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Executive Orders

AMENDMENT TO EXECUTIVE ORDER EWE-79-1

The following paragraph is to be added after the last paragraph of Executive Order EWE-79-1:

FURTHER, the Commission is hereby requested to make a determination of the proper domicile of the Department of Wildlife and Fisheries and to investigate and recommend an alternative facility to house the Department if the domicile is changed from the Wildlife and Fisheries Building at 400 Royal Street in the City of New Orleans.

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 20th day of March, A.D. 1979.

Edwin Edwards
Governor of Louisiana



EXECUTIVE ORDER EWE-79-2

Executive Order EWE-76-10 issued on June 24, 1976, is hereby amended to read as follows:

WHEREAS, the Congress of the United States has declared that:

(1) The achievement of equal access to quality health care at a reasonable cost is a priority of the federal government.

(2) The massive infusion of federal funds into the existing health care system has contributed to inflationary increases in the cost of health care and failed to produce an adequate supply or distribution of health resources, and consequently has not made possible equal access for everyone to such resources.

(3) The many and increasing responses to these problems by the public sector on federal, state, and local levels and the private sector have not resulted in a comprehensive, rational approach to the present

(A) Lack of uniformly effective methods of delivering health care;

(B) Maldistribution of health care facilities and manpower; and

(C) Increasing cost of health care.

(4) Increases in the cost of health care, particularly of hospital stays, have been uncontrollable and inflationary, and there are presently inadequate incentives for the use of appropriate alternative levels of health care, and for the substitution of ambulatory and intermediate care for inpatient hospital care.

(5) Since the health care provider is one of the most important participants in any health care delivery system, health policy must address the legitimate needs and concerns of the provider if it is to achieve meaningful results; and, thus, it is imperative that the provider be encouraged to play an active role in developing health policy at all levels.

(6) Large segments of the public are lacking in basic knowledge regarding proper personal health care and methods for effective use of available health services; and

WHEREAS, in recognition of the magnitude of the problems described above and the urgency placed in their solution, it is the purpose of the National Health Planning and Resources Develop-

ment Act of 1974, to facilitate the development of recommendations for a national health planning policy, to augment areawide and state planning for health services, manpower, and facilities, and to authorize financial assistance for the development of resources to further that policy; and

WHEREAS, the Act requires the designation of a state health planning and development agency to perform within each state the health planning and development function prescribed by the Act; and

WHEREAS, the Act stipulates that the designated state health planning and development agency be advised by a Statewide Health Coordinating Council; and

WHEREAS, the State Office of Comprehensive Health Planning which performed statewide comprehensive health planning functions and which was previously designated as the State Health Planning and Development Agency has, through reorganization, become a part of the Office of Licensing and Regulation of the Department of Health and Human Resources.

NOW, THEREFORE, I, EDWIN EDWARDS, by virtue of the authority vested in me as Governor of the State of Louisiana, do hereby designate the Department of Health and Human Resources as the State Health Planning and Development Agency with all power, authority and responsibility, not in conflict with existing state laws, to administer the state administrative program for health planning and resources development.

FURTHERMORE, in order to implement Titles XV and XVI of the Public Health Service Act, there is hereby authorized the creation and establishment of the Statewide Health Coordinating Council in conformance to order and regulations as published by the Secretary of the Department of Health, Education, and Welfare. The State Health Planning and Development Agency shall advise the chief executive of the state of Louisiana in the creation of such Council and in the designation of its members.

FURTHERMORE, all federal funding awarded to the designated State Health Planning and Development Agency under Titles XV and XVI of the Public Health Service Act shall be awarded to the Department of Health and Human Resources.

FURTHERMORE, Executive Order No. EWE-76-10 issued on June 24, 1976, is hereby expressly superseded by this Order.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to have affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this the 20th day of March, A.D., 1979.

Edwin Edwards
Governor of Louisiana

Emergency Rule

DECLARATION OF EMERGENCY

Department of Health and Human Resources Office of Licensing and Regulation

The Secretary of the Department of Health and Human Resources has exercised those powers conferred on him by the Administrative Procedures Act (R.S. 49:953B) to adopt the following amendment to the Uniform Controlled Substances Act as an emergency rule. This emergency rule is effective April 11, 1979.

Amend R.S. 40:964, Schedule IV, by adding thereto the following drug: (26) Pentazocine.

This emergency rulemaking is necessary to the public health and welfare in order to control the drug Pentazocine which has recently been placed under the Federal Controlled Substances Act and its accompanying regulations. This drug has a great potential for abuse and known deleterious effects when improperly used.

William A. Cherry, M.D., Secretary
Department of Health and Human Resources

Rules

RULE

Department of Agriculture Office of Agricultural and Environmental Sciences

Supplement to the Sweet-potato Weevil Quarantine and Regulation

III. Quarantined areas.

1. In the United States.

A. The areas hereby quarantined on account of the sweet-potato weevil shall be the portions of all states in which sweet-potato weevil infestations are known to occur, and so officially designated as quarantined or regulated areas, by the sweet potato quarantines of the states of Alabama, Florida, Georgia, Louisiana, Mississippi, Texas, and South Carolina.

2. In Louisiana.

A. Quarantined areas in Louisiana are hereby declared to be the entire parishes of Acadia, Allen, Ascension, Assumption, Avoyelles, Beauregard, Calcasieu, Cameron, East Baton Rouge, East Feliciana, Evangeline, Iberia, Iberville, Jefferson, Jefferson Davis, Lafayette, Lafourche, Livingston, Orleans, Plaquemines, Pointe Coupee, Rapides, Sabine, St. Bernard, St. Charles, St. Helena, St. James, St. John the Baptist, St. Landry, St. Martin, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Vermilion, Vernon, Washington, West Baton Rouge, West Feliciana, and those parts hereinafter listed.

Bienville Parish—that portion of T17N located in R4W and 5W in Lincoln and Bienville Parishes; that portion consisting of a one mile radius of and including the property of Larry Kennedy, Section 33, T16N, R9W, and that portion consisting of a one mile radius of and including the property of Herbert Robertson, Section 33, T16N, R9W.

Bossier Parish—that portion of R11 and 12W north of Interstate 20 located in T18 and 19N in Bossier Parish.

Caddo Parish—all of Wards 6 and 7.

Caldwell Parish—that portion consisting of a one mile radius of and including the property of Ed Hilburn, Section 28, R3N, T14N and that portion consisting of a one mile radius of and including the property of Clifton Hilburn, Section 28, R3N, T14N.

DeSoto Parish—that portion consisting of a one mile radius of and including the property of E. B. Anderson, Section 22, T12N, R16W; and that portion consisting of a one mile radius of and including the property of Jerry Anderson, Section 35, T12N, R16W.

Jackson Parish—that portion of R3 and 4W in T15N and that portion consisting of a one mile radius of and including the property of Mrs. J. A. Hughes, Section 1, R4W, T14N.

Lincoln Parish—that portion consisting of a one mile radius of and including the property of James Kay, Section 13, R3W,

T17N; that portion consisting of a one mile radius of and including the property of R. E. Fletcher, Section 21, T18N, R4W; and that portion consisting of a one mile radius of and including the property of James Peterson, Section 21, T18N, R4W.

Natchitoches Parish—that portion west and southwest of the Red River.

Red River Parish—that portion of R10W lying north of T12N.

Webster Parish—that portion consisting of a one mile radius of and including the property of J. L. Cassle, Section 36, T19N, R10W; and that portion consisting of a one mile radius of and including the property of Curly Jackson, Section 36, T19N, R10W; and that portion consisting of a one mile radius of and including the property of Henry Fish, Section 21, T18N, R10W.

West Carroll Parish—that portion consisting of a one mile radius of and including the property of Leon Hill, Section 28, R23N, T23N; that portion consisting of a one mile radius of and including the property of Lonnie Reese, Section 21, R11E, T21N; that portion consisting of a one mile radius of and including the property of Aaron Freeman, Section 21, R11E, T21N; that portion consisting of a one mile radius of and including the property of Christina Blackman, Section 21, R11E, T21N; that portion consisting of a one mile radius of and including the property of S. L. Bush, Section 7, R12E, T23N; that portion consisting of a one mile radius of and including the property of W. W. Head, Section 22, R10E, T20N; that portion consisting of a one mile radius of and including the property of S. L. Bush, Section 35, R10E, T20N; that portion consisting of a one mile radius of and including the property of Oak Grove Gun Club, Section 6, R11E, T21N; that portion consisting of a one mile radius of and including the property of S. L. Bush, Section 1, R10E, T21N; and that portion consisting of a one mile radius of and including the property of M. Stanford, Section 21, R11E, T22N; that portion consisting of a one mile radius of and including the property of E. A. O'Neal Farm, Eugene and Model O'Neal, Section 10, R11E, T22N, which includes portions of Sections 2, 3, 4, 9, 10, 11, 15, and 16; that portion consisting of a one mile radius of and including the property of Allen Canning Company, Section 36, R10E, T22N; that portion consisting of a one mile radius of and including the property of H and A Produce Company, Section 31, R11E, T22N; that portion consisting of a one mile radius of and including the property of Raymond Byavgeon Farms, O'Neal Brothers, Section 8, R11E, T22N, which includes portions of Section 5, 6, 7, 8, 9, 17 and 18; that portion consisting of a one mile radius of and including the property of Richard Lamar Boutwell, Section 27, R11E, T23N, which includes portions of Sections 21, 22, 23, 26, 27 and 28; that portion consisting of a one mile radius of and including the property of J. M. Welch Farms, Roberson Brothers, Section 32, R11E, T22N, which includes portions of Sections 29, 30, 31, 32, and 33 and R11E, T22N, which includes portions of Sections 4, 5 and 6; that portion consisting of a one mile radius of and including the property of Crowe Farms, W. M. Puckett, Section 28, R10E, T21N, which includes a portion consisting of a one mile radius of and including the property of C. E. Reeks Farm, W. M. Puckett, Section 1, R9E, T20N; which includes portions of section 2 and 12, and portions of R10E, T20N Sections 6 and 7, which includes portions of R9E, T22N Section 31; that portion consisting of a one mile radius of and including the property of LeRoy Adams, Sections 19, 20, 28, and 29, R10E, T21N; that portion consisting of a one mile radius of and including the property of E. C. Huff Farm,

Roberson Brothers, Section 28, T22N, R11E, which includes portions of Sections 20, 21, 22, 27, 28 and 29; that portion consisting of a one mile radius of and including the property of McIntosh Farm, Richard Boutwell, Section 22, T22N, R11E, which includes portions of Sections 15, 16, 21, 22, 23, 26, 27 and 28; that portion consisting of a one mile radius of and including the property of J. Vernon Simms, Section 31 and 32, T22N, R9E; that portion consisting of a one mile radius of and including the property of Roy Calhoun, Section 8, R9E, T22N; and /or such other area or areas as may hereafter be designated as quarantined areas by notice in the *Louisiana Register* and the Official Journal of the State of Louisiana by the State Entomologist, with the approval of the Commissioner.

B. Non-sweet potato areas shall be: infested properties in the area north of Avoyelles and Rapides Parishes, east and northeast of the Red River line at Grant Parish, northeast of the Red River in Natchitoches Parish, north of the Natchitoches Parish line, west of the Red River and north of the Sabine Parish line, and such other area or areas as may hereafter be declared non-sweet potato areas by publication in the Official Journal and the *Louisiana Register* by the State Entomologist, with the approval of the Commissioner.

Richard Carlton, State Entomologist
Office of Agricultural and
Environmental Sciences

RULES

Department of Agriculture Office of Animal Health Services Livestock Sanitary Board

The Livestock Sanitary Board has amended the following regulations.

Regulation 3, Governing the Operation of Livestock Auction Markets, Section 10, Cattle Requirements. A new requirement was added:

4. All heifer calves of vaccination age going back to the farm must be vaccinated. Dairy type calves from two to six months (60 to 179 days) of age and beef type calves from two to ten months (60 to 299 days) of age are eligible to be vaccinated with *Brucella abortus* vaccine.

(The paragraph that was number 4 will now become 5, and 5 will become 6, and so on.)

* * * *

Regulation 3, Governing the Operation of Livestock Auction Markets, Section 10, Cattle Requirements. Requirement 7 was amended to read as follows:

7. The sale of all male and female cattle twenty months of age and over for dairy breeds and twenty-four months of age and over for beef breeds as evidenced by the presence of the first pair of permanent incisor teeth, and including animals under these ages which are parturient or post-parturient that are not tested shall be identified by branding with heat the letter "S", (at least 2 x 2 inches) on the left jaw or high on the tail-head so as to be visible from ground level and will be restricted to:

- a. Recognized slaughter establishments for direct movement to these establishments.
- b. Representatives of specifically approved out-of-state slaughter establishments.
- c. Permitted state-federal quarantined feed lots.
- d. Auction operators to support prices as required by United States Department of Agriculture, Packers and Stock-

yards Division. These untested cattle twenty months of age and over for dairy breeds and twenty-four months of age and over for beef breeds as evidenced by the presence of the first pair of permanent incisor teeth, and including animals under these ages which are parturient or post-parturient, that are purchased by the auction market operator to support prices shall maintain original, white official backtags until sold for slaughter on the next sale day.

Exceptions: Steers and spayed heifers.

* * * *

Regulation 3, Governing the Operation of Livestock Auction Markets, Section 13, Equine Requirements. Exception "b" of Paragraph A was deleted. This exception read:

b. Horses consigned for slaughter and purchased by individuals must have a blood sample drawn for equine infectious anemia testing before the animal can leave the auction market. This sample must be collected by an accredited veterinarian and submitted to an approved laboratory. Horses may then move from the auction market to the purchaser's premises under quarantine issued by Livestock Sanitary Board personnel until results of Coggins test are received. If an animal is found to be positive, it must be properly identified and will remain under quarantine until sold for immediate slaughter. Owner may request confirmation test of positive animal(s) at time of identification and blood sample will be collected by a state-employed veterinarian and forwarded to an approved laboratory for confirmation.

* * * *

Regulation 4, Governing the Sale of Livestock in Louisiana by Livestock Dealers, Section 2, Cattle Requirements. A new requirement was added.

(C) All heifer calves of vaccination age going back to the farm must be vaccinated. Dairy type calves from two to six months (60 to 179 days) of age and beef type calves from two to ten months (60 to 299 days) of age are eligible to be vaccinated with *Brucella abortus* vaccine.

The requirement that was (C) will now become (D) and (D) will become (E).

* * * *

Regulation 5, Governing the Sale and Purchase, Within Louisiana, of all Livestock not Governed by other Regulations of the Livestock Sanitary Board, Section 1, Cattle Requirements. Paragraph B was amended to read as follows:

B. It is a violation of this regulation to purchase cattle in Louisiana, not governed by other regulations of the Livestock Sanitary Board, for any purpose other than immediate slaughter unless they are accompanied by a valid thirty-day negative brucellosis test certificate. All heifer calves of vaccination age going back to the farm must be vaccinated. Dairy type calves from two to six months (60 to 179 days) of age and beef type calves from two to ten months (60 to 299 days) of age are eligible to be vaccinated with *Brucella abortus* vaccine. No cattle may be purchased from brucellosis quarantined herds except as provided for in Regulation 16.

* * * *

Regulation 28, Governing Equine Infectious Anemia, Section 1, Equidae Required to be Tested. Exception (b) of paragraph 3 was deleted. Exception (b) read:

(b) Horses consigned for slaughter and purchased by individuals must have a blood sample drawn for equine infectious anemia testing before the animal can leave the auction market. This sample must be collected by an accredited veterinarian and submitted to an approved laboratory. Horses may then move from the auction market to the purchaser's premises under quarantine issued by Livestock Sanitary Board personnel until results of Coggins test are received. If an animal is found to be

positive it must be properly identified and will remain under quarantine until sold for immediate slaughter. Owner may request confirmation test of positive animal(s) at time of identification and blood sample will be collected by a state-employed veterinarian and forwarded to an approved laboratory for confirmation, as required in Regulation 3, Section 13, Paragraph A, Subparagraphs a and b.

Forrest E. Henderson, D.V.M.
State Veterinarian

RULE

Board of Elementary and Secondary Education

Rule 3.01.51n (Replaces existing policy). The Board amended Bulletin 741, *Handbook for School Administrators*, page 14, Requirements for High School Graduation, to read as follows:

The units required for graduation shall include the following:

English **4 units***
Three of the four units must be selected from English I, II, III, or IV. The fourth unit may be the remaining unit in English, a speech or journalism course. A course may be developed at the local level to be used as the fourth required unit. It must be approved by the State Department of Education and may be derived from needs of students as determined by the State literacy assessment, needs assessment, or minimum competency program. (A course in basic reading may be offered as an elective to enable students who need it to take the four English units required. However, it will not count as one of the four required units in English.)

Free Enterprise** **½ unit**
Health and Physical Education*** **2 units**

Each required unit must include thirty hours of health instruction. Health and physical education shall include instruction in cardiopulmonary resuscitation (CPR). (Effective September, 1980.)

Mathematics **3 units***
A course may be developed at the local level to be used as one of the required units. It must be approved by the State Department of Education and may be derived from needs of students as determined by the state literacy assessment, needs assessment, or minimum competency program.

Science **2 units**
Social Studies **2 units**

Two units in social studies shall be required. One unit must be in American history, and one unit must be in civics or an equivalent course in citizenship education as approved by the State Department of Education.

Total required **13 ½ units***
Electives **8 ½ units**
Total required for graduation **22 units***

*These requirements apply to high school students graduating after January 1, 1983. Prior to that date, high school graduation requirements shall be those in effect for 1978-79.

**Does not apply to nonpublic schools.

***Note: "Special Requirements."

James V. Soileau, Executive Director
Board of Elementary and Secondary Education

RULES

Board of Regents

The Board of Regents has amended policy 2.2 (Rev.), Letters of Intent, and policy 2.3, Review of Proposed Academic Programs, as follows.

2.2 (Rev.) Letters of Intent

The purpose of letters of intent is to strengthen the planning and coordination of academic programs by allowing the Board of Regents to review summaries of projected programs while they are still in the formative stage. Accordingly, institutions of higher education shall transmit letters of intent to the Commissioner of Higher Education for all academic programs to be proposed. A letter of intent must be filed separately for each program to be submitted. Each letter of intent should be limited to three pages or less. It should provide the title, a brief description, and purpose of the projected programs, and demonstrate that the program would:

1. Be within the role and scope of the institution.
2. Complement and strengthen existing programs at the institution.
3. Avoid unnecessary duplication of programs at other state-supported institutions.
4. Supply present and future manpower needs.
5. Be within the institution's anticipated resources.

a. Letters of intent have no binding qualities. Institutions may later decide to alter or cancel plans for projected programs. Letters of intent will not affect the authority of management boards to dispense with proposed programs as they deem appropriate. Communications and deliberations pursuant to a letter of intent will imply neither approval nor disapproval of the subsequent program by the Board of Regents.

b. Letters of intent must be filed at least twelve months in advance for the submittal of baccalaureate, master's, specialist, and doctoral programs; and ninety days in advance for the submittal of certificate and associate programs. Under unusual circumstances, institutions may at any time request the Board of Regents to waive these requirements.

c. The staff will submit periodic reports to the Board of Regents summarizing both the letters of intent on file and deliberations with institutions pertaining to them.

d. This policy shall not be interpreted to restrict actions which the Board of Regents may take during the reviews of existing academic programs.

2.3 Review of Proposed Academic Programs

Deadline for Submitting Requests	Board Reviews
February 1	April
September 1	November

This policy shall not be interpreted to restrict actions which the Board of Regents may take during the reviews of existing academic programs.

* * * *

The Board has adopted new policy 2.11, Responses from Institutions and Systems to Reports of Consultants Relative to the Review of Existing Academic Programs.

2.11 Responses from Institutions and Systems to Reports of Consultants Relative to the Review of Existing Academic Programs

In accordance with timetables established by the Commissioner of Higher Education, institutions and systems shall submit formal responses to reports of consultants who review existing academic programs. These responses shall concisely state reactions to each of the weaknesses and problematic areas consultants identify in their reports. The Commissioner of Higher Education shall monitor consultant's reports and responses from institutions and systems to ensure that the intent of this policy is fulfilled. When the

Commissioner of Higher Education receives responses which are incomplete, he shall direct institutions either to prepare appropriate addenda or submit revised responses.

* * * *

The Board has amended page 23 of the *Master Plan for Higher Education in Louisiana* to include a sixth regional council which consists of the University of Southwestern Louisiana, McNeese State University, and Louisiana State University-Eunice.

William Arceneaux
Commissioner of Higher Education

RULES

Office of the Governor Landscape Architects Selection Board

Rules For Selection Procedure

Pursuant to the provisions of Act 721, 1975 Regular Legislative Session (R.S. 38:2310 through R.S. 38:2316, Revised Statutes of 1950) effective date September 12, 1975, the Louisiana Landscape Architects Selection Board, hereinafter referred to as Board, has promulgated such rules and procedures as it deemed necessary to carry out the provisions of the said statutes. These rules are established by the Board, and are subject to change by said Board, in accordance with the Administrative Procedures Act.

Article I—Name. The name of the Board is the "Louisiana Landscape Architects Selection Board," hereinafter referred to as "Board," and its domicile shall be in Baton Rouge, Louisiana.

Article II—Authority. The Louisiana Landscape Architects Selection Board shall be organized in accordance with the provisions of Act 721, 1975 Regular Legislative Session (R.S. 38:2310 through R.S. 38:2316, Revised Statutes of 1950) effective date September 12, 1975, as amended by Act 525, 1976 Regular Legislative Session.

Article III—Objective. The objective of this Board is to provide a system for the procurement of services rendered by landscape architects, licensed to practice in the State of Louisiana, that is impartial, equitable, and in the best public interest of the citizens of Louisiana.

Article IV—Members.

Section 1. The Board shall be composed of five members, serving terms in accordance with the provisions of the authority stated in Article II.

Section 2. Any member desiring to resign from the Board shall submit his resignation in writing by registered mail to the Governor of Louisiana and the President of the Louisiana Society of Landscape Architects with copies addressed to the Chairman of the Board. The effective date of resignation shall be the date of registered mailing to the Governor's Office.

Section 3. The filling of a Board vacancy for the unexpired term due to resignation, or death, or removal from office by just cause, shall be made in accordance with the provisions of the authority stated in Article II.

Article V—Officers.

Section 1. The officers of this Board shall be a chairman and a secretary, elected by the Board at the first regular meeting following each January 1 and July 1.

Section 2. The duties of the chairman shall be as follows:

- a. Be the presiding officer at meetings of the Board.
- b. Call meetings of the Board
- c. Coordinate the activities of the Board
- d. Appoint all committees and serve as an ex officio member thereof

e. Be responsible for implementing all orders and resolutions of the Board

f. Have the authority to issue the official advertisement of the intent of an agency to contract for design services

Section 3. The duties of the secretary shall be as follows:

- a. In the event of absence or incapacity of the chairman, assume his duties as outlined above
- b. Authenticate by his signature when necessary all acts, orders and proceedings of the Board, including the minutes
- c. Tabulate and record the results of all balloting at the meetings

Article VI—Meetings.

Section 1. A regular meeting of the Board shall be held on the last Friday of January and July, in the State Capitol Building.

Section 2. Special meetings may be called by the Chairman or shall be called upon the written request of a simple majority of the total membership of the Board. Except in cases of emergency, at least three days notice shall be given for special meetings.

Section 3. A simple majority of all members of the Board shall constitute a quorum.

Section 4. All meetings shall be held in public. There will be no participation at the meetings other than from members of the Board.

Article VII—Committees. Committees, standing or special, shall be appointed by the chairman of the Board as he shall deem necessary to carry on the work of the Board.

Article VIII—Parliamentary Authority. The rules contained in the current edition of *Robert's Rules of Order, Newly Revised*, shall govern the Board except as modified herein or as provided for in Article X, Amendments to Rules.

Article IX—Voting. Only the votes of members present at the meeting shall be counted in the Board's official actions. Proxy votes are not allowed.

Article X—Amendments to Rules. These rules may be amended in accordance with the Louisiana Administrative Procedures Act.

Article XI—Application.

Section 1. Any applicant (proprietorship, partnership, corporation, or joint venture of any of these) meeting the requirements of Title 38 of the Louisiana Revised Statutes of 1950, R.S. 38:2310 through R.S. 38:2316, may submit an application for selection consideration for a particular project upon which official advertisement has been published. The information submitted shall contain data concerning its experience, previous projects undertaken, present state projects now being performed, scope and amount of work on hand, and any other information that the Board deems appropriate.

Section 2. The Louisiana Landscape Architects Selection Board adopts the use of Form L LA-1 as the format for submitting a firm's experience to the Board. In this Form L LA-1, the principal listed in 2A, shall be defined as follows: "Principal: a licensed landscape architect who has the right and authority to exercise control over the project; who shares in profits, losses, and responsibility for incurred liabilities." The Board has the right to require proof of compliance with the above definition. Only the form shall be sent to Facility Planning and Control and any supporting data may be sent to the Board members individually.

Section 3. Consultants may be listed at the option of the applicant.

Section 4. All applications to be considered shall be received by the Board at the office of Facility Planning and Control Department during the time prescribed in the advertisement.

Section 5. The Board may, at its option and with the concurrence of the Division of Administration and the user agency, conduct design competitions in accordance with nationally ac-

cepted professional standards. Final selection of the applicant from among the competition submissions will be made within thirty days of deadline date of receipt of the entries. No closed competitions will be allowed.

Article XII—Application Review. After the deadline for applications, the Division of Administration shall forward copies of the applications together with any available description of the job to the Board members. A meeting of the Board shall be called within thirty days after the deadline for application. A list of three to five applicants will be developed by each Board member to use for final selection.

Article XIII—Selection. The selection procedure shall be as follows:

a. The chairman shall provide a tabular listing of all projects under consideration to include a short title, location, and estimated cost. Projects shall be listed in descending order by estimated cost; the projects with the highest estimated cost listed first.

b. User agency shall give scope of project and make recommendations with supporting data of a firm or firms for the project under consideration.

c. Discussion of applications and recommendation by the Board members.

d. The Board shall then take a vote. Each Board member present shall by written ballot vote for up to three applicants. This vote is a weighted vote: first choice three points, second choice two points, third choice one point.

e. The Secretary shall tabulate these ballots aloud and report to the Board the results of the balloting.

f. In case of a tie for nomination, there shall be a run-off election to reduce the nominees to two in accordance with procedures prescribed in "d" of this section.

g. The two applicants receiving the most votes shall be considered nominated then be voted on by written ballot, each board member—one vote.

h. The results of this balloting shall be announced by the Secretary. The applicant selected must receive a majority vote.

i. In case no applicant receives a majority vote for selection, a discussion will be held, and new balloting for selection shall take place as specified in "c" above.

Article XIV—Severability. If any provision or item of these rules or the application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications of these rules which can be given effect without the invalidated provisions, items, or applications and to this end the provisions of these rules are hereby declared severable.

James R. Turner, Acting Chairman
Landscape Architects Selection Board

RULES

Office of the Governor Tax Commission

Personal Property Rules and Regulations

For appraising personal property the following criteria or guidelines shall be used:

I. "Guidelines for ascertaining the Fair Market Value of Business and Industrial Personal Property" shall be used to assess all personal property except oil and gas producing property. Guideline tables shall be updated based on the cost indexes as of October 1, 1976, and each four years thereafter.

II. "Guidelines for Ascertaining the Fair Market Value of Oil and Gas Producing Property" shall be used to assess only oil and gas producing property.

III. Each assessor shall subscribe to the updated version of the "Louisiana Property Assessment Manual for Assessing Officials" Volume 2, Personal Property, published by Hunnicut & Associates, Inc., which is to be used to verify the information submitted on the annual property tax report or only where cost cannot be obtained from the taxpayer.

IV. Leased Equipment.

A. "Manufacturer—Lessor" Equipment not for sale. The income approach to value shall be the appropriate procedure in determining fair market value inasmuch as there are no sales for market comparison and cost of production does not truly represent the value of the property. The gross potential income shall be submitted by the manufacturer-lessor to each assessment jurisdiction.

The Louisiana Tax Commission shall review the files of the manufacturer-lessor and allow a reasonable field and direct service expense amount to arrive at a net effective income. This equipment shall have a ten-year life and in no case be depreciated below seventy percent of fair market value arrived at in the income approach to value. The Louisiana Tax Commission hereby establishes a capitalization rate of 16.2 percent to be used against net effective income for the year 1979 and subsequent years. However, the Louisiana Tax Commission may change the capitalization rate from year to year, at public hearings, to reflect the correct and current capitalization rate of this equipment. This equipment shall be assessed using the fair market value as derived by the income approach as follows:

First Assessment Year—Fair market value \times 15% = assessed value.

Second Assessment Year—Fair market value less 10% obsolescence = adjusted fair market value (90%) \times 15% = assessed value.

Third Assessment Year—Fair market value less 20% obsolescence = adjusted fair market value (80%) \times 15% = assessed value.

Fourth Assessment Year—Fair market value less 30% obsolescence = adjusted fair market value (70%) \times 15% = assessed value.

B. "Manufacturer—Lessor" Equipment For Sale.

1. Computer Equipment.

a. Main frame, on-line peripheral equipment (storage, printer-connected to the main frame) and system support software will have a seven-year life.

The manufacturer-lessor shall submit to each of the assessment jurisdictions, the present day selling price—new, of this equipment. If such information is not available, then the last published selling price shall be used and shall be factored to present day selling price—new, in accordance with Marshall Swift manual.

The present day selling price—new shall represent the base of arriving at assessment and fair market value in all cases concerning the assessment of this equipment. The assessor shall take into consideration the effective age of the equipment and allow depreciation at the rate of fourteen percent per year for each year of effective age of the equipment, but in no case is the equipment to be depreciated below forty-four percent of present day selling price—new.

b. Off-line equipment such as sorters, printers, and other computer oriented equipment located off-line and not attached to the main frame, will have a ten-year life and shall be valued on the basis of published selling price and assessed in accordance with the guidelines for ascertaining the fair market value of business and industrial personal

property utilizing the appropriate table for composite multipliers on equipment with a ten-year life.

2. Equipment leased and offered for sale other than computer equipment shall have an economic life of seven years. The manufacturer-lessor shall submit to each of the assessment jurisdictions, the present day selling price—new, of this equipment. If such information is not available, then the last published selling price shall be used and shall be factored to present day selling price—new, in accordance with Marshall Swift manual.

The present day selling price—new, shall represent the base of arriving at assessment and fair market value in all cases concerning the assessment of this equipment. The assessor shall take into consideration the effective age of the equipment and allow depreciation at the rate of fourteen percent per year for each year of effective age of the equipment, but in no case is the equipment to be depreciated below forty-four percent of present day selling price—new.

All leased personal property, when the manufacturer is the lessor, shall be reported, itemized by and assessed to the lessor in the taxing district where the property is located on January 1 of each year. The lessee shall be required to furnish the owner's name and address. The fair market value of such leased personal property shall be determined by the methods aforementioned.

C. Leased personal property, when the lessor is not the manufacturer, shall be reported by and assessed to the lessor in the taxing district where the property is located on January 1 of each year. The lessee shall be required to furnish the owner's name and address. The fair market value of such leased personal property shall be determined in the same manner as any other personal property.

V. Leasehold improvements are expenditures by the lessee to real or personal property to make the property adaptable to his use. The fair market value of such leasehold improvements shall be determined in the same manner as other real or personal property. Leasehold improvements shall be reported by and assessed to the lessee in the taxing district where the property is located as of January 1 of each year.

VI. Inventory shall be valued at cost or the purchase price at the point of origin plus the carrying charges to the point of destination. The assessed value shall be based upon fifteen percent of the average annual inventory cost for the preceding calendar and/or fiscal year. Any inventory that existed less than a full year shall be averaged for the months it had situs at the reported location.

C. Gordon Johnson, Chairman
Tax Commission

RULE

Department of Health and Human Resources Office of Health Services and Environmental Quality

The Department of Health and Human Resources, Office of Health Services and Environmental Quality has adopted a policy to permit mechanical sewage treatment plants (individual aerobic wastewater treatment plants) for use to treat wastewater from individual homes. The following conditions must be met before a permit will be issued:

1. A mechanical sewage treatment plant will be permitted only where individual sewage disposal facilities would currently

be permitted under prevailing rules as set forth in Chapter 10 of the *State Sanitary Code*.

2. A mechanical sewage treatment plant will be permitted in lieu of a conventional septic tank system (septic tank-absorption field) only where the septic tank system could not be expected to function properly as determined by soil percolation tests run and/or observed by an authorized representative of the Department of Health and Human Resources, Office of Health Services and Environmental Quality.

3. Permitted mechanical plants shall comply with "Standards Number 40 Relating to Individual Aerobic Wastewater Plants" adopted by the Board of Trustees of the National Sanitation Foundation (NSF), Ann Arbor, Michigan, on November 13, 1970, Revised November, 1978. The Department of the State Register has chosen not to publish the Standard in accordance with R.S. 49:954.1C. Copies of this standard may be acquired from the National Sanitation Foundation, Box 1468, Ann Arbor, Michigan 48106. Copies of the Standard will also be available for review in the Office of Health Services and Environmental Quality, Central Office and Regional Offices.

4. Whereas NSF Standard Number 40 includes two classes of plants designated as Class I and Class II, only Class I plants will be permitted in Louisiana.

5. Manufacturers of individual sewage treatment plants intending to sell plants in Louisiana shall submit evaluation reports to Office of Health Services and Environmental Quality, Division of Environmental Services, Box 60630, New Orleans, Louisiana 70160, indicating compliance with applicable provisions of NSF Standard Number 40 prior to selling plants in the state. The compliance evaluation report shall be prepared by an appropriate independent testing laboratory or other unbiased institution, i.e. a college. Office of Health Services and Environmental Quality will maintain a list of acceptable plants which may be amended periodically.

a. Effective date of this Rule shall be April 20, 1979. However, during the period April 20, 1979, through November 17, 1981, plants shall be required to meet the requirements for Class I plants as per NSF Standard Number 40 as adopted on November 13, 1970.

b. After November 17, 1981, all plants shall be required to meet NSF Standard Number 40 for Class I plants as revised November, 1978.

William A. Cherry, M.D.
Secretary and State Health Officer
Department of Health and Human Resources

RULES

Department of Health and Human Resources Office of the Secretary

Amendments to the Facility Manual Where Department of Health and Human Resources Funds Are Used to Care for Handicapped Persons

1. Under the Section entitled "Levels of Care," change the fourth paragraph to read, "Classification of level(s) of care shall be based upon actual staff ratios, actual care and supervision needed by the resident population, programs provided, and ancillary support services required."

2. Under the Section entitled "Cost-Related Reimbursement," change the fourth paragraph to read, "Prior to approval for receipt of Department of Health and Human Resources funds, a new

facility shall be required to submit a projected annual budget covering the facility's first fiscal year. The projected budget shall be submitted on the required cost report form and include detailed information to substantiate the report based on allowable cost as set forth in this manual. The projected budget shall form the basis for the establishment of the rate for the facility's initial year of operation."

3. Under the subsection entitled, "Clothing and other personal need costs," change the first paragraph to read, "A. Client's personal wardrobe when necessary, not to exceed four hundred dollars per client annually, including initial and replacement clothing; such items will be the client's personal property which he may take with him upon discharge."

4. Delete in its entirety the subsection entitled "Occupancy Limits" and renumber the subsection entitled "Other Limits" as number 4 under "Limits of Reimbursement."

5. Under the subsection entitled "Other Limits," add a fourth paragraph to read as follows, "In subsequent years, current economic indicators will be used to determine an inflation factor in calculating the per diem rate."

6. Under the definition of "New Facility," change definition A. to read as follows, "A. Any facility not receiving funds from Department of Health and Human Resources the entire preceding state fiscal year, or. . ."

William A. Cherry, M.D., Secretary
Department of Health and Human Resources

Notices of Intent

NOTICE OF INTENT

**Department of Agriculture
Office of Agricultural and Environmental Sciences
Seed Commission**

In accordance with the authority vested in the Louisiana Seed Commission by Part 1 of Chapter II of Title 3 of the Louisiana Revised Statutes of 1950, and in accordance with the provisions of the Administrative Procedures Act, R.S. 49:951-968, notice is hereby given of intent to establish standards and regulations for the production of certified lespedeza seed.

Lespedeza Seed Certification Standards

I. Application and Amplification of General Standards.

A. The General Seed Certification Standards as adopted by the Louisiana Seed Commission are basic and together with the following specific standards constitute the standards for certification of lespedeza seed.

B. The General Standards are amplified as follows to apply specifically to lespedeza seed. A field is eligible for certification if grown from foundation or registered seed stock approved by the Louisiana Seed Commission.

II. Number of Varieties.

A. Only one variety shall be grown per farm.

B. All of one variety produced on a farm must be inspected for certification.

III. Land Requirements.

A. A variety will not be eligible for certification if planted on land where lespedeza other than a crop eligible for certification and of the same variety has had opportunity to mature seed during the previous five years.

B. A land inspection will be made before the ground is prepared for seeding.

IV. Field Inspection.

A. Seed fields will be inspected by a representative of the Louisiana Department of Agriculture when the crop is approaching maturity.

B. A crop automatically becomes ineligible for certification if harvested before field inspection is made.

V. Field Standards.

A. General

1. Unit of Certification: A field or portion of a field may be certified. If a field is to be divided for the purposes of certification it shall be separated by a strip at least five feet wide mowed before the time of field inspection.

1. Isolation: All fields for certification shall be separated from other fields by a definite boundary of ten feet free of lespedeza.

3. Management: Poor stands, lack of vigor, evidence of poor cultural care or other conditions that would bring certified seed into disfavor shall be cause for rejection.

B. Specific Requirements.

Factor	Maximum Permitted in each Class		
	Foundation	Registered	Certified
Other Varieties	1:1000	1:400	1:100
Other Crops (inseparable)	1:500	1:200	1:100
Noxious Weeds	none	none	none

VI. Seed Standards.

Factor	Foundation	Registered	Certified
Pure Seed (Minimum)	98.0%	98.0%	98.0%
Other Varieties (Maximum)	0.1%	0.25%	1.0%
Other Crops (Maximum)	0.1%	0.25%	0.5%
Inert Matter (Maximum)	2.0%	2.0%	2.0%
Weed Seeds (Maximum)	0.5%	1.0%	1.0%
Noxious Weeds	none	none	none
*Total Objectionable Weeds (minimum)	0.05%	0.1%	0.15%
Germination	80.0%	80.0%	80.0%
Total Other Crop Seeds	0.2%	0.5%	1.5%

*Objectionable weeds; the seed of which is difficult to separate by mechanical means, not to exceed good farming practices.

*Objectionable Weeds

Digitaria spp	(Crabgrass)
Ambrosia artimisiifolia	(Ragweed)
Polygonum spp	
Paspalum spp	
Chenopodium spp	(Goosefoot, Pigweed)
Solanum spp	
Daucus carota	(Wild Carrot)
Setaria spp	(Foxtail)

Written comments and inquiries may be addressed through May 4, 1979, to Mr. Richard Carlton, State Entomologist, Office of Agricultural And Environmental Sciences, Box 44153, Baton Rouge, Louisiana 70804.

Richard Carlton, Secretary
Seed Commission

NOTICE OF INTENT

**Department of Agriculture
Office of Animal Health Services
Livestock Sanitary Board**

Notice is hereby given that the Louisiana Department of Agriculture, Office of Animal Health Services, Livestock Sanitary Board, intends to amend its Regulation 15, Governing Acceptance of the

Milk Ring Test; Regulation 16, Governing the Movement of Cattle from Brucellosis Quarantined Herds; Regulation 17, Defining Brucellosis Infected, Exposed, Negative, and Delinquent Herds; and Regulation 18, Governing Area Brucellosis Certification and Recertification. The regulations will be modified to provide that a commercial dairy herd that has passed four consecutive, negative milk ring tests within the last twelve months, the tests being no less than two months nor more than four months apart, will be considered a negative herd and will not be required to be blood tested as long as the herd continues to have milk ring tests four times each year, no less than two months nor more than four months apart, and the results of the tests remain negative.

Interested persons may address written comments or suggestions through May 4, 1979, to Dr. Forrest E. Henderson, State Veterinarian, Box 1951, Baton Rouge, Louisiana 70821. Comments, both oral and written, will also be accepted at the meeting which the Board will conduct at 12055 Airline Highway, Baton Rouge, Louisiana. The date of the meeting has not yet been set. Dr. Henderson is the person responsible for responding to inquiries about the proposed rules.

Forrest E. Henderson, D.V.M.
State Veterinarian

NOTICE OF INTENT

Department of Commerce Racing Commission

The Louisiana State Racing Commission intends to amend Section 30.9 of the rules of the Commission as follows:

§30.9 The State Steward shall lock all pari-mutuel ticket issuing machines and sound the "off" bell when the horses leave the starting gate. The horses shall be at the starting gate at post time, which shall not be changed after the horses leave the paddock. The starter shall immediately load the horses in the starting gate and start the horses as soon as possible thereafter in order to avoid delay. The State Steward, or the acting State Steward, may delay compliance with this rule in unusual circumstances. At the discretion of the State Steward the ticket issuing machines may be unlocked prior to the declaration that the result of the race is official. However, in no case shall the mutuel cashiers' windows be opened until after the declaration that the result of the race is official.

A copy of the proposed Section 30.9 may be obtained by telephoning the Commission at 504-568-5870 or by writing to Suite 1020, One Shell Square, 701 Poydras Street, New Orleans, Louisiana 70139.

The Office of the Commission will be open from 9:00 a.m. to 4:00 p.m. and interested persons may call Ms. Rosalie Robinson during this time, holidays and weekends excluded. All interested persons may submit written comments relative to this rule through May 4, 1979.

Albert M. Stall, Chairman
Racing Commission

NOTICE OF INTENT

Department of Culture Recreation and Tourism Office of the State Museum

The Department of Culture, Recreation and Tourism, Office of the State Museum, proposes to amend rules and regulations fixing

the charges (fees) for non-museum functions in museum buildings effective June 6, 1979.

These rules are to be enacted under the authority granted to the Department of Culture, Recreation and Tourism under R.S. 36:1-960 and previously to the Board of Directors of the Louisiana State Museum under the provisions of R.S. 25:344.

Proposed Policy Use of Museum Facilities

The Louisiana State Museum Board is responsible for the preservation of the historic buildings and collections placed in its care. In order to meet its responsibilities, the Museum Board proposes to adopt the following policy for the use of the Museum's buildings for activities not sponsored by the Louisiana State Museum.

Requests for use of the Louisiana State Museum facilities will be entertained from:

A. Nonprofit organizations whose purposes are similar to the educational and historic museum purposes of the Louisiana State Museum.

B. Governmental agencies of the United States, the State of Louisiana, and the City of New Orleans.

C. Other groups and individuals whose proposed usage does not involve commercial or political promotion or fund raising and whose proposed usage is, in the Board's opinion, not in conflict with the purpose of the Louisiana State Museum.

Conditions of usage:

A. Usage will be limited to functions numbering less than five hundred for the Cabildo and Presbytere and less than fifty for the 1850 House and Madame John's Legacy.

B. All eligible requests must be submitted at least one month prior to the anticipated function on forms supplied by the Louisiana State Museum.

C. A base charge will be required to cover cost of security, custodial, and utility services required for the function. Added charges may be required based on the nature of the function.

D. In addition to the base charge, applications from groups eligible under category "C" will be required to donate a tax deductible gift to the Museum's educational, acquisitions, and publications fund according to the following schedule:

Cabildo	\$4,000
Presbytere	\$3,000
1850 House	\$1,000
Madame John's Legacy	\$1,000

In consideration of eligible requests, the Museum Board will deny the application if, in the Board's opinion, the proposed usage would endanger the Museum's buildings and collections.

The Museum Director is authorized to allow usage of the Presbytere auditorium to groups eligible under categories "A" and "B." All other requests for usage must be submitted to the State Museum Board.

Written comments relating to this notice of intent may be submitted through May 4, 1979, to F. Clancy Dupepe, Chairman, Board of Directors, Louisiana State Museum, Box 2458, New Orleans, Louisiana 70176.

J. Larry Crain, Secretary
Department of Culture, Recreation and Tourism

NOTICE OF INTENT

Board of Trustees for State Colleges and Universities

In accordance with the laws of the State of Louisiana and with reference to the provisions of Title 30 of the Louisiana Revised Statutes of 1950, as amended, and under the authority of Article VIII, Section 6 of the 1974 Constitution, a public hearing will be

held at the University of Southwestern Louisiana, Lafayette, Louisiana beginning at 9:30 a.m. on May 25, 1979.

At such hearing the Board will consider amendment to Part IX, Athletic Policies and Procedures, and specifically: 9.5 A, Eligibility, Subsection 9 (amend); 9.5 A, Eligibility, add Subsection 17 (reinstate old policy VB7); and 9.7 D, Supplemental Policies (amend).

The Board of Trustees for State Colleges and Universities shall accept written comments until 4:30 p.m., May 11, 1979, at the following address: Susan Sheets, Board of Trustees for State Colleges and Universities, Box 44307, Baton Rouge, Louisiana 70804.

The public is made aware of the proposed policies and procedures in compliance with R.S. 49:951-968.

All interested persons will be accorded reasonable opportunity to submit data, views, comments or arguments at the regular May Board meeting.

Bill Junkin, Executive Director
Board of Trustees for State Colleges and Universities

NOTICE OF INTENT

Board of Elementary and Secondary Education

The State Board of Elementary and Secondary Education intends to adopt, as policy, the following at its May 24, 1979 meeting:

1. Addition to the Policies and Procedures of the Board relative to Board advisory councils.
2. Adoption of the Competency Based Education Plan as presented by the Department of Education.
3. Policy relative to an equal opportunity statement in order to comply with Title VI, Title IX and Section 504 of the Rehabilitation Act of 1973.
4. Establishment of a registry of approved project evaluators as follows: The Board together with the Department of Education would establish a registry of approved project evaluators. Agencies within Louisiana elementary and secondary communities who are seeking evaluation services would select their evaluators from the registry. An entry into the registry would be completed by the submission of credentials to the Office of Research and Development to be recommended to the Board for approval. These approved firms or agencies are for contracted, designed evaluations only and the individual who performs the evaluation must meet the criteria and be approved.
5. Amendment to page 4 (page 146 of Bulletin 741, *Handbook for School Administrators*), of the "Standards for Approval of Nonpublic Schools," under number 2, paragraph 3, to read as follows: "Those teachers who have taught for a period of at least five years prior to September 1, 1977 may be retained in a school, provided they were employed in that school during the school year 1978-79 and provided their teaching performance is satisfactory. However, these teachers are only eligible to teach in the subject areas of experience as listed prior to September 1, 1977. A list of these teachers and their subject areas of experience must be submitted to the State Department of Education upon request. Upon retirement or replacement, these teachers must be replaced with degreed teachers eligible under the nonpublic school standards."
6. Revision to Policies and Procedures of the Board relative to notice required for purposes of calling special Board meetings.

Interested persons may comment on the proposed policy changes and/or additions, in writing, until 4:30 p.m., May 9, 1979, at the following address: James V. Soileau, Executive Director,

State Board of Elementary and Secondary Education, Box 44064, Baton Rouge, Louisiana 70804. Mr. Soileau is the person responsible for responding to inquiries about the proposals.

James V. Soileau, Executive Director
Board of Elementary and Secondary Education

NOTICE OF INTENT

Board of Supervisors of Louisiana State University

The Board of Supervisors of Louisiana State University and Agricultural and Mechanical College intends to amend Section 4-3 and Section 4-4 of Chapter IV of the *University Regulations* pertaining to insurance and retirement, as follows:

Section 4-3. Retirement Plans. All nonstudent regular employees of the University System will be members of one of the following retirement plans, unless ineligible by provisions of the retirement system.

A. LSU Retirement System. The LSU Retirement System as provided by R.S. 17:1611, et seq., was abolished effective January 1, 1979, by the provisions of Act 643 of the 1978 Louisiana Legislature. Members of the LSU Retirement System on December 31, 1978, continuing in employment were required under the provisions of Act 643 of 1978 to become members of either the Teachers' Retirement System of Louisiana or the Louisiana State Employees' Retirement System.

B. LSU Retirement Plan. Employees who were members of this plan on December 31, 1978, except certain employees referred to in D. below, were required to become members of either the Teachers' Retirement System of Louisiana or the Louisiana State Employees' Retirement system effective January 1, 1979. Provisions for benefits from this plan are contained in "LSU Retirement Plan" authorized by the Board.

C. Teachers' Retirement System of Louisiana and the Louisiana State Employees' Retirement System. Persons becoming employed by any unit of the LSU System on or after January 1, 1979, shall as a condition of employment, if eligible, become a member of either the Teachers' Retirement System of Louisiana or the Louisiana State Employees' Retirement System.

D. United States Civil Service Retirement System. Personnel of the Cooperative Extension Service who are required to become members of the United States Civil Service Retirement System shall be members of that system. Such personnel whose date of employment was prior to December 15, 1950, (and who were employees of the Cooperative Extension Service on that date) shall also be members of the LSU Retirement Plan, notwithstanding their membership in the United States Civil Service Retirement System. Such personnel whose date of employment was subsequent to December 14, 1950, may be entitled to supplemental benefits from the Teachers' Retirement System of Louisiana in accordance with the provisions of that system. Section 4-4. Conditions of Retirement.

A. Eligibility for retirement will be in accordance with the provisions of the respective retirement systems.

B. Retirement of all employees except law enforcement personnel shall be compulsory at attained age of seventy years, provided, however, that extension may be granted to the end of the academic session or fiscal year, as appropriate, during which age seventy was attained. Retirement of law enforcement personnel shall be compulsory at the attained age of sixty-five years

unless specific extension of employment is granted under appropriate state law and System policy; and any such extension will be given only when it is to the advantage of University System, and shall be on a year-to-year basis which in no instance shall extend beyond the end of the fiscal year during which age seventy was attained (Reference Act 160 of 1978).

* * * *

The Board of Supervisors of Louisiana State University and Agricultural and Mechanical College also intends to amend a section of the *Bylaws* to clarify the time when the Chairman-elect becomes Chairman of the Board and a new Vice-Chairman is elected. The first paragraph of Article III, Section I, will read as follows:

Section 1. Chairman and Vice-Chairman. At the first regular meeting of the Board in the third quarter of each calendar year, the Chairman-elect shall automatically become Chairman of the Board and the Board shall elect a Vice-Chairman, who shall be Chairman-elect. They shall serve for a term of one year. Should a vacancy occur in the Vice-Chairmanship, the Board shall elect a successor from its membership. The Board may elect such other officers as it may deem necessary.

Interested persons may comment on the proposed amendments to the *University Regulations* and/or the *Bylaws* through May 4, 1979, at the following address: Mrs. Kitty B. Strain, Administrative Secretary, Board of Supervisors Office, Louisiana State University, Box JG, Baton Rouge, Louisiana 70893.

M. D. Woodin
President of the University and
Secretary to the Board of Supervisors

NOTICE OF INTENT

**Office of the Governor
Tax Commission**

In accordance with the provisions of the Administrative Procedures Act, R.S. 49:951-968, notice is hereby given that the Louisiana Tax Commission intends to hold a public hearing on Tuesday, May 8, 1979, at 10:00 a.m. in the Memorial Room, First Floor, Louisiana State Library, Riverside Mall, Baton Rouge, Louisiana 70804, for the purpose of adopting changes in Rule I of the Personal Property Rules and Regulations in reference to the date for trending and indexing cost and to establish rules and regulations to maintain procedures as prescribed by Section 1, Paragraph B of Act 556 of the Regular Session of 1978 in reference to R.S. 47:2328.

Interested persons may comment on the proposed regulations, in writing, through May 4, 1979, at the following address: Mr. C. Gordon Johnson, Chairman, Louisiana Tax Commission, Box 44244, Baton Rouge, Louisiana 70804. Mr. Johnson is the person responsible for responding to inquiries on the above proposed changes to the rules and regulations.

C. Gordon Johnson, Chairman
Tax Commission

NOTICE OF INTENT

**Department of Health and Human Resources
Air Control Commission**

The Federal Clean Air Act Amendments of 1977 require states to charge fees for permits. The state Legislature has passed Act 383

authorizing the Louisiana Air Control Commission (LACC) to charge permit fees to recover the cost of the permit system. These fees are to go into effect by July 1, 1979. Copies of the proposed fees and supporting data will be available for inspection at the locations listed below.

Also, rules promulgated by the United States Environmental Protection Agency in the *Federal Register*, October 5, 1978, require the state to develop a State Implementation Plan implementing the National Ambient Air Quality Standard for Lead. This plan is to be submitted to the Environmental Protection Agency by July 5, 1979.

The Commission also proposes to consider other minor changes and revisions to regulations or State Implementation Plan as warranted.

The Commission will meet at 10:00 a.m., May 22 and June 26, 1979, in the New Orleans City Council Chambers, 1300 Perdido Street, to discuss and consider the adoption of the proposed fee schedule, lead standards, State Implementation Plan revisions, and possible minor changes in its regulations.

The person within the agency responsible for responding to inquiries about the proposed rule modifications is James F. Coerver, Box 60630, New Orleans, Louisiana 70160; telephone (504) 568-5121. Written comments may be submitted to the above address through June 25, 1979.

Data concerning these proposed changes will be available for review at the following locations at least thirty days prior to the meetings:

1. State Office Building, 325 Loyola Avenue, Room 409, New Orleans
2. East Baton Rouge Parish Health Unit, 353 North Twelfth Street, Room 83, Baton Rouge,
3. State Office Building, 1525 Fairfield Avenue, Fifth Floor, Shreveport
4. Office of Health Services Building, 1505 North Nineteenth Street, Monroe, Louisiana
5. Calcasieu Parish Health Unit, 721 Prien Lake Road, Lake Charles, Louisiana

James F. Coerver, Technical Secretary
Air Control Commission

NOTICE OF INTENT

**Department of Health and Human Resources
Office of Family Security**

Beginning June 1, 1979, the Department of Health and Human Resources, Office of Family Security, proposes to adopt policy that will not allow the Medical Assistance Program to make payment for medical transportation for General Assistance recipients.

Interested persons may submit written comments on the proposed policy changes through May 4, 1979, at the following address: Mr. Alvis D. Roberts, Assistant Secretary, Office of Family Security, Box 44065, Baton Rouge, Louisiana 70804. Mr. Roberts is the person responsible for responding to inquiries about the proposed rule.

William A. Cherry, M.D., Secretary
Department of Health and Human Resources

NOTICE OF INTENT

Department of Health and Human Resources Office of Family Security

Beginning June 1, 1979, the Department of Health and Human Resources, Office of Family Security, proposes to adopt a policy to allow standard deductions from gross earnings for expenses incidental to employment for Long Term Care patients, except intermediate care facilities for the mentally retarded (ICF/MR) activity center earnings. The proposed policy will read as follows:

Long Term Care patients who have earned income (except public ICF/MR activity center earnings) shall be eligible for a standard deduction from their gross earned income to allow for incidental expenses related to their employment. The amounts allowed in the standard deductions include both personal and nonpersonal expenses which are incurred because of extra need and upkeep due to employment or self-employment, such as required deductions for withholding taxes and social security deductions, required union dues and retirement deductions, tools, supplies, uniforms, work gloves, goggles, and special shoes.

The amount of standard deduction is based on the amount of gross earnings as is specified by the following chart.

Gross earnings from employment or profit from self-employment	If employed, deduct	If self-employed, deduct
\$ 0 to \$ 29.99	\$ 9.00	\$ 9.00
30.00 to 44.99	11.00	11.00
45.00 to 69.99	12.00	12.00
70.00 to 119.99	15.00	14.00
120.00 to 199.99	28.00	25.00
200.00 and over	30.00	30.00

If the recipient claims expenses higher than the standard deduction and can document the claim, the actual documented expenses are to be used in arriving at net income.

The cost of transportation is not included in the above standard deduction amount. If free transportation to employment is not available the actual cost of transportation shall be deducted.

Long term care patients with earnings from sheltered workshops participation are eligible for a twenty dollar monthly protected income allowance. This twenty dollar disregard is deducted from gross earnings as the first step in determining earned income to be applied in computing long term care applicable income. The appropriate standard deduction for the gross earnings is then deducted.

Interested persons may submit written comments on the proposed policy changes through May 4, 1979, at the following address: Mr. Alvis D. Roberts, Assistant Secretary, Office of Family Security, Box 44065, Baton Rouge, Louisiana 70804. Mr. Roberts is the person responsible for responding to inquiries about the proposed rule.

William A. Cherry, M.D., Secretary
Department of Health and Human Resources

NOTICE OF INTENT

Department of Health and Human Resources Office of Health Services and Environmental Quality

The Department of Health and Human Resources, Office of Health Services and Environmental Quality, intends to revise the

State of Louisiana Municipal Wastewater Construction Grants Priority System. Also, the Department intends to conduct a public hearing at which the revised Priority System and the Fiscal Year 1980 Construction Grants Priority List based on the revised system will be presented for public comment pursuant to the *Federal Register*, Volume 43, Number 188, Pages 44022-42256, published on September 27, 1978.

The hearing will be held on May 29, 1979, at the Louisiana State Library, 760 Riverside Mall, Baton Rouge.

The revision to the priority system will include a revised method for awarding priority points, establishment of procedures for designating step 2+3 projects, establishment of reserves for innovative and alternative technology and grant increases, new requirements for priority list information and other changes as required by the United States Environmental Protection Agency.

Copies of the revised Priority System and the Fiscal Year 1980 Priority List will be available for inspection from April 28 to the time of the hearing in the Office of Health Services and Environmental Quality, State Office Building, Room 403, 325 Loyola Avenue, New Orleans, Louisiana; the Office of the Louisiana Stream Control Commission, Room 135, Geology Building, Louisiana State University, Baton Rouge, Louisiana; Southwest Regional Office, Office of Health, 302 Jefferson Street, Lafayette, Louisiana; Northern Regional Office, Office of Health, 2913 DeSaird, Monroe, Louisiana; and the Caddo-Shreveport Health Unit, 1866 Kings Highway, Shreveport, Louisiana.

Persons who desire to do so may submit data, views or arguments relative to the proposed Priority System and Priority List at or prior to the public hearing to Mr. James Coerver, Director, Division of Environmental Services, P. O. Box 60630, New Orleans, Louisiana 70160.

James F. Coerver, Director
Division of Environmental Services

NOTICE OF INTENT

Department of Health and Human Resources Office of Human Development Division of Youth Services

The Department of Health and Human Resources (DHHR), Office of Human Development, Division of Youth Services proposes to adopt rules and regulations governing the implementation of the Parish Youth Services Act by the authority granted to DHHR by R.S. 46:1941.1-1941.13.

The rules are being proposed pursuant to the requirements of the Administrative Procedures Act of Louisiana as amended.

Copies of the proposed rules may be obtained by writing to Mrs. Jeanie Vidrine, Director, Division of Youth Services, Box 44141, Baton Rouge, Louisiana 70804. Mrs. Vidrine will respond to any inquiries regarding the proposed rules. Interested persons may submit written comments to Mrs. Vidrine until 10:00 a.m., Monday, May 7, 1979.

A public hearing for the presentation of verbal comments will be held 10:00 a.m.-noon on Monday, May 7, 1979, in the Mineral Board Hearing Room of the State Land and Natural Resources Building, 625 North Fourth Street, Baton Rouge, Louisiana.

Proposed Regulations for the Implementation of Act 300 of the 1978 Session of the Legislature

Introduction: The Parish Youth Services Act of 1978 (R.S. 46:1941.1 to 46:1941.13) requires that the Director of the Division of Youth Services of the Office of Human Development of the

Department of Health and Human Resources promulgate rules for the implementation and operation of programs under the Act. The rules which follow are intended to fulfill that requirement.

Definitions: For the purpose of these rules:

A. "Comprehensive Plan" shall mean the working document of the governing authority resulting from systematic planning which establishes a coordinated youth service delivery system within a parish or multi-parish region.

B. "Coordination" means the process of bringing youth services into harmony, without reducing the authority of component agencies, to the end that policies and practices of such agencies are supportive and directed toward the goals of the Act. Such services may include diversion, alternatives to incarceration, and services to troubled youths and families. To achieve such coordination the following activities may be involved:

1. Establishment of a centralized referral system.
2. Linkage of service agencies.
3. Promotion of communication among youth serving programs.
4. Identification of gaps and overlaps in service delivery.
5. Conducting research relating to youth needs and concerns.
6. Identification of resources for youth serving programs.
7. Developing public awareness of youth needs.

C. "Director" shall mean the Director of the Division of Youth Services, Office of Human Development, Department of Health and Human Resources or his designee.

D. "Fiscal Year" shall mean the period of twelve calendar months beginning on July 1 of one year and ending on June 30 of the following year.

E. "Governing Authority" shall mean either the parish governing authority, the parish governing authorities of multi-parish participants, or the governing authority of an authorized private, nonprofit corporation, as applicable.

F. "Service Unit" shall mean any constituent part of an agency's collective program which has a distinct function, i.e., a community crisis unit within a probation department or a youth employment program within a private community agency. Such units are commonly referred to as sub-programs.

G. "Youth" means a person eighteen years or younger.

H. "Youth at Risk" shall mean children, who are in environments which may contribute to neglect, abuse, dependency, and/or exploitation or those children whose pre-delinquent or pre-status behavior patterns may result in contact with the Juvenile Justice system.

I. "Youth Population" shall mean the total number of youths in a parish or multi-parish area from zero to eighteen years of age as specified by the United States Bureau of Census through official decennial censuses, middecade censuses, and population projections issued between censuses.

J. "Youth Serving Agency" shall mean an instrumentality, public or private, which has a component(s) which provides a major portion of its services to delinquents, status offenders and/or "youth at risk."

Goals: The goals of the Parish Youth Services Act (hereafter called the Act) are to:

- A. Encourage positive youth development.
- B. Divert youths from juvenile and criminal justice systems.
- C. Reduce commitments to state correctional institutions.
- D. Promote efficiency and economy by coordinating the local youth services delivery system.
- E. Develop programs of diversion and alternatives to incarceration.
- F. Provide services to troubled youth and families.
- G. Provide a mechanism for community action to deal with delinquency and youth crime.

Application for Participation:

A. Application for participation by a parish or group of parishes shall consist of a resolution by the governing body of the parish or parishes expressing its intent to participate in the programs established by the Act. Further, said resolution shall contain an agreement to provide the necessary local matching funds and shall create a youth services advisory board that shall provide for the preparation of a comprehensive plan for the coordination, development, implementation and operation of youth services programs within the parish or parishes. The governing body shall provide the Director with a copy of such resolutions within thirty days after their enactment.

B. Multi-parish participation of contiguous parishes is permissible when the governing body of each parish has adopted a resolution expressing its intent to participate in the program as a member of a contiguous multi-parish district. Additionally, the governing body shall, through a resolution, agree to provide its portion of the required local matching funds and shall express its intent to work with other parishes in the multi-parish district toward the establishment of a youth services advisory board.

C. The governing body of a parish may authorize a private, nonprofit corporation to participate when the parish does not choose to participate in the program. In such cases, the governing body of the parish shall, by resolution, authorize the nonprofit agency to administer the youth services program as provided by this Act within the parish. The nonprofit corporation shall provide a notarized resolution from its governing body establishing a youth services advisory board and agreeing to provide the necessary local matching funds. In cases of multi-parish participation through a single nonprofit corporation, each governing body of the multi-parish region shall authorize the participation of the nonprofit corporation as the official parish agency to administer the provisions of the Act within that parish.

D. Approval of the application by the Director shall designate the parish, parishes, or nonprofit corporation as an authorized participant to receive funds pursuant to the provisions of the Act. The Parish Youth Services Advisory Board:

A. The parish governing body or bodies shall create, by resolution, a youth services advisory board (hereafter referred to as the Board).

B. The Board shall consist of at least eighteen but not more than twenty members who shall, if available and willing, be representatives of law enforcement, prosecutors, the judiciary, public education, juvenile probation, corrections, ethnic minorities, social services and lay citizenry with at least three members being eighteen years of age or less. Said Board members whose term of office shall be for a period of two years, shall serve without remuneration.

C. In cases where participation is by the parish governing body, said body shall make all appointments to the Board. In cases of multi-parish participation by the governing bodies of the respective parishes, the parish governing bodies shall formulate an equitable plan to insure that each parish is represented on the Board according to the youth population of each parish. An additional representative may be appointed from each participating parish; however, as a minimum, each parish must have at least one representative on the Board.

D. Pursuant to R.S. 46:1941.5(c), parish governing bodies may authorize a private nonprofit corporation as the agent of the parish or parishes to administer the Act within the parish or parishes. In such cases, the nonprofit corporation shall appoint a Board whose establishment, functions, operations, and authority meet the requirements herein specified.

E. The Board is legally responsible to the parish governing body or the parent nonprofit corporation.

F. All proceedings of the Board and any committee or sub-group appointed by the Board shall be subject to the provisions of the Open Meetings Law as contained in R.S. 42:4.1 through R.S. 42:10. All votes taken of members shall be recorded and shall become matters of public record.

G. The Board shall make formal recommendations to the parish governing authority or joint parish governing authorities at least annually concerning the comprehensive plan and its implementation during the ensuing year.

H. The Board shall promulgate and implement rules concerning the attendance of members at Board meetings.

I. The members may elect their own officers.

J. The Board may develop working committees composed of board members as well as nonboard members to concentrate on specific areas of the youth services delivery system. Nonmembers serving in such capacities shall have authority only in matters pertaining to the official work activities of the specific committees to which they are assigned.

K. The Board shall abide by the parliamentary procedures as specified in *Robert's Rules of Order* (Revised), 75th Edition.
Development of the Comprehensive Plan:

A. The comprehensive plan (hereafter referred to as the plan) must be developed by the governing authority with the assistance of the Board, must be formally accepted and approved by the governing authority by resolution, and must be submitted to the Director within one hundred twenty days after the governing body has officially given notice to the Director that the parish intends to participate in the provisions of the Act. When necessary and in the best interest of the parish and state, the Director may extend the deadline an additional one hundred twenty days upon request of the governing authority or the Board.

B. The plan shall be supportive of the specified objectives of the Act and shall contain an assurance that current expenditures for youth services programs under the jurisdiction of the governing authority will not be reduced.

C. The plan, when feasible, should provide for contractual arrangements with existing nonprofit corporations when establishing new or expanded service units.

D. The plan shall list private and public youth serving agencies within the jurisdiction of the governing authority. Statements of support and intent to cooperate in the governing authority's coordinating efforts shall be obtained from youth serving agencies and attached to the plan. While such support should exist with each agency, the abstention of an agency or agencies will not necessarily affect the acceptance of the plan by the Director; however, each plan should contain a statement of support and intent to cooperate from the court of juvenile jurisdiction and the chief law enforcement officials of the jurisdictions governed by the governing authority. If such statements of support from the court of juvenile jurisdiction and the chief law enforcement officials are not included, an explanation should accompany the plan.

E. The plan shall be prepared in consultation with the appropriate parish and city school boards.

F. The Division of Youth Services shall provide consultation and technical assistance in the development and implementation of the plan when requested to do so by the governing authority or the Board.

G. The content and format for the plan shall be as follows:

1. Problem: Based on a needs assessment that must have been performed, specify the service delivery problems or unmet needs of the youth population.

2. Goals: Generalized goals including those defined in these regulations shall be specified.

3. Objectives: The proposed objectives and the method of accomplishing such shall be sufficiently described with the

anticipated results of each activity clearly delineated. Objectives shall be specified in such a manner that they are measurable within a specified time frame.

4. Coordination: The plan shall specify in sufficient detail the manner and method by which the coordination of the youth services system will be accomplished.

5. Funding: A budget must be submitted for each service unit specifying line item expenditures as well as sources of financing.

6. Training: Each plan should contain a provision for training after an assessment of training needs has been established. Training needs should be prioritized to insure that personnel needing the greater amount of training receive it first.

7. Internal Reporting and Auditing: The plan should include the procedures which the governing authority will employ to review and inspect all aspects of the service units created or expanded under the provisions of this Act.

8. Evaluation: The plan should include provisions for the evaluation of the effectiveness of the Board as well as the service units created or expanded. Such evaluation shall include the accomplishment of objectives referred to in G3 and an annual audit by an independent certified public accountant. The terms and conditions of the audit must be approved by the Legislative Auditor as established in Title 24 of the Revised Statutes of 1950.

H. Upon approval of the plan, the Director shall execute a contract between the Division of Youth Services and the governing authority. Such contracts shall be made on a fiscal year basis according to the funds appropriated by the Legislature for the implementation of the provisions of this Act.
Changes in the Comprehensive Plan:

A. When the governing authority wishes to change the comprehensive plan during the fiscal year for which funds were appropriated, it may do so by an amendment which requires the prior approval of the Director.

B. Amendments are required when:

1. Service units are added, modified, or deleted from the comprehensive plan.

2. Funds are reallocated within or between service units identified in the comprehensive plan.

Withdrawal from Program:

A. Any governing body which wishes to withdraw from the program shall, at the beginning of a calendar quarter, notify the Director by resolution of its intention to withdraw from the program. This withdrawal shall be effective on the last day of the last month of the quarter in which the notice was given.

B. All unencumbered and unexpended funds from the state grant on hand on the final day of withdrawal shall be returned to the Division of Youth Services within fifteen days thereafter.

State Funding Procedures:

A. State funds shall be equal to the actual cash amount made available at the local level except that state funding cannot exceed the annual rate of \$1.22 for each youth (zero to eighteen years of age) within the jurisdiction of the governing authority for any one fiscal year.

B. State funding is contingent upon (1) approval of the plan by the Director, and (2) a determination by the Director of the effective date of the availability of state funds.

C. State funds shall be forwarded to the fiscal agent specified by the governing authority to receive such funds. The governing authority shall designate the fiscal agent responsible for the supervision of all fiscal matters relating to funds provided under the Act. Said agent shall comply with all applicable laws and promulgated regulations governing the management of state, federal, and/or parish funds.

D. Parishes and nonprofit corporations participating in the Act may accept gifts, grants and subsidies from any lawful source, and apply for and accept federal funds. Federal funds may be used for local matching provided that:

1. Federal funds do not exceed fifty percent of the total required local match.

2. Federal funds used for match purposes are unencumbered and will be used exclusively for the programs created under the provisions of this Act.

E. Twenty-five percent of the total grant will be awarded upon the basis of B(2) above. The Director may increase the amount of the initial payment if requested to do so by the governing authority. The remainder of the grant shall be paid on equal installments of twenty-five percent of the total grant less the unexpended funds from the previous quarter. The Director may increase the amount of a particular installment upon request of the governing authority. The fact that funds are unexpended by the governing authority during a quarter, shall not diminish the amount of the grant as specified in the contract.

F. The Director shall certify whether state grants are from state and/or federal sources.

G. All unencumbered and unexpended funds on hand on the final day of the fiscal year that are derived from the state grant shall be returned to the Division of Youth Services within fifteen days of the close of the grant.

Selection of Programs for State Funding:

A. When adequate appropriated funding is available, the Director shall fund all parishes or nonprofit corporations qualified and approved under the provisions of this Act and the regulations herein.

B. Whenever there are limited appropriations, the Director shall select a limited number of programs to fund. Selection will be based on the following considerations:

1. The extent to which youth serving agencies within the jurisdiction of the governing authority have filed written statements of how they are to assist in the coordinative programs of the governing authority.

2. The extent to which the mechanism for bringing about coordination of services is developed and specified.

3. The comprehensiveness of the plan and the extent to which documentation is used in specifying needs.

4. The extent to which existing agencies shall be utilized for the provision of additional services specified in the plan.

5. The extent to which more than one parish participates in the program.

C. In the selection of projects for funding, the Director shall establish a presumption in favor of existing programs funded with state grants pursuant to the provisions of this Act if such programs continue to meet the requirements as specified in these regulations.

D. In Fiscal Year 1978-79 efforts shall be made to select model projects including at least one nonprofit corporation and one governmental unit that meet the requirements as specified in these regulations.

Fiscal Management by the Governing Authority:

A. The governing authority shall designate one individual as a fiscal agent responsible for the supervision of all fiscal matters relating to funds provided under this Act. Said agent shall comply with all applicable laws governing the management of state, parish, and/or federal funds.

B. The governing authority shall adopt written procedures regulating how funds are to be handled. Such regulations shall be consistent with applicable parish, state, and/or federal regulations.

C. Funds advanced shall be expended in a manner consistent with the budget contained in the approved plan. Expendi-

tures shall represent reasonable and actual costs necessary and essential in carrying out the specified programs contained in the plan.

D. The fiscal agent shall prepare the governing authority to be submitted to the Director a monthly report of the financial status of the program and shall maintain such books, records, documents, and other evidence in accordance with generally accepted accounting procedures and practices sufficient to reflect properly all direct and indirect costs of whatever nature claimed to have been incurred.

E. All transactions and events must be recorded, classified, and summarized in appropriate journals, providing chronological records of transactions having a common origin and ledgers of accounts to receive and consolidate transaction amounts related to a given classification.

F. Records will establish independent account of all receipts and disbursement of monies.

G. All records, including those of a fiscal nature, shall be subject at all reasonable times to inspection and audit by agencies of the Department of Health and Human Resources, the Legislative Auditor, and other individuals that may be authorized by the parish governing bodies to perform such inspection and audit.

H. The governing authority shall employ an independent certified public accountant approved by the Legislative Auditor to render a final audit which shall be completed for the governing authority and submitted to the Director within ninety days of the close of the fiscal year in accordance with Title 24 of the Revised Statutes of 1950.

I. All books, records, and other documents relevant to the programs provided in this Act and the funds expended hereunder, shall be retained for at least five years after each grant year has ended.

Administrative Structure of Programs:

A. The governing authority, with the assistance of the Board, shall determine and establish the administrative structure for the coordination of services, as well as new and expanded service units, that are best suited to the efficient administration and delivery of services to the youth population. Such structure may involve contracting with existing public or private agencies to provide necessary services or may involve the establishment of a new agency or unit of service under the general administration of the governing authority. The governing body may, if desired, require the Board to perform specified administrative duties.

B. Each governing authority should utilize, whenever possible, agencies and organizations established in the community to deliver services to the youth population. The governing authority shall, in planning its total range of youth services, establish a presumption in favor of resources already existing in the community.

C. If the governing authority proposes to initiate services which duplicate existing services, clear evidence must be presented in the plan to demonstrate that existing services are either inappropriate or not of sufficient quantity to meet identified needs and objectives.

Acquisition and Control of Property:

A. Parishes or nonprofit corporations participating in the provisions of this Act may acquire by any lawful means, including purchase, lease, or transfer of custodial control, the lands, buildings, and equipment necessary for the accomplishment of the goals and objectives specified in the plan. The lease of all property shall be in accordance with R.S. 39:194-195.

B. The governing authority shall designate an agent to maintain current inventory of all property and to insure that all property is appropriately marked and identified in accordance with state property control regulations as promulgated by the

Division of Administration. Acquisition, inventory maintenance, and disposition of all moveable property and capital assets shall be in accordance with state property control regulations as promulgated by the Division of Administration.

Affirmative Action: No person shall be denied participation in the programs created through this Act, appointment to the Board, or employment in programs created therein on the basis of race, color, sex, national origin, or political affiliation.

Prohibition Against Political Activities: The activities of the Board and the programs created or assisted with funds under this Act shall not be carried on in a manner involving the use of funds, the provision of services, or the employment or assignment of personnel in a manner supporting or resulting in the identification of such activities and programs with (1) any partisan or nonpartisan activity associated with a candidate, or contending faction or group, in an election for public or party office, (2) any activity to provide voters or prospective voters with transportation to the polls or similar assistance in connection with any such election, or (3) any voter registration activities.

Suspension of Grant by the Director:

A. When the Director determines that reasonable grounds exist to believe that a parish, multi-parish entity, or a nonprofit corporation is not in substantial compliance with the promulgated minimum standards or the promulgated regulations governing programs under this Act, he shall serve notice of the noncompliance listing specifically the areas of noncompliance.

B. Thirty days after such notice has been given, the Director shall hold a public hearing to ascertain whether there is substantial compliance or satisfactory progress being made toward compliance.

C. In cases of documented failure to meet the required standards and in absence of a plan to accomplish such, the Director shall suspend all or a portion of the grant until such time as the standard of operation has been met.

William A. Cherry, M.D., Secretary
Department of Health and Human Resources

NOTICE OF INTENT

Department of Health and Human Resources Office of Licensing and Regulation

The Department of Health and Human Resources proposes to adopt amendments to the Uniform Controlled Substances Act (R.S. 40:961, et seq.). The amendments are proposed under the authority granted to the Secretary by R.S. 46:1757 (6) and R.S. 40:962A. The amendments are necessary to add certain drugs to the schedules of controlled drugs due to their great potential for abuse and known deleterious effects when improperly used.

The amendments are as follows: Amend 40:964, Schedule IV, by adding thereto the following drug: (26) Pentazocine. Amend 40:964, Schedule I, C. by adding thereto the following drug: (23) 1-Piperidinocyclohexanecarbonitrile.

Information concerning these proposed changes can be obtained by writing to: Mr. Raymond J. Fagot, Jr., Director, Division of Narcotics and Dangerous Drugs, Office of Licensing and Regulation, Box 60630, New Orleans, Louisiana 70160.

Written comments on the proposed amendments may be submitted until 4:30 p.m., May 7, 1979, to the above address.

William A. Cherry, M.D., Secretary
Department of Health and Human Resources

NOTICE OF INTENT

Department of Health and Human Resources Board of Examiners of Psychologists

The State Board of Examiners of Psychologists intends to adopt as policy at its May 26, 1979, meeting, the following rules and regulations:

1. Rules and Regulations for Supervision of Unlicensed Psychologists.

2. Rules and Regulations for Supervision of Unlicensed Assistants in Providing Psychological Services.

Interested persons may comment on the proposed policy changes and/or additions, in writing, until 4:30 p.m., May 18, 1979, at the following address: Dr. Wayne Greenleaf, Vice Chairman, State Board of Examiners of Psychologists, Box 14782, Baton Rouge, Louisiana 70808. Dr. Greenleaf is the person responsible for responding to inquiries about the proposed rule.

Dr. Wayne Greenleaf, Vice Chairman
Board of Examiners of Psychologists

NOTICE OF INTENT

Department of Health and Human Resources Office of the Secretary

The Department of Health and Human Resources proposes to adopt amendments to the Facility Manual for Facilities Where Department of Health and Human Resources Funds Are Used to Care for Handicapped Persons. The rules are being amended under the authority granted to the Department by R.S. 46:1757(6), R.S. 40:2125 and R.S. 15:1084. These amendments are necessary to provide for a procedure for cost reporting by a facility which has changed its fiscal year, change the post office address of the Office of Management and Finance, specify the method for allowing depreciation of assets, clarify who has the responsibility for educational services to clients, and specify additional administrative costs.

Proposed Amendments to the Facility Manual Where Department of Health and Human Resources Funds Are Used to Care for Handicapped Persons

1. Under the section entitled "Cost Related Reimbursement," add a paragraph between paragraph five and paragraph six (paragraph six will then become paragraph seven), this paragraph will read, "The required information must be submitted on cost report forms provided by the Department for this purpose. The cost report shall be completed in its entirety and in accordance with the Department's instructions for completing such forms.

2. Under the section entitled "General Instructions for Cost Reporting," add the following paragraph and number it paragraph b: "If a facility has changed its reporting period, a cost report covering the short period must be filled along with IRS Form 1128 if required or other proof of intent to change. The intent of change must be made prospectively. Short period shall mean the period from the end of the facility's regular year to the beginning of the facility's new reporting period. (Example: regular report period January 1, (1978) to December 31, (1978) and changing report period to July 1, (1979) to June 30, 1980. The short period report would cover January 1, 1979 to June 30, 1979.)" The current paragraph b will then become c.

3. Also under the section entitled "General Instructions for Cost Reporting," change the P. O. Box number for the Office of Management and Finance to P. O. Box 2944.

4. Under the section entitled "Allowable Cost for Services Provided," add under paragraph two of a:

To be allowable the depreciation must:

1. Be identifiable and recorded in the providers records.
2. Give historical cost and accumulated depreciation.
3. Indicate useful life and depreciation method.

Note: If provider has previously used an accelerated depreciation method, the required record keeping information may be kept in a subsidiary ledger to be used for program purposes only.

The estimates listed below are average ranges for asset depreciation. For all depreciable assets, even those not included in the guidelines, any estimate is acceptable if it is proven reasonable.

Land Improvements	Years
Fencing	15-25
Paving	15-20
Landscaping	10-12
Underground sewer and water	25-30
Outdoor Lighting	10-15
Buildings	
Wood Frame	25-30
Masonry	30-50
Fixed Equipment	
Electrical Wiring, AC Systems, Heating Systems, Sprinkler and Fire Alarm Systems, Telephone, Plumbing, Sewerage, Roofing, Lighting, etc.	20-25
Major Movable Equipment	
Kitchen Equipment, Therapy Equipment, Laundry Equipment, Cleaning Equipment, etc.	08-20
Other Items	
Automobiles	03-05
Furniture and Furnishings	05-10
Office Machines	05-10

5. Under the section entitled "Allowable Cost For Services Provided," subsection five of this section entitled "Education Cost" shall be completely rewritten as follows:

DHHR is not responsible for the provision of or reimbursement for educational services for clients between the ages of three and twenty-one years (both inclusive), as these services are the responsibility of the Department of Education. However, DHHR will reimburse for those educational expenses attributable to clients under three or over twenty-one years of age when educational services for those clients are not provided by the Department of Education.

Educational cost items which must be reported are listed on the cost reporting forms provided by DHHR. The entire cost of educational services must be recorded and reported separately.

6. Under the section entitled "Administrative Cost," add these two paragraphs:

K. Bad Debts, Charity and Courtesy Allowances. Bad debts, charity and courtesy allowances are deductions from revenue and are not includable as allowable costs.

L. Grants, Gifts and Income from Endowments. Those grants, gifts, and income from endowments which are not restricted as to use should not be deducted in computing allowable costs; restricted grants, gifts and endowment income should be deducted in computing allowable costs.

Information concerning these proposed changes can be obtained by writing to Ms. Kathy Naquin, Audit Section, Office of

Management and Finance, 655 North Fifth Street, 3rd Floor, Mental Health Building, Baton Rouge, Louisiana 70801.

Written comments on the proposed amendments may be submitted until 4:30 p.m., May 7, 1979, to the above address.

William A. Cherry, M.D., Secretary
Department of Health and Human Resources

NOTICE OF INTENT

Department of Revenue and Taxation

Notice is hereby given, pursuant to the authority vested in me as Secretary of the Department of Revenue and Taxation for the State of Louisiana, that a public hearing relative to the adoption of regulations governing the taking of severance tax credits for first use taxes paid (R.S. 47:467), will be held in the State Mineral Board Auditorium, First Floor, State Land and Natural Resources Building, 625 North Fourth Street, Baton Rouge, Louisiana, at 2:00 p.m. on May 7, 1979.

Written comments or requests for information concerning the proposed regulations may be submitted through May 7, 1979. If not presented at the hearing, they may be mailed to Mr. Kenneth L. Canik, Chief Technical Agent, Louisiana Department of Revenue and Taxation, P. O. Box 201, Baton Rouge, Louisiana 70821. His telephone number is (504) 342-6211. Mr. Canik is the person within the Department responsible for responding to inquiries about the proposed regulations.

Mrs. Shirley McNamara, Secretary
Department of Revenue and Taxation

NOTICE OF INTENT

Board of River Port Pilot Commissioners for the Port of New Orleans

The Board of River Port Pilot Commissioners for the Port of New Orleans intends to adopt rules modifying presently existing rules for qualification of applicants for commissioning as River Port Pilots for the Port of New Orleans.

These amended rules will read as follows:

Section 1.

* * * *

b. Applicant has been a voter of the State of Louisiana continuously for at least one year prior to acceptance by the Board of Directors of the Crescent River Port Pilots Association of a petition for apprentices.

c. Applicant has served a minimum of nine months of apprenticeship in his proposed calling, handling deepwater vessels over the operating territory of the River Port Pilots under the tutelage of not less than twenty commissioned River Port Pilots. The apprentice must set forth in detail the names of the vessels handled, dates handled, draft, tonnage, between what points so moved, and the name of the supervising commissioned River Port Pilot. No petitioner shall be permitted to be examined for licensing who has not made at least eighteen trips on the operating territory of the River Port Pilots between Pilottown and the City of New Orleans during each of the nine months of his apprenticeship and served at least one week of each month of the apprenticeship engaged in harbor shifting, docking work and

NOTICE OF INTENT

Department of Urban and Community Affairs Office of Community Services

pilotage on the Mississippi River Gulf Outlet. The apprenticeship work must be certified to by the Pilot Association during the apprenticeship program. The Commissioners reserve the right to review apprenticeship programs in progress and to make recommendations as to assignments which should be undertaken by the apprentice. The Commissioners reserve the right to reject any apprenticeship program as to any apprentice or to require satisfactory completion of additional or extended apprenticeship.

d. The applicant must possess a high school diploma issued by an accredited high school.

e. The applicant must not have reached his fortieth birthday prior to the acceptance by the Board of Directors of the Crescent River Port Pilots Association of a petition for apprenticeship.

f. The applicant must hold an unlimited license as Master of River, Steam, or Motor Vessels, or a license as a third mate of ocean, steam, or motor vessels of any gross tons upon any oceans issued by the United States Coast Guard, or a Bachelor's Degree or diploma granted by a college or university accredited by the American Association of Colleges and Secondary Schools. Each applicant must hold a first class pilot license on the Mississippi River from Southport to the Head of the Passes, and for the Inner Harbor Navigation Canal (Industrial Canal) from the Mississippi River to Lake Pontchartrain. Each applicant must have held such first class pilot license for a period of at least six months, and have worked in a licensed position as master, mate, or pilot aboard a vessel or vessels for a period of at least six months of documented time.

g. The applicant must be examined by a physician, clinic, or group of physicians of the Board's choosing in respect of the applicant's physical condition. The examination report must reflect that the applicant's physical condition is satisfactory to the Board commensurate with the work and responsibilities attendant to pilotage. The Board shall have no expense or responsibility for the examinations or their results. The applicant submitting to such examinations will hold the Board harmless from any responsibility for any injury or loss incurred as a result of the examination or the reliance by the Board or any others on the results of such examination.

Section 2. During apprenticeship, the applicant must obtain endorsements on his United States Coast Guard Licenses as a first class pilot on the Intracoastal Waterway from the Inner Harbor Navigation Canal to and including Michoud, Louisiana, and the Mississippi River Gulf Outlet from its junction with the Intracoastal Waterway to Light 78.

* * * *

Section 5. In any case where a vessel in charge of a pilot shall go aground, or shall collide with any other object, or shall meet with any casualty, or be injured or damaged in any way, the said pilot shall, within ten days thereafter make written report to the Board, which may thereupon, with or without complaint being made against said pilot, investigate the matter reported upon.

Interested persons may comment on the proposed rules, in writing, through May 5, 1979, at the following address: Captain Richard E. Walton, President of the Board of River Port Pilot Commissioners, 2004 International Trade Mart Building, Number 2 Canal Street, New Orleans, Louisiana 70130. Captain Walton is the person responsible for responding to inquiries about the proposed rules.

Richard E. Walton, President
Board of River Port Pilot Commissioners
for the Port of New Orleans

The Department of Urban and Community Affairs, Office of Community Services, will hold a public hearing at 9:00 a.m., Tuesday, May 15, 1979, in the Mineral Board Room, Land and Natural Resources Building, 625 North Fourth Street. The purpose of the hearing will be to receive comments and consider adoption of the state plan for the Department of Energy's Weatherization Assistance Program for low income people: Title X, Chapter II, Part 440.14, Public Law 34-385; *Federal Register*, Volume 42, Number 105, June 1, 1977.

Copies of the state plan may be obtained from the Department of Urban and Community Affairs. Interested persons may submit their written views and opinions until 4:30 p.m., May 14, 1979. Address written comments and requests for the state plan to: Ms. Rose Trahan, Department of Urban and Community Affairs, Office of Community Services, Box 44455, Baton Rouge, Louisiana 70804, phone (504) 925-3728. Reasonable opportunity for oral comment will be permitted at the hearing.

Harvey R. H. Britton, Sr., Secretary
Department of Urban and Community Affairs

NOTICE OF INTENT

Department of Wildlife and Fisheries Stream Control Commission

Notice is hereby given that the Department of Wildlife and Fisheries, Stream Control Commission, will hold a public hearing in the Conservation Department Hearing Room, on the first floor of the State Land and Natural Resources Building, 625 North Fourth Street, Baton Rouge, Louisiana, on May 24, 1979, beginning at 9:30 a.m.

A draft of the State's initial Water Quality Management Plan prepared in accordance with Section 208 of the Federal Water Pollution Control Act, as amended (Public Law 92-500 and 95-217), and other pertinent federal regulations will be presented and explained.

The proposed Water Quality Management Plan and subsequent attachments will form the basis for the state to implement a program directed at improving and/or monitoring the quality of the waters of the state while taking into consideration the effects of both point and nonpoint source discharges and planned or projected development and growth within the water quality management planning basins of the State of Louisiana.

Copies of the Water Quality Management Plan will be available for inspection ten days prior to the date of the hearing and may be seen in every parish library in the State of Louisiana and in every district office of the Louisiana Department of Wildlife and Fisheries, as well as the office of the Louisiana Stream Control Commission in the Geology Building, Room 135, on the Louisiana State University Campus, Baton Rouge, Louisiana. While the supply lasts, the Commission will mail copies to interested persons who request them by mail.

Persons who desire to do so may submit data for use or argument relative to the proposed Water Quality Management Plan or relative to the process employed to consider the plan, either orally or in writing at the public hearing, or may submit written materials within ten days after the hearing to the Louisiana Stream Control Commission, Post Office Drawer FC, Baton Rouge, Louisiana

70893, telephone (504) 342-6363. Persons requiring additional information may contact Mr. Robert A. Lafleur, Chief of the Division of Water Pollution Control and Executive Secretary to the Louisiana Stream Control Commission, at the above address or telephone number. Mr. Lafleur is the person within the agency responsible for responding to inquiries about the proposed Water Quality Management Plan.

Subsequent to the hearing referenced herein and appropriate review and comment from the State Policy Advisory Committee for Section 208 Planning the Louisiana Department of Wildlife and Fisheries may, providing no substantive changes are required, submit the proposed plan to the Governor for certification to the United States Environmental Protection Agency, or, if substantial changes are warranted, make any necessary changes and after another public hearing process, submit the revised to the Governor for certification.

Robert A. Lafleur, Executive Secretary
Stream Control Commission

Potpourri

Department of Health and Human Resources Board of Veterinary Medicine

The examination for licensure for the State of Louisiana for veterinary medicine will be given on May 19 and 20, 1979, at Louisiana State University School of Veterinary Medicine, LSU Campus, Baton Rouge, Louisiana. Exams will begin promptly at 8:00 a.m. Any applicant failing to appear timely will not be examined.

Gary B. Beard, D.V.M., Secretary-Treasurer
Board of Veterinary Medicine

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