

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

ATTEST BY  
THE GOVERNOR  
Fox McKeithen  
Secretary of State  
0201#006

## EXECUTIVE ORDER MJF 01-58

Rules and Policies on Leave for Unclassified Service

WHEREAS, Executive Order No. MJF 98-23, issued on May 21, 1998, provides for rules and policies on annual, compensatory, sick, special, military, and other leave for certain unclassified state officers and employees;

WHEREAS, Act No. 9 of the 2001 Regular Session of the Louisiana Legislature reorganized the Department of Economic Development and created within that department the Office of Business Development, which is staffed with cluster professionals and service coordinators who are highly skilled, well-educated individuals, with significant experience in a particular area or industry; and

WHEREAS, such professionals will be expected to work long but irregular hours in order to best attract and maintain jobs and businesses in Louisiana;

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: Section 2 of Executive Order No. MJF 98-23, issued on May 21, 1998, is amended to read as follows:

O. "Unclassified appointee," a subclass of officers and employees in the unclassified service of the executive branch, means certain unclassified officers who are appointed

1) by the governor to serve on the governors executive staff, the governors cabinet, and the executive staff of the governors cabinet, or to serve as the head of a particular agency;

2) by a cabinet member to serve on the cabinet members executive staff;

3) by the superintendent of the Department of Education to serve on the superintendent's executive staff;

4) by an elected official in the executive branch who has adopted the rules and policies set forth in this Order, to serve on the elected officials executive staff; or

5) by the secretary of the Department of Economic Development to serve in the unclassified service in the Office of Business Development. An unclassified appointee shall be on duty and available to serve and in contact with their appointing authority throughout the term of their appointment except when on leave. An unclassified appointee shall be on leave and/or use annual and/or sick leave or leave without pay only at those times when the appointee is unavailable to serve their appointing authority as a result of voluntary or involuntary conditions; performing political activities during regular tour of duty hours; or performing for compensation non-appointment related activities, duties, or work during regular tour of duty hours. An unclassified appointee shall only accrue sick and annual leave on the basis of a forty (40) hour work week and shall never be eligible to earn compensatory leave, including compensatory leave earned pursuant to subsection 13(c) of this Order.

SECTION 2: All other Sections and Subsections of Executive Order No. MJF 98-23 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 29th day of November, 2001.

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

ATTEST BY  
THE GOVERNOR  
Fox McKeithen  
Secretary of State  
0201#004

**EXECUTIVE ORDER MJF 01-59**

Comprehensive Energy Policy Advisory Commission

WHEREAS, Executive Order No. MJF 2001-49, issued on October 25, 2001, established the Comprehensive Energy Policy Advisory Commission (hereafter "Commission"); and

WHEREAS, it is necessary to amend Executive Order No. MJF 2001-49 in order to make ancillary changes to provisions of the executive order;

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: Section 3 of Executive Order No. MJF 2001-49 is amended to provide as follows:

By August 1, 2002, the Commission shall submit to the governor a report on the issues set forth in Section 2 of this Order.

SECTION 2: Section 4 of Executive Order No. MJF 2001-49 is amended to provide as follows:

With the exception of the speaker of the House of Representatives and the president of the Senate, and/or their designees, all members of the Commission shall be appointed by the governor. All non-ex-officio appointees on the Commission shall serve at the pleasure of the governor. The Commission shall be composed of twenty-four (24) members selected as follows:

- A. The governor, or the governor's designee;
- B. The speaker of the House of Representative, or the speaker's designee;
- C. The president of the Senate, or the president's designee;
- D. The secretary of the Department of Natural Resources, or the secretary's designee;
- E. The secretary of the Department of Economic Development, or the secretary's designee;
- F. The chair of the State Mineral Board, or the chair's designee;
- G. One (1) member of the Louisiana Public Service Commission, appointed by the governor;
- H. Six (6) members with significant experience in private industry in fields relating to the extraction, production, or distribution of energy, appointed by the governor; and
- I. Eleven (11) at-large members, appointed by the governor.

SECTION 3: Section 5 of Executive Order No. MJF 2002-49 is amended to provide as follows:

The governor shall appoint the chair and vice-chair of the Commission. All other officers, if any, shall be elected by the membership of the Commission.

SECTION 4: All other sections, subsections, and/or paragraphs of Executive Order No. MJF 2001-49 shall remain in full force and effect.

SECTION 5: 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 7th day of December, 2001.

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

ATTEST BY  
THE GOVERNOR  
Fox McKeithen  
Secretary of State  
0201#005

**EXECUTIVE ORDER MJF 01-60**

Administrative Support of the Office of  
Louisiana Oil Spill Coordinator

WHEREAS, Executive Order No. MJF 98-42, issued on September 3, 1998, directed the office of the Louisiana oil spill coordinator (hereafter "Office") to be housed within the Department of Natural Resources (hereafter "Department") and ordered the secretary of the Department to supervise the coordination of various activities and operations of the Office and be the appointing authority of various employees in the Office;

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: Executive Order No. MJF 98-42, issued on September 3, 1998, is rescinded.

SECTION 2: The provisions of this Order are 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 20th day of December, 2001.

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

ATTEST BY  
THE GOVERNOR  
Fox McKeithen  
Secretary of State  
0201#003

**EXECUTIVE ORDER MJF 01-61**

Louisiana Commission on Marriage and Family

WHEREAS, Executive Order No. MJF 2001-19, issued on April 6, 2001, established the Louisiana Commission on Marriage and Family (hereafter "Commission"); and

WHEREAS, it is necessary to amend Executive Order No. MJF 2001-19 to increase the membership of the Commission and change the provisions on the annual reporting date and on other ancillary matters;

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 2001-19, issued on April 6, 2001, is amended to provide as follows:

Commencing December 31, 2002, and each December 31st thereafter, the Commission shall submit a detailed annual report to the governor which addresses the issues set forth in Section 2 of this Order.

SECTION 2: Section 4 of Executive Order No. MJF 2001-19 is amended to provide as follows:

With the exception of the members of the Louisiana Legislature, all members of the Commission shall be appointed by the governor. All non-ex-officio members shall serve at the governor's pleasure. The Commission shall consist of a maximum of thirty (30) members selected as follows:

- A. The governor, or the governor's designee;
- B. The secretary of the Department of Social Services, or the secretary's designee;
- C. The secretary of the Department of Health and Hospitals, or the secretary's designee;
- D. The secretary of the Department of Labor, or the secretary's designee;
- E. The commissioner of higher education, or the commissioner's designee;
- F. The superintendent of the Department of Education, or the superintendent's designee;
- G. The executive director of the Children's Cabinet, Office of the Governor, or the executive director's designee;
- H. The executive director of the Office of Women's Services, Office of the Governor, or the executive director's designee;
- I. The TANF (Temporary Assistance for Needy Families) director, Division of Administration;
- J. Two (2) members of the Senate, nominated by the president of the Senate;
- K. Two (2) members of the House of Representatives, nominated by the speaker of the House of Representatives;
- L. A representative of the Louisiana Coordinating Council on Domestic Violence;
- M. A representative of the Louisiana Women's Policy and Research Commission;
- N. A member of the Board of Elementary and Secondary Education;
- O. A citizen of the state of Louisiana representing the interests and concerns of two-parent families;
- P. A citizen of the state of Louisiana representing the interests and concerns of single-parent families; and
- Q. Twelve (12) citizens of the state of Louisiana who have significant academic and/or professional expertise in one (1) or more of the following areas:
  - 1. marriage education and/or marriage skills training;
  - 2. marriage, family and/or juvenile counseling and/or mediation;
  - 3. education;
  - 4. law;
  - 5. public health;
  - 6. sociology, social science, and/or social work; and
  - 7. community programs and/or assistance.

SECTION 3: Section 5 of Executive Order MJF 2001-19 is amended to provide as follows:

The governor shall appoint the co-chairs of the Commission. All other officers, if any, shall be elected by the membership of the Commission.

SECTION 4: All other paragraphs, sections, and subsections of Executive Order No. MJF 2001-19 shall remain in full force and effect.

SECTION 5: 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 20th day of December, 2001.

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

ATTEST BY  
THE GOVERNOR  
Fox McKeithen  
Secretary of State  
0201#002

**EXECUTIVE ORDER MJF 01-62**

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 (collectively hereafter "the Act"), 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 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;

WHEREAS, Executive Order No. MJF 2001-17, issued on March 27, 2001, as amended by Executive Order No. MJF 2001-25, issued on June 6, 2001, allocated twenty-one million dollars (\$21,000,000) from the 2001 Ceiling to the Industrial Development Board of the city of New Orleans, Louisiana, Inc., in connection with a project of CSI Rental, L.L.C., but the twenty-one million dollar (\$21,000,000) allocation has been returned unused to the 2001 Ceiling;

WHEREAS, Executive Order No. MJF 2001-27, issued on June 26, 2001, as amended by Executive Order No. MJF 2001-38, issued on September 14, 2001, allocated eight hundred fifty thousand dollars (\$850,000) from the 2001 Ceiling to the Louisiana Local Government Environmental Facilities and Community Development

Authority in connection with a project of Independence Street Apartments, but the eight hundred fifty thousand dollar (\$850,000) allocation has been returned unused to the 2001 Ceiling;

WHEREAS, Executive Order No. MJF 2001-29, issued on July 31, 2001, as amended by Executive Order No. MJF 2001-48, issued on October 25, 2001, allocated ten million dollars (\$10,000,000) from the 2001 Ceiling to the Louisiana Local Government Environmental Facilities and Community Development Authority in connection with a project of Quantum Fuel and Refining, Inc., but the ten million dollar (\$10,000,000) allocation has been returned unused to the 2001 Ceiling;

WHEREAS, Executive Order No. MJF 2001-43, issued on September 25, 2001, allocated three million six hundred thousand dollars (\$3,600,000) from the 2001 Ceiling to the Industrial Development Board of the city of Donaldsonville, Louisiana, Inc., in connection with a project of Chef John Folsie Company, Inc., but the three million six hundred thousand dollar (\$3,600,000) allocation has been returned unused to the 2001 Ceiling;

WHEREAS, Executive Order No. MJF 2001-56, issued on November 14, 2001, allocated seven million eight hundred fifty-one thousand dollars (\$7,851,000) from the 2001 Ceiling to Louisiana Public Facilities Authority, in connection with a project of Baton Rouge Water Company, but one hundred thirty-one thousand one hundred fifty-three dollars (\$131,153) of the seven million eight hundred fifty-one thousand dollar (\$7,851,000) allocation has been returned unused to the 2001 Ceiling;

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 or an issuer 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 2001 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 2001 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
Louisiana Housing Finance Agency	Single Family Mortgage Revenue Bond Program	\$35,581,153

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 21st day of December, 2001.

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

ATTEST BY  
THE GOVERNOR  
Fox McKeithen  
Secretary of State  
0201#001