

Executive Orders

EXECUTIVE ORDER MJF 98-10

Interstate 49 South Project Task Force

WHEREAS, Executive Order No. MJF 97-38, signed on September 18, 1997, created and established the Interstate 49 South Project Task Force (hereafter "Task Force"), and ordered the Task Force to submit a comprehensive report to the governor by April 1, 1998; and

WHEREAS, it is necessary to extend the time period in which the Task Force shall submit its report to the governor;

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 non-lettered paragraph of Section 2 of Executive Order Number MJF 97-38, is amended to provide as follows:

The primary duty of the Task Force shall be to submit to the governor, by June 1, 1998, a comprehensive report which includes research, analyses, and recommendations addressing the following non-exclusive list of issues:

SECTION 2: All other sections and subsections of Executive Order Number MJF 97-38 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of this Order are effective upon signature and shall remain in effect until amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.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 11th day of March, 1998.

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

ATTEST BY
THE GOVERNOR
Fox McKeithen
Secretary of State
9804#012

EXECUTIVE ORDER MJF 98-11

Abstinence Education Project

WHEREAS, the state of Louisiana has consistently ranked above the national average in rates of teenage pregnancy and sexually transmitted diseases;

WHEREAS, some citizens of the state of Louisiana are concerned that the youth education programs presently available throughout the state have failed to comprehensively

and adequately address, warn, and advise about the negative consequences of premarital sexual activity, teen pregnancy, sexually transmitted diseases, and alcohol and drug abuse;

WHEREAS, through a program established pursuant to Title V of the Social Security Act at 42 U.S.C. §710, states may apply for allotments from the federal government, through the secretary of the United States Department of Health and Human Services, to enable the state to provide abstinence education and to provide appropriate mentoring, counseling, and adult supervision to youths to promote abstinence from premarital sexual activity, focusing on those groups which have a higher premarital pregnancy rate; and

WHEREAS, the interests of the citizens of the state of Louisiana would be best served by the creation of an abstinence education project which establishes programs throughout the state with an emphasis in those areas with elevated rates among youths of sexually transmitted diseases and/or premarital pregnancies, that are administered in a manner that educates, encourages, and supports the youth of this state regarding the benefits of sexual abstinence;

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 Louisiana Abstinence Education Project (hereafter "Abstinence Project") is established within the executive branch, Department of Health and Hospitals.

SECTION 2: The goals of the Abstinence Project shall include, but are not limited to, the following:

A. Reducing the incidence of premarital sexual activity among the youth of this state;

B. Reducing the rate of sexually transmitted diseases among the youth of this state; and

C. Lowering the premarital pregnancy rate among the youth of this state, especially among females between the ages of 15 and 17.

SECTION 3: The duties of the Abstinence Project shall include, but are not limited to, the following:

A. Applying for and receiving funding for the development and administration of the Abstinence Project from public and private sources including, but not limited to, funding and allotments available under 42 U.S.C. §710;

B. Establishing and administering community-based abstinence education programs state-wide with an emphasis in those communities with elevated rates of premarital pregnancies and/or sexually transmitted diseases;

C. Providing to youths medically accurate and age-appropriate family life education and skills which emphasize abstinence from sexual activity;

D. Providing to parents family life education and skills which emphasize and support their role as the primary educator of family values;

E. Promoting community awareness of the dangers of premarital sexual activity for the purpose of encouraging a more socially acceptable dialogue between youths and adults about abstinence from sexual activity; and

F. Promoting character qualities and human skills that are beneficial to marriage and to raising responsible and productive children.

SECTION 4: As used in this Order, "Abstinence Education Program" is defined in accordance with 42 U.S.C. §710(b)(2).

"Abstinence education program" means an educational or motivational program which:

A. Has as its exclusive purpose, teaching the social, psychological, and health gains to be realized by abstaining from sexual activity;

B. Teaches abstinence from sexual activity outside marriage as the expected standard for all school age children;

C. Teaches that abstinence from sexual activity is the only certain way to avoid out-of-wedlock pregnancy, sexually transmitted diseases, and other associated health problems;

D. Teaches that a mutually faithful monogamous relationship in the context of marriage is the expected standard of human sexual activity;

E. Teaches that sexual activity outside of the context of marriage is likely to have harmful psychological and physical effects;

F. Teaches that bearing children out-of-wedlock is likely to have harmful consequences for the child, the child's parents, and society;

G. Teaches young people how to reject sexual advances and how alcohol and drug use increases vulnerability to sexual advances; and

H. Teaches the importance of attaining self-sufficiency before engaging in sexual activity.

SECTION 5: The Abstinence Project shall be directed by a state coordinator who shall be appointed by, and serve at the pleasure of, the governor. The state coordinator shall be responsible for administering, overseeing, and evaluating the programs of the Abstinence Project in a manner which facilitates the accomplishment of the project's goals, as set forth in Section 2 of this Order, and its duties, as defined in Section 3 of this Order.

The state coordinator shall submit to the governor and the secretary of the Department of Health and Hospitals (hereafter "secretary"), by May 15, 1998, a preliminary report that describes the manner in which the Abstinence Project and its programs shall be administered, identifies the specific communities where the programs will be established, and provides the rates of premarital pregnancies and sexually transmitted diseases among youths in those communities.

The state coordinator shall annually submit to the governor and the secretary, by January 1, a comprehensive report which addresses the fulfillment of the Abstinence Project's goals, as set forth in Section 2 of this Order, and its duties, as defined in Section 3 of this Order. Annual reports shall include all relevant comparative data and information relating to the effectiveness of the Abstinence Project and, based on available data and information, to the comparative effectiveness of the Abstinence Project to the abstinence education projects and/or programs of other states.

SECTION 6: The office of the state coordinator of the Abstinence Project shall be located in, and operated from, a state owned facility. The Abstinence Project shall be permitted staff and resources to fulfill the goals, duties, and responsibilities specified in this Order. It shall be permitted to

accept the efforts of volunteers in accordance with state law.

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 Abstinence Project in implementing the provisions of this Order.

SECTION 8: Upon signature of the governor, the provisions of this Order shall be effective retroactive to October 29, 1997. 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 13th day of March, 1998.

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

ATTEST BY
THE GOVERNOR
Fox McKeithen
Secretary of State
9804#010

EXECUTIVE ORDER MJF 98-12

Governor's Arson Strike Force

WHEREAS, Executive Order No. MJF 96-46, signed on October 16, 1996, created and established the Governor's Arson Strike Force (hereafter "Strike Force"); and

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 3 of Executive Order No. MJF 96-46 is amended to provide as follows:

The Strike Force shall consist of no more than 20 members who shall be appointed by, and serve at, the pleasure of the governor. The composition of the membership of the Strike Force shall be as follows:

- A. The state fire marshal, or the state fire marshal's designee;
- B. The superintendent of the Department of Public Safety, or the superintendent's designee;
- C. The attorney general, or the attorney general's designee;
- D. The commissioner of insurance, or the commissioner's designee;
- E. The assistant secretary of the Department of Agriculture and Forestry, or the assistant secretary's designee;

- F. The assistant secretary of the Department of Environmental Quality, or the assistant secretary's designee;
- G. The superintendent of the Orleans Parish Fire Department, or the superintendent's designee;
- H. The executive director of the Louisiana District Attorneys Association, or the executive director's designee;
- I. The executive director of the Louisiana Sheriffs Association, or the executive director's designee;
- J. The executive director of the Chiefs of Police Association, or the executive director's designee;
- K. At least one arson investigator from a private insurance company;
- L. At least one arson investigator and/or other representative from the Bureau of Alcohol, Tobacco, and Firearms;
- M. At least one arson investigator and/or other representative from the Federal Bureau of Investigation;
- N. At least two arson investigators from municipal fire departments within the state of Louisiana; and
- O. At least one member at-large.

SECTION 2: All other section and subsections of Executive Order No. MJF 96-46 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 20th day of March, 1998.

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

ATTEST BY
THE GOVERNOR
Fox McKeithen
Secretary of State
9804#011

EXECUTIVE ORDER MJF 98-13

SECURE Review Commission

WHEREAS, the Select Council on Revenues and Expenditures in Louisiana's Future (hereafter "SECURE"), an independent body of 27 members representing a broad cross-section of the state, including leaders in business and labor, public and higher education, state and local government, and civic and community organizations, was established pursuant to Senate Concurrent Resolution 192 of the 1993 Regular Session of the Legislature, and charged "to develop

recommendations to improve the financial future of the state and the general quality of life of its citizens";

WHEREAS, the final report for SECURE's two year study project, completed in April 1995, recommended bold and practical strategies to reduce the cost of government, improve government services, and devise a plan to carry the state of Louisiana into the twenty-first century; and

WHEREAS, the best interests of the citizens of the state of Louisiana would be served by the creation of a commission charged with reviewing, evaluating, and updating the recommendations set forth in SECURE's final report, and researching and recommending the most effective manner to continue the implementation of the recommendations made by SECURE;

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 "SECURE" Review Commission (hereafter "Commission") is established within the Executive Department, Office of the Governor.

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

- reviewing SECURE's recommendations pertaining to government expenditures and organization;

- analyzing SECURE's recommended strategies to reduce the cost of government;

- reviewing SECURE's recommendations to improve government services;

- where appropriate, updating SECURE's recommendations;

- researching and evaluating the most efficient means to continue to implement SECURE's recommendations and to implement the Commission's updated recommendations; and

- evaluating the progress the state has made in implementing SECURE's recommendations.

SECTION 3: The Commission shall prepare a comprehensive written report which addresses the issues set forth in Section 2 and submit it to the governor, the speaker of the Louisiana House of Representatives, and the president of the Louisiana Senate by January 1, 1999.

SECTION 4: The Commission shall be composed of 18 members appointed by and serving at the pleasure of the governor. Commission members shall be selected as follows:

- A. the commissioner of administration, or the commissioner's designee;

- B. the president of the Louisiana Senate, or the president's designee;

- C. the speaker of the Louisiana House of Representatives, or the speaker's designee;

- D. two members of the Louisiana Senate designated by the president of the Senate;

- E. two members of the Louisiana House of Representatives designated by the speaker of the House of Representatives;

- F. the chair of the Committee of 100 for Economic Development, or the chair's designee;

- G. five members recommended by the chair of the Committee of 100 for Economic Development; and

- H. five members at-large.

SECTION 5: The governor shall select the chair of the Commission from its membership. The membership of the Commission shall elect all other officers.

SECTION 6: The Commission shall meet at regularly scheduled intervals and at the call of the chair.

SECTION 7: Support staff for the Commission and facilities for its meetings shall be provided by the Division of Administration.

SECTION 8: The members of the Commission 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 from the Office of the Governor for actual travel expenses incurred in accordance with state guidelines and procedures with the prior 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 Commission in implementing the provisions of this Order.

SECTION 10: 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 23rd day of March, 1998.

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

ATTEST BY
THE GOVERNOR
Fox McKeithen
Secretary of State
9804#025

EXECUTIVE ORDER MJF 98-14

Louisiana Stadium and Exposition District (LSED)

WHEREAS, pursuant to Act No. 541 of the 1976 Regular Legislative Session, as amended (hereafter "Act No. 541 of 1976"), the state of Louisiana, through the governor, holds all power and authority over the management of the properties which now or hereafter belong to or are under the control of the Louisiana Stadium and Exposition District (hereafter "LSED");

WHEREAS, the Board of Commissioners of the LSED (hereafter "the board") is required by Act No. 541 of 1976 to serve in an advisory capacity to the governor, to assist the governor in all matters incidental to the performance of any property management contract or agreement, and to perform such other functions, powers, or duties as the governor requires or delegates to the board or as prescribed or required by bond resolution;

WHEREAS, from 1976 through 1993, the LSED's amount of significant property was limited to the Louisiana

Superdome; however, since 1993, the quantity of significant properties in the LSED has dramatically increased due to a recent upsurge in construction projects, including the New Orleans Saints practice facility in the parish of Jefferson, the John Alario, Sr. Recreation Center in the parish of Jefferson, and the multi-sports arena in the parish of Orleans;

WHEREAS, although the management of the Louisiana Superdome has been performed by a professional management organization since 1977, and the management of the multi-sports arena in the parish of Orleans will soon be delegated to a professional management organization, neither the board nor the LSED has employees or staff to assist it in fulfilling its obligations and duties; and

WHEREAS, the ability of the board to continue to properly fulfill its duties which are incidental to the performance of LSED contracts and agreements, and to perform all the duties, obligations, and responsibilities which are required of it by law, the governor, and bond resolutions, is severely impeded by its lack of administrative officers;

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 offices of administrative assistant and deputy administrative assistant to the Board of Commissioners of the Louisiana Stadium and Exposition District are hereby created.

SECTION 2: The Board of Commissioners of the Louisiana Stadium and Exposition District shall submit to the governor for approval and appointment the names of the persons it recommends to fill the offices of administrative assistant and deputy administrative assistant. The appointees shall serve at the pleasure of the governor.

SECTION 3: The duties and salaries of the administrative assistant and deputy administrative assistant shall be determined by the Board of Commissioners of the Louisiana Stadium and Exposition District.

SECTION 4: All departments, commissions, boards, agencies, and offices of the state, or any political subdivision thereof, are authorized and directed to cooperate with the Board of Commissioners of the Louisiana Stadium and Exposition District in implementing the provisions of this Order.

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 affixed the Great Seal of the state of Louisiana, at the Capitol, in the City of Baton Rouge, on this 30th day of March, 1998.

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

ATTEST BY
THE GOVERNOR
Fox McKeithen
Secretary of State
9804#026