

# **NOTICE TO STATE AGENCIES**

**THE ADMINISTRATIVE PROCEDURE ACT, AS AMENDED DURING 1997 LEGISLATIVE SESSION, WILL BE PUBLISHED IN ITS ENTIRETY IN A LATE FALL EDITION OF THE *LOUISIANA REGISTER*.**

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# Executive Orders

## EXECUTIVE ORDER 97-33

### Drug Testing Task Force

WHEREAS: to curb the use of illegal drugs by public employees, elected officials, beneficiaries of certain public assistance programs, and persons who receive anything of economic value or any funding from the State of Louisiana or any entity thereof, the Louisiana Legislature has enacted laws which provide for the creation of drug testing programs for these persons;

WHEREAS: Act Number 1306 of the 1990 Regular Legislative Session created a drug testing program for public employees, as set forth in R.S. 49:1015, as amended by Act Number 1194 of the 1997 Regular Legislative Session;

WHEREAS: Act Numbers 1303 and 1459 of the 1997 Regular Legislative Session created additional drug testing programs which direct:

1) the Board of Ethics to develop and administer a program of random drug testing of all elected officials, and the commissioner of Administration and the secretary of the Department of Health and Hospitals to provide assistance in the development, design, and implementation of the program;

2) the secretary of the Department of Social Services, in consultation with the secretary of the Department of Health and Hospitals and the commissioner of Administration, to establish a mandatory drug testing program for certain adults in the Temporary Assistance for Needy Families Block Grant Program; and

3) the commissioner of Administration to establish and administer a program of random drug testing for all persons who receive anything of economic value or receive any funding from the state or any entity thereof; and

WHEREAS: it is in the best interest of the citizens of the State of Louisiana that the implementation of these four drug testing programs be accomplished in a consistent, uniform, and cost effective manner;

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 Drug Testing Task Force (hereafter "task force") is established within the Executive Department, Office of the Governor.

SECTION 2: The objectives and duties of the task force shall include, but are not limited to, the following:

A. determining the scope and content of the four drug testing programs that are authorized and mandated by legislation;

B. identifying and analyzing existing state programs which may be capable of providing support services for a central drug testing program;

C. delineating any limitations which the Constitutions of the United States of America and the State of Louisiana or any federal or state laws may have on the four drug testing programs; and

D. recommending procedures for the implementation of the four drug testing programs in a consistent, uniform, and cost effective manner.

SECTION 3: The task force shall submit a comprehensive written report to the Governor, by November 1, 1997, which addresses the issues set forth in Section 2.

SECTION 4: The task force shall be composed of at least nine members who shall be appointed and serve at the pleasure of the Governor and who shall be selected as follows:

A. the chief of staff, Office of the Governor, or the chief of staff's designee;

B. the executive counsel, Office of the Governor, or the executive counsel's designee;

C. the commissioner of Administration, or the commissioner's designee;

D. the secretary of the Department of Social Services, or the secretary's designee;

E. the secretary of the Department of Health and Hospitals, or the secretary's designee;

F. the attorney general, or the attorney general's designee;

G. the president of the Louisiana Senate, or the president's designee chosen from the membership of the Senate;

H. the speaker of the House of Representatives, or the speaker's designee chosen from the House of Representatives; and

I. the chair of the Ethics Board, or the chair's designee.

SECTION 5: The Governor shall appoint the chair from its membership. All other officers shall be elected by the task force.

SECTION 6: Support staff for the task force shall be provided by the Division of Administration.

SECTION 7: Task force members shall not receive compensation, a per diem, or travel expenses from the Office of the Governor or the Division of Administration.

SECTION 8: All departments, commissions, boards, agencies, and officers of the state, or of any political subdivision thereof, are authorized and directed to cooperate in the implementation of the provisions of this Order.

SECTION 9: 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 cause 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 August, 1997.

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

ATTEST BY  
THE GOVERNOR  
Fox McKeithen  
Secretary of State  
9710#001

#### EXECUTIVE ORDER 97-34

##### Bond Allocation—New Orleans Home Mortgage Authority

WHEREAS: Executive Order MJF 97-25 allocated a portion of the bonds subject to the private activity bond volume limit for the calendar year of 1997 to the New Orleans Home Mortgage Authority to be used for financing mortgage loans for first time home buyers throughout the Parish of Orleans, in accordance with the provisions of Section 143 of the *Internal Revenue Code of 1986*, as amended; and

WHEREAS: Section 3 of Executive Order MJF 97-25 required the bonds in the bond issue to be delivered to initial purchasers on or before September 4, 1997; and

WHEREAS: due to scheduling considerations, the bond issue was not approved by the State Bond Commission until August 21, 1997; therefore, the bonds will not be deliverable to initial purchasers until late September;

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 MJF 97-25 is amended to provide as follows:

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 October 14, 1997.

SECTION 2: All other sections and subsections of Executive Order MJF 97-25 shall remain in full force and effect.

SECTION 3: 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 29th day of August, 1997.

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

ATTEST BY  
THE GOVERNOR  
Fox McKeithen  
Secretary of State  
9710#002

#### EXECUTIVE ORDER 97-35

##### Louisiana Data Base Commission

WHEREAS: Act 907 of the 1995 Regular Legislative Session enacted R.S. 39:291, et seq., and created the Louisiana Data Base Commission (hereafter "commission") within the Office of the Governor, Division of Administration;

WHEREAS: Act 1271 of the 1997 Regular Legislative Session (hereafter "Act 1271"), which became effective upon signature of the Governor on July 15, 1997, amended certain provisions of R.S. 39:291 pertaining to the composition of the membership of the commission and the manner in which its chair is selected; and

WHEREAS: Act 1271 mandates that the initial meeting of the commission shall be called by executive order and that the Governor shall appoint a temporary chair to serve until an election is held;

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: In accordance with the provisions of R.S. 39:291(d), as amended by Act 1271 of the 1997 Regular Legislative Session, the commissioner of Administration shall temporarily serve as chair of the Louisiana Data Base Commission (hereafter "commission") until the membership of the commission elects a chair.

SECTION 2: The commissioner of Administration, in his capacity as temporary chair, shall call the initial meeting of the commission and shall schedule the meeting to be held prior to September 30, 1997.

SECTION 3: The Division of Administration shall provide the support staff for the commission and the facilities for its initial meeting.

SECTION 4: All departments, commissions, boards, agencies, and officers of the state, or any political subdivision thereof, are authorized and directed to cooperate with the Louisiana Data Base Commission in implementing the provisions of this Order.

SECTION 5: 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 August, 1997.

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

ATTEST BY  
THE GOVERNOR  
Fox McKeithen  
Secretary of State  
9710#003

## EXECUTIVE ORDER 97-36

### Electronic Benefits Transfer Program Task Force

WHEREAS: R.S. 46:450.1 authorizes the Office of Family Support, Department of Social Services to develop and implement an electronic issuance system for the authorization and distribution of benefits and services that are provided by public entitlement programs, including the food stamp program and the aid to families and dependant children cash benefit program;

WHEREAS: the Office of Family Support contracted with an electronic benefits transfer provider, Deluxe Data Systems, Inc., to create and implement an electronic issuance system, known as the Electronic Benefits Transfer Program (hereafter "EBT Program"), that includes plastic cards for program clients, training for department personnel, and instruction in proper use of the electronic issuance system for clients, merchants, and all other program participants;

WHEREAS: the Louisiana Legislature enacted Act 1483 of the 1997 Regular Legislative Session in response to the concerns of participating merchants who voiced their objections to the unanticipated additional costs and administrative burdens which result when the merchant interfaces with the electronic benefits transfer provider;

WHEREAS: the State of Louisiana has a duty to make sure that the clients of the Office of Family Support are being well served and that the merchants participating in the EBT Program are being treated fairly; and

WHEREAS: the interests of citizens of the State of Louisiana would be best served if an independent body were created for the purpose of providing the Governor objective advice regarding the various administrative components of the EBT Program and its potential problems, especially as to any negative impact that the EBT Program may have on participating merchants;

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 Electronic Benefits Transfer Program 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. preparing a preliminary report, due by October 15, 1997, which identifies all potential problems associated with electronic benefit transfers and the EBT Program, including those which could occur as a result of misuse or when interfacing occurs between the provider, the clients, and the merchants participating in the program;

B. conducting in-depth studies of, and compiling information on, electronic authorization and distribution of public entitlement benefit services;

C. preparing a comprehensive report, due by February 1, 1998, that is based on compiled data and the results of the in-depth studies referred to in Section 2(B), which addresses all matters associated with the EBT Program, including the impact of the program on the clients and

merchants participating in the program and the need for uniform statewide regulation of electronic benefit transfers and card usage; and

D. preparing draft legislation, rules, and/or regulations which facilitate the proper implementation of the EBT Program.

SECTION 3: The task force shall be composed of at least seven members appointed by and serving at the pleasure of the Governor. The membership of the task force shall be selected as follows:

A. the chief of staff, Office of the Governor, or the chief of staff's designee;

B. the secretary of the Department of Social Services;

C. the commissioner of Administration, or the commissioner's designee;

D. the assistant secretary of the Department of Social Services, Office of Family Support;

E. the state treasurer, Department of Treasury, or the treasurer's designee; and

F. two representatives of the Louisiana Retailers Association.

SECTION 4: The secretary of the Department of Social Services shall chair the task force. The membership of the task force shall elect all other officers.

SECTION 5: The task force shall meet at regularly scheduled intervals and at the call of the chair.

SECTION 6: Support staff for the task force and facilities for its meetings shall be provided by the Department of Social Services.

SECTION 7: Task Force members 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 statewide official, may receive reimbursement from the Office of the Governor for actual travel expenses incurred, in accordance with state guidelines and procedures, and upon the approval of the commissioner of administration.

SECTION 8: 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 9: 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 the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this 8th day of September, 1997.

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

ATTEST BY  
THE GOVERNOR  
Fox McKeithen  
Secretary of State  
9710#004



**EXECUTIVE ORDER 97-37**

**Children's Health Insurance Program Task Force**

WHEREAS: pursuant to R.S. 36:251(B), the Department of Health and Hospitals is responsible for the development and provision of health and medical services for the prevention of disease for the citizens of the State of Louisiana, including the uninsured and medically indigent;

WHEREAS: the Department of Health and Hospitals has historically managed and operated health care programs for children for the State of Louisiana, including Medicaid (KID MED); Children's Special Health Services; Women's, Infants and Children's (WIC) Supplemental Food Program; School and Adolescent Health; Immunizations; Maternal and Child Health; Developmental Disability Early Intervention; Alcohol and Drug Abuse Prevention; and Children's Mental Health Services;

WHEREAS: in order to provide funding to the states to enable them to initiate and expand children's health assistance for uninsured, low income children in an effective and efficient manner that is coordinated with other sources of health benefits coverage for children, Congress amended the Social Security Act, 42 U.S.C.A. §1395, et seq., in 1997 to enact the State Children's Health Insurance Program, a part of the Balanced Budget Act, 111 Stat. 251, P.L. 105-33;

WHEREAS: R.S. 36:254(A)(6) authorizes the secretary of the Department of Health and Hospitals to act as the sole agent of the State of Louisiana "to cooperate with the federal government and with other state and local agencies in matters of mutual concern and in the administration of federal funds granted to the state or directly to the department or an office thereof to aid in the furtherance of any function of the department or its offices"; and

WHEREAS: in establishing the State of Louisiana's Children's Health Insurance Program and coordinating it with the other state health care programs for children, the secretary of the Department of Health and Hospitals would benefit from the advice of a task force composed of the leadership of various state agencies and the Louisiana Legislature so as to utilize their accumulated expertise and knowledge on children's health care and insurance issues;

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 Children's Health Insurance Program Task Force (hereafter "task force") is established within the Executive Department, Department of Health and Hospitals.

SECTION 2: The primary duty of the task force shall be to advise the secretary of Department of Health and Hospitals regarding the various options available for a Children's Health Insurance Program, as authorized by the Balanced Budget Act, 111 Stat. 251, P.L. 105-33, including, but not limited to, the following:

- A. expanding Medicaid coverage for children who are near or below poverty level; and
- B. exploring the feasibility of a pilot project providing private and/or school-based health insurance to children

whose parents can afford either:

- 1. payment/partial payment of the insurance premium; or
- 2. minimal co-payments.

SECTION 3: The task force shall be composed of fifteen members appointed by and serving at the pleasure of the Governor. The membership of the task force shall be selected as follows:

- A. the secretary of the Department of Health and Hospitals, or the secretary's designee;
- B. the commissioner of Administration, or the commissioner's designee;
- C. the commissioner of Insurance, or the commissioner's designee;
- D. the chancellor of the Louisiana State University Medical Center, or the chancellor's designee;
- E. the speaker of the House of Representatives, or the speaker's designee;
- F. the president of the Senate, or the president's designee;
- G. the chair of the Senate Health and Welfare Committee, or the chair's designee selected from the membership of the committee;
- H. the chair of the House of Health and Welfare Committee, or the chair's designee selected from the membership of the committee;
- I. the chair of the Senate Finance Committee, or the chair's designee selected from the membership of the committee;
- J. the chair of the House Appropriations Committee, or the chair's designee selected from the membership of the committee;
- K. the chair of the Senate Insurance Committee, or the chair's designee selected from the membership of the committee;
- L. the chair of the House Insurance Committee, or the chair's designee selected from the membership of the committee;
- M. the medical director of the Department of Health and Hospitals;
- N. the chief of staff, Office of the Governor, or the chief of staff's designee; and
- O. the executive director of the Children's Cabinet, Office of the Governor, or the executive director's designee.

SECTION 4: The Governor shall select the chair of the task force from its membership.

SECTION 5: Support staff for the task force and facilities for its meetings shall be provided by the Department of Health and Hospitals.

SECTION 6: Task force members shall not receive compensation, a per diem, or travel expenses from the Department of Health and Hospitals or the Office of the Governor.

SECTION 7: All departments, commissions, boards, agencies, and officers of the state, or any political subdivisions thereof, are authorized and directed to cooperate with the task force 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 the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this 16th day of September, 1997.

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

ATTEST BY  
THE GOVERNOR  
Fox McKeithen  
Secretary of State  
9710#005

### EXECUTIVE ORDER 97-38

#### Interstate 49 South Project Task Force

WHEREAS: U.S. Highway 90 (hereafter "U.S. 90") is one of the state of Louisiana's major links to the Gulf of Mexico, and a main corridor for access to oil and gas operations in the central gulf's outer continental shelf, petrochemical industries along the Mississippi River, and waterborne freight en route to the central United States;

WHEREAS: over 36 percent of the population of the State of Louisiana resides in the vicinity of U.S. 90 between Interstate 10 (hereafter "I-10") in Lafayette and the Westbank Expressway in New Orleans; as a consequence, the four-laned highway is the primary hurricane evacuation route for South Louisiana;

WHEREAS: it is a priority for the State of Louisiana to prepare for the twenty-first century by promoting economic growth and development through the provisions of a transportation system adequate to support new economic activity with its increase in traffic volume, encourage international and domestic commerce, promote tourism, and improve public safety; and

WHEREAS: the interests of the citizens of the State of Louisiana would be best served by the creation of a task force to analyze the feasibility of upgrading U.S. 90 into an interstate and evaluate the impact it would have on the general populace of the state, particularly those living in South 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: The Interstate 49 South Project Task Force (hereafter "task force") is established within the Executive Department, Office of the Governor.

SECTION 2: The primary duty of the task force shall be to submit to the Governor, by April 1, 1998, a comprehensive report which includes research, analyses, and recommendations addressing the following nonexclusive list of issues:

A. the feasibility of upgrading into an interstate all or a part of U.S. 90 between the Westbank Expressway in New

Orleans and I-10 in Lafayette (hereafter "I-49 South Project") for the creation of an Interstate 49 South;

B. the availability and/or viability of sources of funding for the I-49 South Project, including innovative financing alternatives; and

C. the documented level of support for the I-49 South Project by:

1. the citizens of the State of Louisiana living in the various geographical sections of the State of Louisiana;

2. the Metropolitan Planning Organizations in the areas surrounding U.S. 90 between I-10 in Lafayette and the Westbank Expressway in New Orleans; and

3. the members of the Louisiana Legislature.

SECTION 3: The secondary duty of the task force shall be to prepare documentation, suitable for submission to the members of the State of Louisiana's United States Congressional Delegation, which documents the reasons for the United States Congress to designate U.S. 90, between the Westbank Expressway in New Orleans and I-10 in Lafayette, as an interstate route through South Louisiana.

SECTION 4: The task force shall be composed of at least 20 members appointed by and serving at the pleasure of the Governor. The membership of the task force shall be selected as follows:

A. the chief of staff, Office of the Governor, or the chief of staff's designee;

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

C. the chair of the Transportation, Highways, and Public Works Committee, Louisiana House of Representatives, or the chair's designee;

D. the chair of the Transportation, Highways, and Public Works Committee, Louisiana Senate, or the chair's designee;

E. the federal highway administrator for the State of Louisiana, or the federal highway administrator's designee;

F. representatives from communities located along the span of U.S. 90 between the Westbank Expressway in New Orleans and I-10 in Lafayette;

G. representatives of businesses in South Louisiana;

H. representatives of the Lafayette, Houma, and New Orleans Metropolitan Planning Organizations; and

I. an at-large member.

SECTION 5: The Governor shall appoint the chair from the membership of the task force. All other officers shall be elected by the task force.

SECTION 6: Support staff for the task force and facilities for their meetings shall be provided by the Department of Transportation and Development.

SECTION 7: Task force members shall not receive compensation or a per diem from the Office of the Governor or the Department of Transportation and Development. Nonetheless, contingent upon the availability of funds, a member who is not an elected official or an employee of the federal government may receive reimbursement from the Office of the Governor for actual travel expenses incurred, in accordance with state guidelines and procedures, and upon the approval of the commissioner of administration.

SECTION 8: 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 the Order.

SECTION 9: 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 the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this 18th day of September, 1997.

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

ATTEST BY  
THE GOVERNOR  
Fox McKeithen  
Secretary of State  
9710#006

### EXECUTIVE ORDER MJF 97-39

#### State Customer Service Standard

WHEREAS: it is the duty of the State of Louisiana to timely deliver government customer services that are of the highest quality and responsive to the public's needs;

WHEREAS: the State of Louisiana intends to achieve higher levels of citizen satisfaction by delivering quality, timely, and responsive government services which meet its customer service obligations;

WHEREAS: to enable the State of Louisiana to meet its goal of providing a superior level of customer service, all levels of state government employees could benefit from a statewide employee customer service training program that identifies customer expectations and assists state government employees in satisfying those expectations;

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: State Customer Service Standard. All departments and agencies in the Executive Branch, State of Louisiana, and all officers and employees thereof (hereafter "state agencies") shall strive to deliver to the individuals and entities they serve effective, efficient, and responsive customer service that is of the highest quality.

SECTION 2: Implementation of Standard. In implementing the state customer service standard, all state agencies that serve the public directly shall perform the following nonexclusive list of duties:

- A. identify all of the services provided by the state agency;
- B. identify the customers who are, and should be, served by the state agency;
- C. determine the service expectations of those customers;
- D. determine the present level of satisfaction those customers have with the services of the state agency;
- E. compare the state agency's present customer service

performance to the level of customer service presently being delivered to customers by other governmental and/or nongovernmental entities that are models of successful customer service;

F. disseminate customer service information to the public and make available a user-friendly customer service improvement system; and

G. develop an internal structure that effectively addresses customer complaints and prevents future customer service dissatisfaction.

SECTION 3: Support for State Government Employees. Each state agency shall work with its employees to develop a state employee plan that will compliment the state agency's customer service strategy. Each plan shall describe the customer service training resources and programs being provided by the state agency for its employees who are directly serving customers and for the managers of those employees. The plan should identify the types of training resources and programs that would improve the state agency's customer service levels, indicate how those training resources and programs would improve the level of the state agency's customer service, and provide a strategy which indicates how those training resources and programs will be provided.

The state employee plan shall also include the following information:

A. a detailed explanation of employee expectations and needs regarding the manner in which the state customer service standard is implemented;

B. a detailed list of employee ideas for improving the level of customer satisfaction and attaining the state customer service standard; and

C. indicate types of customer service training that is necessary to provide employees with the essential tools to deliver goods and services at the level that meets customer service standard.

SECTION 4: Annual Customer Service Plan. Beginning with the fiscal year commencing July 1, 1998, each state agency shall implement an annual customer service plan. The state agency shall develop its initial plan and submit it to the Office of the Governor, through the commissioner of Administration, by November 1, 1998. The state agency shall develop and submit an annual update by November 1 of each successive year.

The state agency's annual customer service plan shall include the state agency's customer service goals for complying with the state customer service standard that is specifically tailored to the particular service provided by the state agency. Each plan shall identify and describe the level of customer service being delivered to customers by relevant, successful governmental or nongovernmental agencies, and present a comparative evaluation of the difference in quality of the customer service provided by the state agency and by relevant, successful governmental or nongovernmental agencies. If the level of quality of the state agency's customer service is not equivalent to, or better than, the level of the relevant, successful governmental or nongovernmental agency customer service, the state agency shall explain the reason for the disparity in the customer service quality, and the action being taken to rectify the situation.

SECTION 5: Annual Customer Service Assessment. Beginning with December 1998, at the end of every calendar year, each state agency shall implement an annual customer service assessment that elicits from customers and employees information regarding:

- A. changes in customer needs and expectations;
- B. the level of overall customer satisfaction with the state agency's service; and
- C. suggestions for improvement.

This information shall be used by the state agency in measuring its overall performance level, the effectiveness of its leadership, and in allocating its resources.

SECTION 6: Miscellaneous Provisions. This Order shall not and does not create any right of action, any cause of action, or any substantive, procedural, or equitable right enforceable by, or in favor of, any person or entity against the State of Louisiana or any department, commission, board, agency, political subdivision, or officer or employee thereof.

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

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 the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this 23rd of September, 1997.

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

ATTEST BY  
THE GOVERNOR  
Fox McKeithen  
Secretary of the State  
9710#007

#### EXECUTIVE ORDER MJF 97-40

##### Bond Allocation—Louisiana Public Facilities Authority

WHEREAS: pursuant to the Tax Reform Act of 1986 (hereafter "the Act") and Act 51 of the 1986 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 1997 (hereafter "the 1997 Ceiling"); (2) the procedure for obtaining an allocation of bonds under the 1997 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 1997 Ceiling to be used

in connection with the financing of the acquisition, construction, and equipping of a structural and miscellaneous steel fabrication facility to be located on Highway 43, City of Greensburg, Parish of St. Helena, 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 1997 Ceiling as follows:

Amount of Allocation	Name of Issuer	Name of Project
\$1,900,000	Louisiana Public Facilities Authority	Southland Steel Fabricators, 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 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 December 29, 1997.

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 29th day of September, 1997.

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

ATTEST BY  
THE GOVERNOR  
Fox McKeithen  
Secretary of State  
9710#024

**EXECUTIVE ORDER MJF 97-41**

Bond Allocation—Industrial  
Development Board of the City of DeRidder

WHEREAS: pursuant to the Tax Reform Act of 1986 (hereafter "the Act") and Act 51 of the 1986 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 1997 (hereafter "the 1997 Ceiling"); (2) the procedure for obtaining an allocation of bonds under the 1997 Ceiling; and (3) a system of central record keeping for such allocations; and

WHEREAS: the Industrial Development Board of the City of DeRidder has requested an allocation from the 1997 Ceiling to be used in connection with the financing of the acquisition, construction, installation, renovation, and equipping of a manufacturing facility for the use of fabricating equipment for chemicals and refinery plants, 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 1997 Ceiling as follows:

Amount of Allocation	Name of Issuer	Name of Project
\$3,500,000	Industrial Development Board of the City of DeRidder	Pax, 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 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 December 29, 1997.

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 29th day of September, 1997.

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

ATTEST BY  
THE GOVERNOR  
Fox McKeithen  
Secretary of State  
9710#025

**EXECUTIVE ORDER MJF 97-42**

Maritime Advisory Task Force

WHEREAS: the State of Louisiana is our nation's leading marine transportation state;

WHEREAS: the maritime industry is a major contributor to the State of Louisiana's present economic well-being and to its future economic outlook as 95,000 jobs are directly or indirectly dependent on the industry;

WHEREAS: Forty-four of the 64 parishes in the State of Louisiana border on navigable waterways;

WHEREAS: the State of Louisiana intends to increase its competitiveness in global markets through the ever evolving maritime industry;

WHEREAS: the best interests of the citizens of the State of Louisiana can be served by an advisory task force, composed of maritime industry representatives, that is created to recommend methods of promoting and protecting Louisiana's maritime industry and increasing the state's competitiveness in global maritime markets;

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 Maritime Advisory 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. recommending legislation that is designed to enhance and protect the economic viability of Louisiana's maritime industry;

B. recommending economic development programs which are designed to foster and promote growth in Louisiana's maritime industry;

C. suggesting means to enhance the competitiveness of Louisiana's maritime industry in national and international markets; and

D. evaluating maritime industry safety concerns and recommending safety measures that would benefit both the general population and Louisiana's maritime industry.

SECTION 3: The task force shall be composed of 15 members appointed by, and serving at the pleasure of, the Governor. The membership of the task force shall be selected as follows:

A. the chief of staff, Office of the Governor, or the chief of staff's designee;

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

C. the chair of the Transportation, Highways, and Public Works Committee, Louisiana House of Representatives, or the chair's designee;

D. the chair of the Transportation, Highways, and Public Works Committee, Louisiana Senate, or the chair's designee;

E. a representative of the shallow draft maritime industry;

F. a representative of the deep draft maritime industry;

G. a representative of the shipyard industry;

H. a representative of the ports on the Mississippi River;

I. a representative of the ports on the Gulf/Intracoastal Canal;

J. a representative of the ports on the Red River;

K. a ship pilot commissioned by the State of Louisiana;

L. a representative of passenger vessels;

M. a representative of the offshore supply industry;

N. a representative of the fleeting industry; and

O. a representative of the United States Coast Guard.

SECTION 4: The Governor shall select the chair of the task force from its membership. The membership of the task force shall elect all other officers.

SECTION 5: The task force shall meet biannually and at the call of the chair.

SECTION 6: Support staff for the task force and facilities for its meetings shall be provided by the Department of Economic Development.

SECTION 7: The task force shall submit its initial report to the Governor that addresses the issues described in Section 2, no later than October 31, 1998. The task force shall update the report annually.

SECTION 8: Task Force members 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 a state-wide elected official, may receive reimbursement from the Office of the Governor for actual travel expenses incurred, in accordance with state guidelines and procedures, and 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 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 6th day of October, 1997.

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

ATTEST BY  
THE GOVERNOR  
Fox McKeithen  
Secretary of State  
9710#050

# Emergency Rules

## DECLARATION OF EMERGENCY

### Department of Agriculture and Forestry Office of the Commissioner

#### Alternative Livestock—Imported Exotic Deer and Imported Exotic Antelope, Elk, and Farm-Raised White-Tailed Deer (LAC 7:XXI.1501-1523)

*Editor's Note:* All Agriculture and Forestry rules, found at LAC, Title 7, will be renumbered during the next few months, so that each Part (I through XLIII) will begin with a Chapter 1 and continue with sequential chapters (through Chapter 99), as needed. A revised *Louisiana Administrative Code*, Title 7, is scheduled for publication during Fall, 1997. As shown below, the *Louisiana Register* is promulgating all Title 7 emergency, proposed, and final rules under the new numbering system.

The commissioner of Agriculture and Forestry, on September 3, 1997, issued emergency rules regulating the raising, slaughtering and sale of imported exotic deer and antelope, elk, and farm-raised white-tailed deer for commercial purposes in the state of Louisiana. The commissioner of Agriculture and Forestry has previously determined that there is an imminent peril to the health, safety, and welfare of the citizens of Louisiana and to the agricultural livestock industry in Louisiana, including the alternative livestock industry. The commissioner of Agriculture and Forestry determined that without effective regulations in place, diseased or contaminated animals may be brought into the state of Louisiana or slaughtered and sold as food to be consumed by Louisiana citizens.

Louisiana is certified by the United States Department of Agriculture (USDA) as a tuberculosis- and brucellosis-free state; and the introduction of any imported exotic deer and antelope, elk, and farm-raised white-tailed deer infected with either of these diseases or other diseases will subject Louisiana cattle and other livestock, including alternative livestock, to infection.

The commissioner of Agriculture and Forestry further determined that any infection of cattle or other livestock will cause the owner of such livestock to lose the commercial value of such animals; and introduction of these diseases into the state would jeopardize Louisiana's certification from the USDA and the loss of the commercial value of livestock; and the effect on the agricultural livestock industry, including alternative livestock, would cause a substantial adverse economic impact on the agricultural economy of this state. The commissioner of Agriculture and Forestry adopted emergency regulations on September 3, 1997 addressing the emergency as stated above.

For the reasons stated, the commissioner of Agriculture and Forestry, in accordance with the Administrative Procedure Act, specifically R.S. 49:953(B), and R.S. 3:3101, hereby adopts the following amended emergency rules regulating the raising, slaughtering and sale of imported exotic deer and

antelope, elk and farm-raised white-tailed deer for commercial purposes in the state of Louisiana. These emergency rules are effective October 2, 1997 and supersede, in their entirety, the emergency regulations adopted on September 3, 1997. These rules shall remain in effect 120 days or until the final rules become effective, whichever occurs first.

### Title 7

## AGRICULTURE AND ANIMALS

### Part XXI. Diseases of Animals

#### Chapter 15. Alternative Livestock—Imported Exotic Deer and Imported Exotic Antelope, Elk, and Farm-Raised White-Tailed Deer

##### §1501. Statement of Authority and Purpose

The commissioner of Agriculture and Forestry heads and directs the Department of Agriculture and Forestry and exercises all functions of the state relating to the promotion, protection, and advancement of agriculture and forestry. The commissioner is authorized by law and does hereby adopt these rules and regulations for the purposes of promoting, protecting, and advancing agriculture and to implement the laws adopted by the legislature, including those in Part I of Chapter 19-A of Title 3 of the Revised Statutes, giving the commissioner the specific power to regulate farm-raised exotic animals, including imported exotic deer and imported exotic antelope, elk, and farm-raised white-tailed deer.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 3:3101.

**HISTORICAL NOTE:** Promulgated by the Department of Agriculture and Forestry, Office of the Commissioner, LR 23:

##### §1503. Definitions

For purposes of these rules and regulations the following words and phrases shall have the meaning given herein:

*Alternative Livestock*—any imported exotic deer and imported exotic antelope, elk, and farm-raised white-tailed deer.

*Commercial Purpose*—the keeping, breeding, raising, containing, harvesting, killing, slaughtering, buying, selling, trading, or transferring ownership of alternative livestock, any alternative livestock carcass or part thereof, with the intent to receive money, goods, services, livestock or any other type of compensation in connection therewith.

*Commissioner*—The commissioner of Agriculture and Forestry.

*Department*—the Louisiana Department of Agriculture and Forestry.

*Elk*—any animal of the species and genus *Cervus canadensis*.

*Farm*—any area of land or water, regardless of size, used to breed, raise, or keep farm-raised alternative livestock for a commercial purpose, including but not limited to, breeding farms or propagating preserves. This definition does not include areas of land or water which are part of a zoo, game park, or wildlife exhibit, where their primary purpose is the exhibition of alternative livestock or other animals.