

Executive Orders

EXECUTIVE ORDER MJF 98-15

Louisiana Distance Learning Network Advisory Board

WHEREAS, the federal government through the Department of Defense and the National Guard Bureau has created the Distance Learning Network (hereafter "DLN");

WHEREAS, distance learning is a means to achieve efficient and cost-effective training of soldiers by educational training through electronically mediated instruction including audio conferencing, virtual office, video, audio graphic, computer, multimedia technology, and other forms of learning capabilities when the soldier is geographically separated from the instructor;

WHEREAS, distance learning also has civilian applications that could be of tremendous benefit to the citizens of Louisiana;

WHEREAS, the DLN is offering distance learning opportunities to state military departments;

WHEREAS, through the DLN, states have the opportunity to receive funds and/or in-kind assistance in the form of federally procured supplies and/or services to develop and administer distance learning sites by entering into a distance learning cooperative agreement with the United States Property and Fiscal Officer on behalf of the National Guard Bureau, pursuant to federal requirements;

WHEREAS, if the state of Louisiana develops and administers distance learning sites and permits the use of the sites by public and private organizations and individuals in addition to the Louisiana National Guard, on a space-available and cost reimbursement basis, information technology will be publicly accessible and the public's use of the information technology will generate revenue necessary for the administration of the sites;

WHEREAS, as a prerequisite to the establishment of a distance learning network within a state, the federal government requires the state to establish an advisory board to serve as its point of contact; and

WHEREAS, the interests of the citizens of the state of Louisiana are best served by the creation of an advisory board that is charged with serving as a point of contact for the DLN and with developing, coordinating, and facilitating the implementation and administration of Louisiana's distance learning sites;

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 Distance Learning Network Advisory Board (hereafter "Board") is established within the military department, Office of the Governor.

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

A. Serving as a point of contact for the DLN and the establishment of distance learning sites within the state of Louisiana;

B. Developing Louisiana's distance learning implementation plan (hereafter "State Plan") in accordance with DLN requirements;

C. Developing, implementing, and monitoring the operation, extension, and maintenance of Louisiana's distance learning sites and integrating them with sites located in other states in accordance with the requirements of the State Plan;

D. Developing, administering, and monitoring a business plan which addresses management, rate structure, revenue distribution, funding, and related issues that impact on the maintenance, growth, and expansion of distance learning sites within Louisiana;

E. Promoting distance learning sites throughout the state in a manner which emphasizes usage of the sites by schools, non-profit associations, commercial business entities, public-private partnerships, and communities; and

F. Ensuring compliance with the requirements of DLN's certification program.

SECTION 3: The Board shall use the *Distance Learning Planning Information Paper* issued by the National Guard Bureau for guidance in its implementation of the duties set forth in Section 2.

SECTION 4: The Board shall annually, by August 1, submit a comprehensive written report to the governor which details the Board's progress in fulfilling the duties set forth in Section 2 and assesses the Board's planning objectives.

SECTION 5: The Board shall consist of fourteen (14) members who shall be appointed by, and serve at the pleasure of, the governor. The membership of the Board shall be selected as follows:

A. The president of the Senate, or the president's designee;

B. The speaker of the House of Representatives, or the speaker's designee;

C. The adjutant general, or the adjutant general's designee;

D. The commissioner of administration, or the commissioner's designee;

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

F. The superintendent of Education, or the superintendent's designee;

G. The commissioner of higher education, Louisiana Board of Regents, or the commissioner's designee;

H. The associate commissioner for information and learning technology, Louisiana Board of Regents, or the associate commissioner's designee;

I. The director of information management, Louisiana National Guard, or the director's designee;

J. The distance learning project officer, Louisiana National Guard, or the distance learning project officer's designee;

K. The executive director of the office of information resources, Division of Administration, or the executive director's designee; and

L. Three (3) representatives of business and industry.

SECTION 6: The governor shall select the chair of the Board. The membership of the Board shall elect all other officers.

SECTION 7: The Board shall meet at regularly scheduled intervals and at the call of the chair.

SECTION 8: Support staff for the Board and facilities for its meetings shall be provided by the military department, Office of the Governor.

SECTION 9: The members of the Board shall not receive compensation or a per diem. Nonetheless, contingent upon the availability of funds, a member who is 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 written approval of the commissioner of administration and the Office of the Governor.

SECTION 10: All departments, commissions, boards, agencies, and officers of the state, or any political subdivision thereof, are authorized and directed to cooperate with the Board in implementing the provisions of this Order.

SECTION 11: 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 9th day of April, 1998.

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

ATTEST BY
THE GOVERNOR
Fox McKeithen
Secretary of State
9805#007

EXECUTIVE ORDER MJF 98-16

Bond Allocation—Louisiana Local
Government Environmental Facilities
and Community Development Authority

WHEREAS, pursuant to the Tax Reform Act of 1986 (hereafter "the Act") and Act No. 51 of the 1986 Regular Session of the Louisiana Legislature, Executive Order No. 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 Louisiana Local Government Environmental Facilities and Community Development Authority has requested an allocation from the 1998 Ceiling to be used in connection with the financing of the acquisition, construction, rehabilitation, and equipping of a dental component manufacturing facility and related equipment for Bradford Properties, L.L.C. (the "Project"), located in Shreveport, Louisiana, parish of Caddo, 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
\$300,000	Louisiana Local Government Environmental Facilities and Community Development Authority	Bradford Properties, L.L.C.

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 July 14, 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 15th day of April, 1998.

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

ATTEST BY
THE GOVERNOR
Fox McKeithen
Secretary of State
9805#008

EXECUTIVE ORDER MJF 98-17

DWI/Vehicular Homicide Task Force

WHEREAS, Executive Order No. 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 Order Nos. MJF 97-8, signed on January 30, 1997; MJF 97-55, signed on December 3, 1997; and MJF 98-2, signed on January 13, 1998; and

WHEREAS, it is 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 No. MJF 96- 9, as amended by Sections 1 of Executive Order Nos. MJF 97-8, MJF 97-55, and MJF 98-2 is amended to add subsection P, which shall provide as follows:

P. one (1) representative of the Louisiana Restaurant Association.

SECTION 2: All other sections and subsections of Executive Order No. MJF 96-9, as amended by Executive Order Nos. MJF 97-8, MJF 97-55, and MJF 98-2, 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 29th day of April, 1998.

M.J. "Mike" Foster
Governor

ATTEST BY
THE GOVERNOR
Fox McKeithen
Secretary of State
9805#009

EXECUTIVE ORDER MJF 98-18

Latin American Business Development Commission

WHEREAS, Executive Order No. MJF 97-54, signed on December 3, 1997, established the Louisiana Latin American Business Development Commission (hereafter "Commission");

WHEREAS, Executive Order Nos. MJF 98-7, signed on February 16, 1998, and MJF 98-9, signed on March 3, 1998, amended several provisions in that Order; and

WHEREAS, it is necessary to amend Executive Order No. MJF 97-54, as amended, in order to add an at-large member to the Commission;

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 5 of Executive Order No. MJF 97-54, as amended by Section 3 of Executive Order No. MJF 98-7 and Section 1 of Executive Order No. MJF 98-9, is amended to provide as follows:

The Commission shall be composed of sixteen (16) members who shall be appointed by and serve at the pleasure of the governor. The membership of the Commission 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 Financial Institutions, or the commissioner’s designee;
- D. One (1) member of the Louisiana International Trade Development Board;
- E. One (1) member of the Louisiana Economic Development Council;
- F. Ten (10) citizens of the state of Louisiana with at least five (5) years of experience in one or more of the following fields: international trade, finance, economics, oil and gas services, maritime activities, agriculture, world health, governmental relations, and/or environmental protection; and
- G. One (1) at-large member.

SECTION 2: All other sections and subsections of Executive Order No. MJF 97-54, as amended by Executive Order Nos. MJF 98-7 and MJF 98-9, 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 29th day of April, 1998.

M.J. "Mike" Foster
Governor

ATTEST BY
THE GOVERNOR
Fox McKeithen
Secretary of State
9805#010

EXECUTIVE ORDER MJF 98-19

Bond Allocation—Louisiana Housing Finance Agency

WHEREAS, pursuant to the Tax Reform Act of 1986 (hereafter “the Act”) and Act 51 of the 1986 Louisiana Legislature, Executive Order No. 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

EXECUTIVE ORDER MJF 98-20

Procurement of Small Purchases

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 Louisiana Housing Finance Agency has requested an allocation from the 1998 Ceiling to be used in connection with a program of financing mortgage loans for single family, owner-occupied residences owed by low and moderate income homebuyers throughout the state of Louisiana 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
\$55,000,000	Louisiana Housing Finance Agency	Single Family Mortgage Revenue Bond Program

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 1998, provided that such bonds are delivered to the initial purchasers thereof on or before July 30, 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 1st day of May, 1998.

M.J. "Mike" Foster
Governor

ATTEST BY
THE GOVERNOR
Fox McKeithen
Secretary of State
9805#011

WHEREAS, the Louisiana Procurement Code is set forth in R.S. 39:1551, *et seq.*;

WHEREAS, R.S. 39:1596 expressly vests the governor with the authority to prescribe procedures for the procurement of small purchases, by providing that:

Procurements not exceeding the amounts established by executive order of the governor may be made in accordance with small purchase procedures prescribed by such executive order, except that procurement requirements shall not be artificially divided so as to constitute a small purchase under this Section;

WHEREAS, Executive Order No. MJF 96-14, signed on June 4, 1996, established the procedure for the procurement of small purchases in accordance with the statutory guidelines of the Louisiana Procurement Code; and

WHEREAS, it is necessary to rescind and terminate Executive Order No. MJF 96-14 through the issuance of a replacement executive order;

NOW THEREFORE I, M.J. "MIKE" FOSTER, JR., Governor of the state of Louisiana, by virtue of the authority vested through the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: All departments, institutions, boards, commissions, budget units, and agencies of the executive branch of state government (hereafter "agency") shall observe, be guided by, and implement the specific directives on small purchase procedures set forth in this Order.

SECTION 2: Unless the context clearly indicates otherwise, the words and terms used in this Order shall be defined as follows:

A. "Small purchases" means (1) any procurement not exceeding ten thousand dollars (\$10,000), or (2) any procurement of those items listed in Section 5(A) or (B) of this Order, regardless of price, except as noted in Section 5(A)(14).

B. "Delegated purchasing authority" means the dollar amount delegated to an agency by the chief procurement officer of state central purchasing, as defined in R.S. 39:1556(3).

C. "Certified economically disadvantaged business" means a business certified as an economically disadvantaged business by the division of economically disadvantaged business development, Department of Economic Development, in accordance with the provisions of the Louisiana Economically Disadvantaged Business Act, R.S. 51:1751, *et seq.*, and included on the most recent list of certified economically disadvantaged businesses issued by the division of economically disadvantaged business development.

SECTION 3: The following items are not subject to the procedures set forth in this Order:

A. Those items covered by an existing competitive state contract, when minimum order requirements are met, unless

the chief procurement officer of state central purchasing grants a written exemption;¹

B. Public works contracts which exceed five thousand dollars (\$5,000) and are governed by the provisions of R.S. 38:2241; and

C. Printing purchases which do not exceed five hundred dollars (\$500) and which are not available from state printing contracts or through the Division of Administration print shop.

SECTION 4: Except as otherwise provided in this Order, all small purchases shall be made in accordance with the following minimum procedures:

A. For purchases not exceeding five hundred dollars (\$500), no competitive bidding is required.

B. For purchases exceeding five hundred dollars (\$500), but not exceeding two thousand dollars (\$2,000), contracts shall be awarded on the basis of the lowest responsive price² quotation(s) solicited by telephone, facsimile, or other means, to at least three (3) bona fide, qualified bidders. Whenever possible, at least one (1) of the bona fide, qualified bidders shall be a certified economically disadvantaged business. Agency files shall document and list all solicited bidders and each bidder's contact person, summarize bid responses, indicate the awarded bid, and state the reason why any lower bid was rejected. If no bid was solicited from a certified economically disadvantaged business, agency files shall contain a written explanation of why such a bid was not solicited. Agency files should also contain written confirmation of the bid from the successful bidder.

C. For purchases exceeding two thousand dollars (\$2,000), but not exceeding ten thousand dollars (\$10,000), contracts shall be awarded on the basis of the lowest responsive price quotation(s) received pursuant to either facsimile or written solicitation to at least five (5) bona fide, qualified bidders. Whenever possible, at least two (2) of the bona fide, qualified bidders shall be certified economically disadvantaged businesses. Facsimile solicitations shall allow for bids to be accepted for a minimum period of five (5) calendar days. Written solicitations shall allow for bids to be accepted for a minimum period of ten (10) calendar days.

All facsimile and/or written solicitations shall include the closing date, time, and all pertinent competitive specifications, including quantities, units of measure, packaging, delivery requirements, ship-to location, terms and conditions, and other information sufficient for a supplier to make an acceptable bid.

Precautionary measures shall be taken to safeguard the confidentiality of bid responses prior to the closing time for receipt of bids. No bid shall be evaluated using criteria not disclosed in the solicitation.

Agency files shall document and list all solicited bidders and each bidder's response, summarize bid responses, indicate the awarded bid, and state the reason why any lower bid was rejected. If less than two (2) bids were solicited from certified economically disadvantaged businesses, agency files shall contain a written explanation of why two (2) bids were not solicited.

SECTION 5: Except as provided in subsection A(14), the following items are considered small purchases regardless of price and may be procured in the following manner:

A. No competitive bidding is required for the following items:

(1) Repair parts for equipment obtained from an authorized dealer;³

(2) Equipment repairs obtained from an authorized dealer or by telephone or facsimile solicitation to at least three (3) bona fide, qualified bidders; whenever possible, at least one (1) of the bona fide, qualified bidders shall be a certified economically disadvantaged business;

(3) Vehicle repairs **not** covered by a competitive state contract or the state fleet maintenance repair contract, obtained from an authorized dealer or by telephone or facsimile solicitation to at least three (3) bona fide, qualified bidders; whenever possible, at least one (1) of the bona fide, qualified bidders shall be a certified economically disadvantaged business;

(4) Vehicle body repairs covered by insurance recovery and in accordance with insurance requirements;

(5) Livestock purchased at public auction;

(6) Purchasing or selling transactions between state budget units and other governmental agencies;

(7) Publications and/or copyrighted materials purchased directly from the publisher or copyright holder;

(8) Publications and/or copyrighted materials purchased by the state library or libraries at colleges and universities when using subscription services;

(9) Public utilities and services provided by local governments;

(10) Prosthetic devices, implantable devices, and devices for physical restoration, which are not covered by a competitive state contract;

(11) Educational training and related resources (except equipment) used to enhance the performance of state employees, including memberships in professional societies and organizations, except for customized training which is covered under R.S. 39:1481, *et seq*;

(12) Purchases for clients of Blind and Vocational Rehabilitation programs not covered by competitive state contract which are federally funded at a rate of at least 78.7%, regulated by Title 34, Parts 361, 365, 370, and 395 of the Code of Federal Regulations, and in accordance with OMB Circular A-102;

(13) Materials, supplies, exhibitor fees, and exhibit booths at conferences, seminars, and work shops, for participation in promotional activities which enhance economic development may be procured in accordance with this section with the approval of the department secretary if not covered by competitive state contract;

(14) Wire, related equipment, time and material charges to accomplish adds, moves, and/or changes to telecommunications systems not exceeding two thousand dollars (\$2,000);

(15) Working class animals trained to perform special tasks, including but not limited to narcotics detection, bomb

detection, arson investigation, and rescue techniques;

(16) Food, materials and supplies for teaching and training where the purchasing, preparing, and serving of food is part of the regularly prescribed course;

(17) Shipping charges and associated overseas screening and broker fees from an international origin to a domestic destination;

(18) Parcel services, including but not limited to Federal Express, United Parcel Service, Airborne Express, and Express Mail;

(19) Renewal of termite service contracts;

(20) Purchase of supplies, operating services, or equipment for Louisiana Rehabilitation Services, Traumatic Head and Spinal Cord Injury Trust Fund Program;⁴

(21) Purchasing of clothing at retail necessary to individualize clients at state developmental centers in compliance with Federal Regulations for ICF/MR facilities;

(22) Health insurance for the managers of Randolph-Sheppard programs, as defined by 20 U.S.C. §107, *et seq.*, and paid from income generated by unmanned vending locations; or

(23) Purchases made to resell as part of a merchandising program with the written approval on file from the secretary of the department, or agency equivalent, when it is not practical or feasible to obtain competitive price quotations.

B. For the following items, telephone or facsimile price quotations shall be solicited, where feasible, to at least three (3) bona fide, qualified bidders. Whenever possible, at least one (1) of the bona fide, qualified bidders shall be a certified economically disadvantaged business. The file shall contain justification if fewer than three (3) bids are solicited and, if no bid was solicited from a certified economically disadvantaged business, a written explanation of why the bid was not solicited.

(1) Farm products including, but not limited to, fresh vegetables, milk, eggs, fish, or other perishable foods, when it is determined that market conditions are unstable and the bidding process is not conducive for obtaining the lowest prices;

(2) Food, materials, and supplies needed for:

(a) Operation of boats and/or facilities in isolated localities where only limited outlets of such supplies are available; and/or

(b) Juvenile detention homes and rehabilitation facilities/homes where the number of inmates, students, or clients is unstable and unpredictable;

(3) Convention and meeting facilities;⁵

(4) Gasoline and fuel purchases not covered by competitive state contract;

(5) Equipment for blind operated facilities not covered by competitive state contract;

(6) Feed commodities, including but not limited to soybean meal, cottonseed meal, and oats for use on prison farms;

(7) Aircraft parts, repairs, inspections, and modifications approved by the head of the agency, head of Division of Administration Flight Operations, or its designee and performed by an FAA-certified mechanic and/or at an

FAA-certified repair station in accordance with FAA requirements; and/or

(8) Air and bus charters, in accordance with Policy & Procedure Memorandum No. 49 - General Travel Regulations.

SECTION 6: All departments, commissions, boards, agencies, and officers of the state, or any political subdivision thereof, are authorized and directed to cooperate in the implementation of the provisions of this Order.

SECTION 7: Executive Order No. MJF 96-14 is hereby rescinded and terminated.

SECTION 8: 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.

¹ This provision does not apply to those agencies which are exempt from state central purchasing under R.S. 30:1572.

² The terms "price" and "bid" are used interchangeably in this Order to mean the amount of money offered as consideration for the sale of a specified item.

³ This provision does not apply to the stocking of parts.

⁴ Although competitive bidding is not required under this provision, whenever practicable, three (3) bid quotations from bona fide, qualified bidders should be obtained. Whenever possible, at least one (1) of the bona fide, qualified bidders shall be a certified economically disadvantaged business.

⁵ However, any associated food or lodging must be in accordance with Policy & Procedure Memorandum No. 49—General Travel Regulations.

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 4th day of May, 1998.

M.J. "Mike" Foster
Governor

ATTEST BY
THE GOVERNOR
Fox McKeithen
Secretary of State
9805#026

EXECUTIVE ORDER MJF 98-21

Bond Allocation—Louisiana Local
Government Environmental Facilities and
Community Development Authority

WHEREAS, pursuant to the Tax Reform Act of 1986 (hereafter "the Act") and Act Number 51 of the 1986 Regular Session of the Louisiana Legislature, Executive Order Number 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 Louisiana Local Government Environmental Facilities and Community Development Authority has requested an allocation from the 1998 Ceiling to be used in connection with the financing of the acquisition,

construction, rehabilitation, and equipping of a sawmill and manufacturing facility and acquisition of an optimizer and trim/sort system for PBS Lumber Manufacturing, Inc. (the "Project"), located in Winnfield, Louisiana, parish of Winn, 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
\$1,036,672	Louisiana Local Government Environmental Facilities and Community Development Authority	PBS Lumber Manufacturing, 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 August 5, 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 7th day of May, 1998.

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

ATTEST BY
THE GOVERNOR
Fox McKeithen
Secretary of State
9805#052