

STATE OF LOUISIANA
EXECUTIVE DEPARTMENT
BATON ROUGE

EXECUTIVE ORDER EWE 93- 4

WHEREAS, Article VII, Section 14 (C) of the Louisiana Constitution of 1974 authorizes the use of "Cooperative Endeavors" between the state and its political subdivisions or political corporations and the United States or its agencies, or with any public or private association, corporation, or individual, for a public purpose; and

WHEREAS, under R.S. 38:2193, the attorney general is vested with the authority to institute civil proceedings, if necessary, to invalidate contracts which violate the above referenced constitutional provisions, upon submission to him of pertinent facts thereof by the legislature or its members, the legislative auditor, or upon his own initiative; and

WHEREAS, it would be in the best interest of the state to have these agreements reviewed prior to implementation in order to avoid the subsequent problem of invalidating such an agreement by litigation, thereby maintaining the integrity of such agreements, and

WHEREAS, the Division of Administration is charged with the responsibility of overseeing the state's acquisition of supplies and services under contractual agreements and therefore has the necessary personnel to determine if certain "Cooperative Endeavor" agreements are in violation of the constitutional provisions, or the various procurement statutes which regulate the manner in which the state must acquire supplies and services; and

WHEREAS, the best interest of this state can be served by monitoring the use of this type of agreement from both a legal and budgetary standpoint, and by providing a centralized record of these agreements:

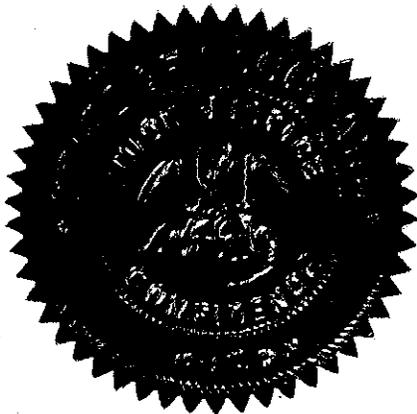
NOW, THEREFORE, I, EDWIN W. EDWARDS, Governor of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: Each state entity within the executive branch shall submit to the Division of Administration, Office of Contractual Review, for review and approval, each cooperative endeavor agreement which requires the expenditure of public funds.

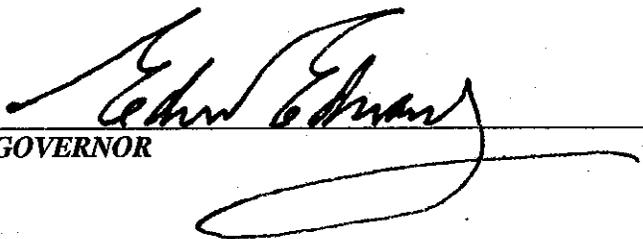
SECTION 2: Each entity shall submit every such agreement and/or contract, in the manner prescribed by the office of contractual review for the submittal of cooperative endeavor agreements.

SECTION 3: A "BA-22" or other appropriate budgetary form shall be submitted with each contract evidencing the availability of funds.

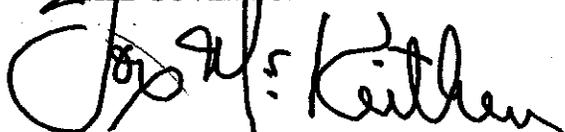
SECTION 4: Each such contract must contain provisions which will condition its implementation on the availability of funds to fulfill the requirements of the contract, and on the approval of the Division of Administration.



IN WITNESS WHEREOF, I have hereunto 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 February, 1993.


GOVERNOR

**ATTEST BY
THE GOVERNOR**



SECRETARY OF STATE