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Executive Orders

EXECUTIVE ORDER EWE-77-13

WHEREAS, this administration has done more to increase the representation and participation of women than any previous administration and has set a precedent for appointing talented women in responsible positions, not only as Cabinet members, but also as members of numerous boards and commissions, the Constitutional Convention, and as Director of the Department of Corrections; and

WHEREAS, I support the strong belief that women do make invaluable contributions when they are entrusted with responsible positions, both in the public and private sector; and

WHEREAS, under the Edwards Administration, Louisiana should be foremost among the states in providing opportunities for women; and

WHEREAS, there is a need for a method to provide opportunities for increasing the number of women in responsible positions, and the establishment of a Louisiana Task Force for a Talent Bank of Women will fill that need; and

WHEREAS, the staff of the Bureau for Women is capable of maintaining and administering the files of the Talent Bank of Women; and

WHEREAS, coordination and leadership, combining both public and private interests on State and local levels, is essential to assist the Bureau for Women in planning an effective program for the benefit of the citizens of this State; and

WHEREAS, the responsibility for developing these advantages should be drawn from many areas; and

WHEREAS, it is required that these responsibilities be coordinated in a concentrated planning program to insure the formulation of a single policy including all interested agencies and groups, providing optimum benefit to the citizens of the State; and

WHEREAS, it is essential that cooperation and input to the planning program be secured from the private sector whose contributions are vital to the success of the resulting program; and

WHEREAS, Federal funds should be requested as deemed appropriate and desirable to assist this effort,

NOW, THEREFORE, in order to promote and assist in the development of a program to encourage more utilization of women in responsible positions and in the coordination of all levels of government and all private interests in this venture, I, Edwin Edwards, by virtue of the authority vested in me as Governor of the State of Louisiana, pursuant to the Constitution and applicable statutes of the State of Louisiana, do order as follows:

1. The establishment of the Louisiana Task Force for the purpose of assisting in the development of a comprehensive policy for identifying qualified women for responsible positions.

2. The Task Force shall assist the Bureau for Women in the accumulation of a Talent Bank of Women.

3. The Task Force shall establish guidelines to follow in establishing a talent bank.

4. The Task Force shall consist of membership as shown in Document No. 1, attached hereto, which is made a part hereof.

5. The Task Force shall secure information concerning needs and opportunities and shall organize meetings for the purpose of informing interested groups and individuals of the purposes of this program. The information gathered will be submitted in report form, and shall form the basis of the Task Force's preliminary and final reports.

6. The Task Force shall be headed by a chairperson, a coordinator and ten members appointed by the Governor, and who will serve without pay or other compensation. The Coordinator shall select a working staff to assist the Task Force in the performance of these duties.

7. The Task Force shall establish bylaws and rules of procedure for its operation.

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 the 9th day of September, A.D. 1977.

EDWIN EDWARDS

Governor of Louisiana

* * * *

DOCUMENT NO. 1

Task Force for Talent Bank of Women

Chairperson

Sandra S. Thompson, Secretary
Department of Culture, Recreation and Tourism
Box 44361
Baton Rouge, Louisiana 70804

Coordinator

Pat Evans, Program Administrator
Louisiana Bureau for Women
Department of Health and Human Resources
530 Lakeland Street
Baton Rouge, Louisiana 70802

Members

Fran Bussie
Box 3477
Baton Rouge, Louisiana 70821

Susan Eddington
Total Community Action
1770 Tchoupitoulas Street
New Orleans, Louisiana 70130

Lynne Hair
State Planning Office
4528 Bennington Avenue
Baton Rouge, Louisiana 70808

Ellen Bryan Moore
2222 Government Street
Baton Rouge, Louisiana 70806

Shirley McNamara, Secretary
Department of Revenue and Taxation
State Capitol Annex
Baton Rouge, Louisiana 70801

Ollie Osborne
124 University Row
Lafayette, Louisiana 70503

Mary Evelyn Parker
Treasurer, State of Louisiana
State Capitol
Baton Rouge, Louisiana 70804

Evelyn Sisco
American Association of University Women
108 Hilltop Circle
Pineville, Louisiana 71360

Margaret Surles
East Carroll Delta News
Box 828
Lake Providence, Louisiana 71254

Shirley Temple
Kentwood, Louisiana 70444

EXECUTIVE ORDER EWE-77-14

This executive order is issued by virtue of authority vested in me by law, in accordance with the provisions of R.S. 39, Sections 1 through 238 as amended by Act 91 of the 1964 Legislature, with reference to the subject matter covered herein. Effective as of the date of my signature below, this order revokes and supersedes all other executive orders with reference to the following, and particularly as required by Sections 184 and 189 of Title 39, R.S. 1950.

R.S. 39:184: Emergency, Out-of-Schedule, and Revolving Fund Purchasing: "The procedure for the purchase of commodities and services not scheduled in this Chapter and for emergency purchases, as well as purchases financed by revolving fund appropriations and definitions of the emergencies and conditions under which emergency purchases may be made, shall be provided by executive order of Governor."

Therefore, pursuant to the above authority, in order to discharge my duty and responsibility as directed by the above quoted section of the State statutes, it is hereby ordered that all State of Louisiana agencies shall observe and abide by the following rules and regulations, and provided further that all purchases shall be made through the State Purchasing Office in the Division of Administration except where specific authority to purchase any materials or supplies has been delegated in writing by the Commissioner of Administration.

Emergency purchasing: Extreme public emergency involving jeopardy to life and property shall be certified to the Commissioner of Administration, in writing, in duplicate, signed by the head of the State agency, stating the nature of the emergency, cause, amount of damage estimated, cost to replace or repair, availability of funds, with the recommendations of the governing authority. The Commissioner of Administration through the State Purchasing Officer may secure quotations and let contracts on an emergency basis; or, if time does not permit, authorize the head of the State agency to let a contract at the agency level. Every effort shall be made to secure maximum competitive bidding under the circumstances. The Commissioner may authorize an expenditure of funds in extreme emergency cases by telephone or telegram, to be confirmed by letter, with justification of the emergency where time does not permit an exchange of letters.

Out-of-schedule purchasing is defined to mean any purchase not certified as an emergency, not suitable for scheduled quantity buying or placing under a commodity contract, nonrecurring items, and is interpreted to mean, but is not limited to, specific items of capital outlay equipment, materials and supplies needed for repair and maintenance, and /or all items where the estimated cost is less than one thousand dollars, which by its nature is not suitable for quantity buying, and any others as may be designated by the Commissioner from time to time.

Therefore, pursuant to the authority vested in me by R.S. 39:184, all departments, institutions, boards, commissions, budget units, and any other agencies under the jurisdiction of the Executive Department of the State government, except the Louisiana Department of Highways, shall be required to observe and be guided by the following specific directives:

1. All capital outlay equipment of any kind, wherever the cost is estimated to be in excess of three hundred dollars, shall requisition their requirements through the State Purchasing Department of the Division of Administration, with the provision that the only exceptions shall be by written permission of the Commissioner of Administration.

2. All agencies of the State government covered by Act 91 of the 1964 Legislature, wherever the cost is estimated to be above fifty dollars and less than one

thousand dollars, regardless of whether purchases are made by the State Purchasing Department or agencies to whom purchasing has been delegated, shall observe the following rules and regulations on out-of-schedule purchases; but maximum competitive bidding shall be obtained in all cases.

a. Purchases under fifty dollars—no competitive bidding is required.

b. Purchases over fifty dollars but under two hundred dollars shall be made by receiving price quotations wherever time permits, or if time does not permit, telephone and telegraph quotations may be obtained and purchases made on the basis of the lowest quotation received.

c. Purchases of over two hundred dollars and less than one thousand dollars shall be made by receiving written quotations from at least five bona fide prospective bidders, wherever possible, using "Requests for Prices, Form A-10 Revised 64."

d. Purchases of over one thousand dollars. No purchases where the estimated cost is over one thousand dollars shall be made except by advertising and/or sending out written invitations to bid to at least eight bona fide, qualified bidders. Written invitations to bid shall contain complete specifications, the quantity required, and shall stipulate that bids will be publicly opened and read at a specific date and time, as well as such other pertinent information such as the delivery point and other information sufficient for a supplier to make an acceptable bid.

e. Exceptions to the above minimum competitive requirements:

(1) Emergency purchases.

(2) Federal government surplus property.

(3) Registered breeding stock.

(4) Livestock for slaughter when purchased at public auction sale.

(5) Patented or proprietary articles after certification by the State Purchasing Department.

(6) Standard replacement equipment parts which must be obtained from the manufacturer of the equipment or his agent, and where prices are established and where no competition may exist.

(7) Purchasing or selling transactions between State budget units.

(8) Farm products which include, but may not be limited to, fresh vegetables, milk, eggs, fish, or other perishable foods.

(9) Professional services such as a physician, dentist, lawyer, architect, veterinarian, engineering services, and such other as may be designated by the State Purchasing Department.

(10) Public utility services such as water, electric light and power service, telephone, telegraph, and proprietary equipment pertaining thereto.

(11) Textbooks, newspapers, subscriptions, or foreign publications.

(12) Repairs, when obtained from an authorized dealer wherever breakdowns occur, such as

to automobiles, machinery, equipment, office machines, electric motors, et al. In actual practice this means Ford automobiles will be taken to Ford dealers and Chevrolet automobiles to Chevrolet dealers, without exception.

(13) Food, materials, and supplies needed for the operation of boats in isolated localities where only limited outlets of such supplies are available.

(14) Food purchased and used in home economic college courses where purchasing, preparing, and serving is part of the regularly prescribed course.

(15) Food purchases and other materials and supplies required by juvenile detention homes where the number of the inmates are unstable and unpredictable.

Revolving-fund purchasing is defined to mean the buying of all commodities and supplies of any kind used in the operation of prison industries, cafeterias, dining halls, State buildings, colleges and universities, dormitories, bookstores, refreshment booths, grocery and general merchandise stores such as are maintained at the penitentiary, and all other business enterprises in the State government not primarily operated for rendering public services but for State employees, students and inmates, where the funds to pay for such purchases are derived from receipts of these business enterprises, but where the original funds were authorized and set up by the use of State funds and operated as revolving-fund units.

1. Wherever time permits, revolving-fund purchasing shall be by advertising and sealed bids, if over one thousand dollars, provided that these items are expendable and regularly recurring, such as the major revolving fund account with the Louisiana State Penitentiary, college cafeterias, and such other industries as may lend themselves to such practice.

2. Revolving-fund purchasing shall be flexible enough to secure supplies and materials used in prison industries, on short notice, in order to meet production schedules as required by the agencies buying from the penitentiary.

3. Revolving-fund purchases for resale, such as groceries, canned goods, packing house products, drug sundries, candy, tobacco, and other similar items may be obtained by buying the exact items or brand names that are most suited for the purpose for which they are intended. Likewise, materials and supplies intended for further processing into a manufactured article, the exact chemical materials or supplies may be purchased. Every effort shall be made, however, to obtain maximum competitive bidding under the circumstances.

4. Revolving-fund purchases of foods for cafeterias, dining halls or dormitories, such as the State colleges and universities, shall be purchased by competitive bidding as outlined in these rules and regulations; however, the selection, fabrication, packaging, and standards of quality may be determined

by the head of the State agency. In the event of controversy between the State agency and the supplier, and after consideration of all the facts pertaining thereto, the Commissioner of Administration may issue a ruling, and this judgment shall be considered final. Perishable foods, including fresh vegetables, fresh fish and products subject to frequent changes in price, shall be purchased on daily, weekly, or bimonthly price quotations.

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 the 22nd day of September, A.D. 1977.

EDWIN EDWARDS

Governor of Louisiana

EXECUTIVE ORDER EWE-77-15

Acting pursuant to the authority vested in me by the Constitution and the laws of the State of Louisiana, I, Edwin Edwards, Governor of Louisiana, do hereby issue the following proclamation and executive order repealing and superseding Executive Orders 8, 30, 55, 57, and EWE-76-3.

WHEREAS, Executive Orders 8, 30, 55, 57, and EWE-76-3 created the Louisiana Commission on Law Enforcement and Administration of Criminal Justice, the various law enforcement planning districts, and the various law enforcement planning district agencies, and delineated their respective duties; and

WHEREAS, the Legislature in R.S. 15:1201 through R.S. 15:1211 created by statute the Louisiana Commission on Law Enforcement and Administration of Criminal Justice, and the law enforcement planning districts, and the law enforcement planning district agencies, and delineated their respective duties; and

WHEREAS, R.S. 15:1209 states that "The planning agencies for the planning districts shall be those heretofore or hereafter recognized as such by the Governor." Now, therefore, I, Edwin Edwards, Governor of the State of Louisiana, do hereby recognize the following law enforcement planning district agencies:

(1) The planning district agency for Orleans Law Enforcement Planning District shall be Orleans Parish Criminal Justice Coordinating Council.

(2) The planning district agency for Capital Law Enforcement Planning District shall be Capital District Law Enforcement Planning Council, Inc.

(3) The planning district agency for Metropolitan Law Enforcement Planning District shall be Metropolitan District Law Enforcement Planning and Action Commission, Inc.

(4) The planning district agency for Evangeline Law Enforcement Planning District shall be Evangeline Law Enforcement Council, Inc.

(5) The planning district agency for Southwest District Law Enforcement Planning District shall be Southwest District Law Enforcement Planning Council, Inc.

(6) The planning district agency for Red River Delta Law Enforcement Planning District shall be Red River Law Enforcement Planning Council, Inc.

(7) The planning district agency for Northwest Law Enforcement Planning District shall be Northwest Law Enforcement Planning Agency, Inc.

(8) The planning district agency for North Delta Law Enforcement Planning District shall be North Delta Law Enforcement District, Inc.

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 the 22nd day of September, A.D. 1977.

EDWIN EDWARDS

Governor of Louisiana

EXECUTIVE ORDER EWE-77-16

Provisions for the Necessary and Appropriate State Coordination and Participation with the National Flood Insurance Act of 1968, as Amended, and Rules and Regulations Promulgated Thereunder.

WHEREAS, uneconomic uses of the state's flood plains are occurring and potential flood losses are increasing despite substantial efforts to control floods; and

WHEREAS, national, State, and local studies of areas and property subject to flooding indicate a further increase in flood damage potential and flood losses, even with continuing investment in flood protection structures; and

WHEREAS, the State of Louisiana has extensive and continuing programs for the construction of buildings, roads, and other facilities and annually acquires and disposes of lands in flood hazard areas, all of which activities significantly influence patterns of commercial, residential, and industrial development; and

WHEREAS, the availability of programs for Federal loans and mortgage insurance, State financial assistance and land use planning are determining factors in the utilization of lands; and

WHEREAS, the availability of flood insurance under the National Flood Insurance Program, as provided by the National Flood Insurance Act of 1968, as

amended, is dependent upon State coordination of Federal, State and local aspects of flood plain, mudslide (i.e. mudflow) area and floodrelated erosion area management activities in the state; and

WHEREAS, the Department of Urban and Community Affairs is the designated State agency responsible for coordinating local regulation necessary for flood insurance provided by the National Flood Insurance Act of 1968; and

WHEREAS, The Federal Insurance Administration has promulgated and adopted rules and regulations governing eligibility of states and local communities to participate in the National Flood Insurance Program, which participation depends on State coordination and the designation of an agency in the state to be responsible for coordinating Federal, State and local aspects of flood plain, mudslide (i.e. mudflow) area and flood related erosion area management activities.

NOW, THEREFORE, I, EDWIN EDWARDS, Governor of the State of Louisiana, hereby order that:

The Department of Urban and Community Affairs, by virtue of its designation as the agency responsible to provide implementation of Section 1910.12, Rules and Regulations of the Federal Insurance Administration, coordinate and encourage a broad and unified effort to prevent uneconomic uses and development of the state's flood plains and, in particular, to reduce the risk of flood losses in connection with State lands and installations and State financed or supported improvements.

All State agencies directly responsible for the construction of buildings, structures, roads, or other facilities shall preclude the uneconomic, hazardous, or unnecessary use of flood plains in connection with such facilities. In the event of construction in the flood plains, the flood plain management criteria set forth in Section 1910.13, 1910.4, and 1910.5 of the National Flood Insurance Regulations shall apply. Flood insurance measures shall be applied to existing facilities in order to reduce flood damage potential.

All State agencies responsible for the administration of grant or loan programs involving the construction of buildings, structures, roads, or other facilities shall evaluate flood hazards in connection with such facilities and, in order to minimize the exposure of facilities to potential flood damage and the need for future State expenditures for flood protection and flood disaster relief, shall preclude the uneconomic, hazardous, or unnecessary use of flood plains in such connection.

All State agencies responsible for the disposal of lands or properties shall evaluate flood hazards in connection with lands or properties proposed for disposal to other public instrumentalities or private interests and, in order to minimize future State expenditures for flood protection and flood disaster relief, shall attach appropriate restrictions with respect to

uses of the said lands or properties. In carrying out this provision, each State agency may make appropriate allowances for any estimated loss in sale price resulting from the incorporation of use restrictions in the disposal documents.

All State agencies responsible for programs which affect land use planning, including State permit programs, shall take flood hazards into account when evaluating plans and shall encourage land use appropriate to the degree of hazard involved.

As permitted by law, the Secretary of each department shall issue appropriate rules and regulations to govern the implementation of this executive order, and shall coordinate rules and regulations with the Department of Urban and Community Affairs and the Office of the Governor, Division of Administration, State Property and Casualty Insurance Section.

The Department of Urban and Community Affairs is hereby designated as the agency in the State of Louisiana responsible for making recommendations under Section 1909.22 of the Rules and Regulations of the National Flood Insurance Act, for the determination of areas for hydrological rate-making studies.

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 the 30th day of September, A.D. 1977.

EDWIN EDWARDS

Governor of Louisiana