

Executive Orders

EXECUTIVE ORDER MJF 98-2

DWI/Vehicular Homicide Task Force

WHEREAS: Executive Order MJF 96-9, signed on April 15, 1996, established the Governor's DWI/Vehicular Homicide Task Force (hereafter "task force");

WHEREAS: the membership of the task force has been expanded by Executive Orders MJF 97-8, signed on January 30, 1997, and MJF 97-55, signed on December 3, 1997; and

WHEREAS: it is again necessary 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 laws of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: Section 2 of Executive Order MJF 96-9 is amended to add a second at-large member as follows:

M. Two at-large members.

SECTION 2: All other Sections and Subsections of Executive Order MJF 96-9 shall remain in full force and effect.

SECTION 3: 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of this Order are effective upon signature and shall remain in effect until amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.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 the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this 13th day of January, 1998.

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

ATTEST BY
THE GOVERNOR
Fox McKeithen
Secretary of State
9802#005

EXECUTIVE ORDER MJF 98-3

Mississippi River Corridor Task Force

WHEREAS: Executive Order MJF 98-1, signed on January 7, 1998, established the Mississippi River Corridor Task Force (hereafter "task force");

WHEREAS: it is necessary to amend the composition of 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 laws of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: Section 4 of Executive Order MJF 98-1 is amended as follows:

The task force shall be composed of at least 14 members appointed by and serving 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 Environmental Quality, or the secretary's designee;
- C. the secretary of the Department of Economic Development, or the secretary's designee;
- D. the commissioner of the Department of Agriculture and Forestry, or the commissioner's designee;
- E. the secretary of the Department of Labor, or the secretary's designee;
- F. the secretary of the Department of Health and Hospitals, or the secretary's designee;
- G. the chair and one member of the task force on Environmental Protection and Preservation;
- H. the president of the statewide chapter of the NAACP;
- I. a president of a local branch of the NAACP;
- J. a member of a local branch of the NAACP who resides in the corridor;
- K. a representative of a permitted facility in the corridor who has community outreach experience; and
- L. two residents of the corridor.

SECTION 2: All other Sections and Subsections of Executive Order MJF 98-1 shall remain in full force and effect.

SECTION 3: 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 the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this 22nd day of January, 1998.

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

ATTEST BY
THE GOVERNOR
Fox McKeithen
Secretary of State
9802#006

EXECUTIVE ORDER MJF 98-4

Computer Systems
Year 2000 Compliant

WHEREAS: Executive Order MJF 96-50, signed on October 17, 1996, announced the policy of the State of Louisiana for year 2000 compliance by July 1, 1999; and

WHEREAS: it is necessary to amend various provisions in Executive Order MJF 96-50;

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 MJF 96-50 is amended to provide as follows:

Any contract for the purchase or acquisition of computer hardware, software, firmware product, data processing service, information system and/or custom computer item, in excess of \$5,000, by any state agency, commission, board, entity, or department (hereafter "state agency"), shall include a provision that any such item(s) or services(s) purchased or acquired shall be "year 2000 compliant" on or before July 1, 1999.

SECTION 2: Section 2 of Executive Order MJF 96-50 is amended to provide as follows:

A. The term "year 2000 compliant" as used in this Order means the hardware, software, firmware product, data processing service, information system, and/or custom computer item (hereafter "product"), when used properly, shall accurately process, provide, and/or receive data before, during, or after January 1, 2000.

B. When interpreting the foregoing definition, the following illustrative rules shall apply:

1. A system means two or more specific listed products that a contract designates are to perform together. The specific listed products need not be purchased at the same time or from the same vendor, and may include products already owned by the state agency.

2. If a contract indicates that specific listed products are performing or shall perform as a system, then such products shall accurately process, provide, exchange, and/or receive data before, during, or after January 1, 2000.

SECTION 3: Section 3 of Executive Order MJF 96-50 is amended to provide as follows:

The provisions of this Order shall not apply to any contract perfected or entered into prior to October 17, 1996.

SECTION 4: All other Sections and Subsections of Executive Order MJF 96-50 shall remain in full force and effect.

SECTION 5: 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 fixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this 22nd day of January, 1998.

M.J. "Mike" Foster
Governor

ATTEST BY
THE GOVERNOR
Fox McKeithen
Secretary of State
9802#007

EXECUTIVE ORDER MJF 98-5

Bond Allocation—Parish of Grant

WHEREAS: pursuant to the Tax Reform Act of 1986 (hereafter "the Act") and Act 51 of the 1986 Regular Session of the Louisiana Legislature, Executive Order MJF 96-25 (hereafter "MJF 96-25") was issued on August 27, 1996 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 1998 (hereafter "the 1998 Ceiling"); (2) the procedure for obtaining an allocation of bonds under the 1998 Ceiling; and (3) a system of central record keeping for such allocations; and

WHEREAS: the Parish of Grant has requested an allocation from the 1998 Ceiling to be used in connection with the financing of the acquisition, construction, and installation of certain equipment (the "Project") to be used in the existing manufacturing facility of Farmland Industries, Inc., 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 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 1998 Ceiling as follows:

Amount of Allocation	Name of Issuer	Name of Project
\$1,000,000	Parish of Grant	Farmland Industries, Inc

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's 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, provided that such bonds are delivered to the initial purchasers thereof on or before April 22, 1998.

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 the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this 22nd day of January, 1998.

M.J. "Mike" Foster
Governor

ATTEST BY
THE GOVERNOR
Fox McKeithen
Secretary of State
9802#008

EXECUTIVE ORDER MJF 98-6

Transportation Infrastructure Model for Economic Development Review Task Force

WHEREAS: on October 7, 1989, the people of the state of Louisiana approved an amendment to Article VII, Section 27 of the Louisiana Constitution of 1974 (hereafter "the amendment") which, effective January 1, 1990, established the Transportation Trust Fund (hereafter "trust") in the state treasury and provided for the avails of the gasoline and motor fuel tax and special fuels tax to be credited to the trust;

WHEREAS: the amendment also mandated that the Transportation Infrastructure Model for Economic Development (hereafter "TIMED"), which includes only those projects enumerated in Act 16 of the First Extraordinary Session of 1989 (hereafter "Act 16"), shall be funded as provided by law;

WHEREAS: R.S. 47:820.2 directs the state treasurer to create the Transportation Infrastructure Model for Economic Development Account (hereafter "account") within the trust, and to fund it with a 15-year \$.04 per gallon gasoline tax (hereafter "tax"), as described in R.S. 47:820.1 and 820.4, and that the monies in the account shall be used solely to fund the TIMED program;

WHEREAS: the purpose of the TIMED program is to dedicate the funds in the account to the 16 designated highway, bridge, port, and airport projects (hereafter "projects") listed in Act 16, R.S. 47.820.2(B);

WHEREAS: the projects were designed to achieve a balance between the state's need for transportation infrastructure improvement and the state's overall need for economic development;

WHEREAS: pursuant to the provisions of R.S. 47:820.4, the tax shall expire in the year 2004, even though 11 of the projects will not be completed;

WHEREAS: significant changes in the economic development and transportation infrastructure improvement needs of the state, not envisioned at the time of the enactment of the TIMED program, have occurred since the ratification of the constitutional amendment in 1989; and

WHEREAS: due to these changes, the interests of the citizens of the state of Louisiana would be best served by the creation of a task force charged with the duty of evaluating the state's continued need for projects not yet completed and for additional projects not listed in Act 16, based on the cost effectiveness of the projects and the economic development and transportation improvement infrastructure needs of the state, so that a reasoned decision can be made regarding the state's need to reenact and renew the tax and TIMED program and amend the provisions of Article VII, Section 27 of the Louisiana Constitution;

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: The Transportation Infrastructure Model for Economic Development Review 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:

A. reviewing the incomplete projects in the TIMED program, and evaluating the continued need for those projects as they relate to the state's transportation infrastructure improvement needs and the overall economic development goals of the state;

B. reviewing proposals for new projects to evaluate the need to amend Article VII, Section 27 of the Louisiana Constitution to permit the inclusion of additional projects within a reenacted and renewed tax and TIMED program; and

C. reviewing the incomplete projects in the TIMED program to evaluate the priority of the projects based on their importance to the economic development objectives and goals of the state and the state's transportation infrastructure improvement needs.

SECTION 3: The task force shall prepare a comprehensive written report on the items listed in Section 2 and submit it to the governor; the House Committee on Transportation, Highways, and Public Works; the House Committee on Ways and Means; the Senate Committee on Transportation, Highway, and Public Works; and the Senate Committee on Revenue and Fiscal Affairs, no later than March 16, 1998.

SECTION 4: The task force shall be composed of 21 voting members who shall be appointed by, and serve at the pleasure of, the governor and two non-voting ex-officio members.

A. Six of the voting members of the task force shall be selected as follows:

1. the governor, or the governor's designee;
2. the commissioner of Administration, or the commissioner's designee;
3. the secretary of the Department of Transportation and Development, or the secretary's designee;
4. the secretary of the Department of Economic Development, or the secretary's designee;
5. the chair of the Infrastructure Committee of the Economic Development Council; and
6. one at-large member.

B. Nine of the voting members of the task force shall be selected by the governor from the lists of nominations submitted by the chambers of commerce located in each of the Department of Transportation and Development's nine planning districts.

C. Six of the voting members of the task force shall be selected by the governor from the lists of nominations submitted by the following groups:

1. the Public Affairs Research Council;
2. the Council for a Better Louisiana;
3. the Louisiana Association for Business and Industry;
4. the Louisiana Business League;
5. the American Federation of Labor—Congress of Industrial Organization (AFL-CIO); and
6. the LA Good Roads Association.

D. The two ex-officio nonvoting members shall be the chairs of the House and Senate committees on Transportation, Highway, and Public Works.

SECTION 5: The governor shall select the chair of the task force. The membership of the task force shall elect all other officers.

SECTION 6: The task force shall meet at the call of the chair.

SECTION 7: Support staff for the task force and facilities for its meetings shall be provided by the Louisiana Transportation Research Center.

SECTION 8: Task force members shall not receive compensation or a per diem. Nonetheless, contingent upon the availability of funds, members who are not employees 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, upon the approval of the commissioner of Administration.

SECTION 9: All departments, commissions, boards, agencies, and officers of the state, or any political subdivision thereof, are authorized and directed to cooperate with the task force 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 29th day of January, 1998.

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

ATTEST BY
THE GOVERNOR
Fox McKeithen
Secretary of State
9802#040