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# Executive Orders

## EXECUTIVE ORDER EWE-76-7

WHEREAS, the State of Louisiana has recently acquired the United Gas Building in Shreveport, Louisiana; and

WHEREAS, it is a well established tradition to name buildings in honor of outstanding citizens who have made worthwhile accomplishments for their community; and

WHEREAS, Mrs. Mary Miller Allen resided in Shreveport for twenty-seven years, during which time she was very active in religious, civic, and philanthropical groups; and

WHEREAS, Mrs. Mary Miller Allen set an example to be followed with her life by selflessly working to improve the health and well-being of her community and serving the public interest of the City of Shreveport and the State of Louisiana; and

WHEREAS, the contributions that Mrs. Mary Miller Allen made to the City of Shreveport and the State of Louisiana will be of lasting benefit to all the citizens of Louisiana; and

WHEREAS, Mrs. Mary Miller Allen died on October 26, 1975;

NOW, THEREFORE, I, EDWIN EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested in me, pursuant to the Constitution, the applicable statutes, and the inherent power of my office, do hereby order and direct, that the state office building now named the United Gas Building in Shreveport, Louisiana, shall, from this day forward, be named the Mary Miller Allen Memorial State Office Building.

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 21st day of May, A.D., 1976.

**EDWIN EDWARDS**  
Governor of Louisiana

## EXECUTIVE ORDER EWE-76-8

WHEREAS, it is important that those of us who are responsible for the affairs of government set examples by implementing economy measures whenever and wherever possible; and

WHEREAS, austerity demands that costs in state government be reduced whenever and wherever possible;

NOW, THEREFORE, I, EDWIN W. EDWARDS, by virtue of the authority vested in me as Governor of Louisiana by the Constitution and laws of this State, do hereby direct that:

1. All State automobiles purchased from the date of this order, with those exceptions indicated in Paragraph 2 of this Order, cost no more than the average bid purchase price of a Ford, Chevrolet, or Plymouth;
2. This order includes automobiles purchased for department heads and the Governor, but excludes those automobiles purchased for the use of statewide elected officials and excludes automobiles for state police personnel requiring special equipment to protect the public welfare.
3. All State automobiles must be American-made and in addition to standard equipment may include only air-conditioning, power brakes, power steering, and standard radios.

NOW, THEREFORE, I, EDWIN W. EDWARDS, by virtue of the authority vested in me as Governor of Louisiana by the Constitution and laws of this State, do hereby direct that this order be effective immediately and that it apply to all future purchases of automobiles by the State of Louisiana.

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 11th day of June, 1976.

**EDWIN EDWARDS**  
Governor of Louisiana

## EXECUTIVE ORDER EWE-76-9

WHEREAS, there has been a long standing recognition of the fact that there are numerous subjects upon

which uniformity of legislation in the various states and territories of the Union is desirable, but which are outside the jurisdiction of the Congress of the United States; and

WHEREAS, the chairman of the first committee on uniformity for state legislation of the American Bar Association in 1889, was an illustrious New Orleans attorney; and the state commission for the promotion of uniformity of legislation was created in Louisiana in 1902; and the State of Louisiana since that time has continuously been represented in the National Conference of Commissioners of Uniform State Laws and each year has contributed to the support of that conference under its interstate compact programs; and

WHEREAS, it is of continuing importance to the citizens of this state that Louisiana participate in the National Conference of Commissioners on Uniform State Laws and actively examine the subjects upon which uniformity of legislation is desirable.

NOW, THEREFORE, I, EDWIN W. EDWARDS, by virtue of authority vested in me as Governor of the State of Louisiana, do hereby establish the Board of Commissioners for the Promotion of Uniformity of Legislation in the United States, which board shall be composed and shall exercise the functions hereinafter set forth:

I. The Board shall examine the subjects upon which uniformity of legislation in the various states and territories of the Union is desirable, but which are outside the jurisdiction of the Congress of the United States.

II. The Board shall consider and draft uniform laws to be submitted for the approval and adoption by the several states.

III. The Board generally shall devise and recommend such other and further courses of action as shall accomplish uniformity of legislation.

IV. The Board shall confer upon these matters with the Commissioners appointed by other states and territories for the same purpose.

V. The Board shall keep a record of its transactions and shall make a report of its actions and recommendations to the Governor and to the Legislature.

VI. The Board shall be composed of three attorneys licensed to practice law in the State of Louisiana, to serve at the pleasure of the Governor and without compensation for their services.

Pursuant hereto, I do hereby appoint DeVan D. Daggett, Ben R. Miller and Robert G. Pugh as commissioners of the Board of Commissioners for the Promotion of Uniformity of Legislation in the United States and to represent the State of Louisiana on the National Conference of Commissioners of Uniform State Laws.

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 16th day of June, A.D., 1976.

EDWIN EDWARDS

Governor of Louisiana

### EXECUTIVE ORDER EWE-76-10

Executive Order No. 1, issued on May 15, 1972, 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 of 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 problem described above and the urgency placed in their solution, it is the purpose of the National Health Planning and Resources Development 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 has performed similar statewide comprehensive health planning functions under previous health planning legislation since June, 1967.

NOW, THEREFORE, I, EDWIN W. EDWARDS, by virtue of the authority vested in me as Governor of the State of Louisiana, do hereby designate the State Office of Comprehensive Health Planning 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 for Titles XV and XVI of the Public Health Service Act received and expended by the State Office of Comprehensive Health Planning as the State Health Planning and Development Agency and the Statewide Health Coordinating Council shall be channeled through the Commissioner of the Louisiana Health and Human Resources Administration.

FURTHERMORE, Executive Order No. 1 issued on May 15, 1972, 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 24th day of June, A.D., 1976.

EDWIN EDWARDS

Governor of Louisiana

## Emergency Rules

### DECLARATION OF EMERGENCY

#### Health and Human Resources Administration Division of Family Services

The Louisiana Health and Human Resources Administration, Division of Family Services, has exercised the emergency provision of the Administrative Procedures Act (R.S. 49:953B) to adopt, effective August 1, 1976, the following revised pharmaceutical services program to meet the proposed budget appropriation of \$30.4 million. Even though the program has been redesigned, nearly all of the more essential prescription needs of the eligible recipient will be provided for.

All legend drugs will be provided except the following therapeutic classifications:

1. Anorexics, such as amphetamines.
2. Multiple ingredient anti-anemia preparations (Ferrous Sulfate, Ferrous Gluconate, Folic Acid and injectable Vitamin B<sub>12</sub>, will be payable).
3. Cough and cold preparations.

4. Certain gastro-intestinal drugs such as antacids and digestants.
5. Minor tranquilizers, such as Valium, Librium, and Meprobamate.
6. Vitamins or vitamin containing products (B<sub>12</sub> injection, Folic Acid, D, K, and Nicotinic Acid are payable).
7. Enzymes and the following miscellaneous drugs:

|                 |                     |
|-----------------|---------------------|
| Alidase         | Kutapressin         |
| Ananase         | My-B-Den            |
| Andromedicone   | Orenzyme            |
| Avazyme         | Oxsoralen           |
| Avazyme 100     | Papase              |
| Cymolase        | Pedameth            |
| Chymoral        | Quinamm             |
| Clomid          | Trisoralen          |
| Combined Pollen | Varidase            |
| Antigen         | Water for injection |
| Enuretrol       | Wydase              |
| Gelfoam         | Xanthinux.          |

Notice of this proposed change has been mailed to physicians, pharmacists, and nursing home administrators. All persons eligible for the medical assistance program were notified of this change by mail at the time they were issued their medical eligibility cards which they receive monthly.

William H. Stewart, M.D.  
Commissioner

# Rules

## RULES

### State Board of Elementary and Secondary Education

(The following rules were duly advertised for consideration, and, after the appropriate waiting period, acted upon favorably by the Board at the regularly scheduled meeting of June 26, 1976.)

- a) Rule 4.02.01  
Adoption of Title VI Plan for 1975-76.
- b) Rule 6.03.61

In determining the increment level of beginning unclassified administrative or instructional employees in vocational-technical schools, related experience at the elementary, secondary, college, or vocational-technical level should be allowed.

#### c) Rule 3.01.51.f

An amendment to Bulletin 741, page 14, under English requirements for high school graduation, the word "may" is substituted for the word "will" in the requirements that a course in reading be available to students who cannot complete the required units in English.

Earl Ingram  
Director

## RULES

### Louisiana Commission on Intergovernmental Relations

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*(Editor's Note: The following rules were adopted on July 1, 1976, to be effective July 20, 1976).*

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#### I. Purpose

To institute and put forth the policies by which the State of Louisiana and the Louisiana Commission on Intergovernmental Relations (IGR), acting as the officially designated State agency to manage the Housing and Urban Development (HUD 701) Comprehensive Planning Assistance Program, will administer said program in the areas of areawide planning and management, large city planning and management, and local assistance.

#### II. Definitions

The Louisiana Commission on Intergovernmental Relations complies with all definitions as assigned by HUD (Federal Register, Volume 40, No. 164, August 22, 1975; Federal Register, Volume 39, No. 240, December 12, 1974; HUD Handbook I, II, and III). In addition, as used in this part, the following terms will have the meaning as indicated:

- A. "IGR" means Louisiana Commission on Intergovernmental Relations.
- B. "Consultant" means an individual or an or-

ganization, private or nonprofit which has entered into a legal contract with IGR to do local assistance planning.

- C. "Subgrantee" means a metropolitan or non-metropolitan areawide planning organization, a large city, or an urban parish (all as defined by the Department of Housing and Urban Development) which has entered into a legal contract with IGR for planning and management assistance.

### III. Local Assistance Program

#### A. Application Requirements

- 1. Application for grant assistance is required on an annual basis.
- 2. IGR will, by registered mail, notify current program participants (localities and consultants) of deadline dates for submittal of application. Application for local assistance grants will take the following form. A resolution from the planning commission recommending planning program will be attached to a resolution from the locality's governing body. This governing body's resolution must approve the recommendations set forth in the planning commission resolution. Resolutions will conform to standard resolutions prepared by IGR. The complete application must be submitted to IGR and postmarked no later than the date indicated in the aforementioned letter of instructions. IGR will mail a copy of the standard resolution to current program participants (localities and consultants) and on request to interested parties who contact IGR for such information.

#### B. Allocation of Funds for Local Assistance

- 1. Only applicants submitting a complete application by the date discussed above will be considered. Selection of applicants for funding will be determined based on HUD and State guidelines. Final determination of funding will be made by IGR.
- 2. The planning program will be evaluated on an individual applicant basis at the time of contract execution. Such evalua-

tions will be based on HUD guidelines, and on availability of existing planning information as determined by IGR in coordination with other State agencies.

#### C. Performance of Work

- 1. (a) A preliminary report is a report which addresses, in narrative form, all the minimum requirements as given in the Scope of Services and any other needs of the locality. The report must be typed. Both primary and secondary data sources must be referenced through the use of footnotes and bibliography. The additional required inclusions for a final draft can be included at the discretion of the consultant. A preliminary report must be designated as such on the front cover.
  - (b) A final draft is a report which is ready for printing. Such a report adequately addresses all Scope of Services requirements and any other requirements of the locality; references all primary and secondary data sources through the use of footnotes and bibliography; contains all documentation as listed in Section D2 103 of these policies. A final draft must be designated as such on the front cover.
  - (c) Printed report refers to a report ready for distribution with the appropriate number of printed and bound copies of such report.
- 2. Preliminary local assistance reports will be scheduled for submittal to IGR in coordination with IGR, the planning commission, and the consultant. Preliminary reports must be scheduled for submittal to IGR at least fifteen working days prior to presentation of that report at an official planning commission meeting.
  - 3. These preliminary reports must be scheduled for submittal throughout the contractual period, but prior to May 1 of the program year.

4. Nonperformance of local assistance plans: Failure to comply with established preliminary planning report submittal dates as specified under contract, may result in the following action. A grace period beginning the first working day following the scheduled submittal date and not exceeding five working days will be allowed. Upon expiration of the grace period, there will be a daily deduction of two percent of the element cost, that cost as stipulated by contract, for each working day that the planning report is overdue past the grace period, up to a maximum of twenty-five percent. The entire contract may be subject to termination if the planning report is not submitted within thirty working days following the scheduled submittal date.
  - (a) One copy of the preliminary report will be submitted to IGR, one copy to each planning commission member of the locality, and one copy to the appropriate areawide planning organization.
  - (b) The preliminary will arrive fifteen working days prior to the official planning commission meeting at which the report is scheduled for presentation.
  - (c) The areawide planning organization will review the study for compliance with regional plans. Written comments will be submitted to IGR within six working days following receipt of report.
  - (d) IGR will review the report and will submit written comments, incorporating the areawide planning organization's comments when appropriate, within ten working days following receipt of report.
  - (e) The written comments, if containing approval of the preliminary report or comments on minor deficiencies, will be sent to the consultant.
  - (f) Should the preliminary report have major deficiencies in meeting the Scope of Services, the deficiencies will be resolved between IGR and the consultant without review sheets going to the planning commission members. However, in the event this should occur, a letter explaining the delay in IGR's acceptance of the report will be sent to each planning commission member. Should the preliminary report be deemed unacceptable, the consultant will be required to resubmit corrected preliminary within ten working days following notification by IGR. Because of the existence of a Scope of Services, IGR reserves the right to determine the acceptability of planning reports.
5. Amendments to the planning activities as specified in the contract will be made in writing and signed by the planning commission chairman and will be submitted to IGR for approval. Such amendments should be submitted to IGR as soon as the need for the revision becomes evident. Proposed amendments will not be accepted by IGR after March 31 of the program year.
6. Requests for time extensions on preliminary report submittal dates must be made in writing and must be received by IGR two weeks prior to the originally scheduled submittal date.
7. Local assistance plans will be subject to approval by IGR in regard to quality of work performed. A Scope of Services outlining minimum acceptable planning standards will be issued by IGR. All consultants in their preparation of planning reports are required to meet these standards.
8. Prior to presentation of the preliminary report to the planning commission, the following procedures will be utilized by IGR, consultants, and areawide planning organizations in the submittal and evaluation of preliminary local assistance planning reports:
  9. Final drafts will be submitted to IGR and to the planning commission members and the chief elected official for

approval prior to the printing of such reports. Written approval will be given by IGR within ten working days of submittal. Notice of approval will be sent to the planning commission members and to the consultant.

10. Printed reports must be submitted to IGR prior to June 30 of each year.

#### D. Publication and Depository Requirements

1. The individual reports and maps (hereinafter referred to as "product") which comprise a comprehensive plan will be published by the consultant in final form, each product under separate cover, within the same planning program year in which that product is funded. Exceptions may be given on an individual basis by IGR.
2. Each final product will meet HUD requirements as outlined in Handbook II concerning basic inclusions. The HUD citation will be affixed in a conspicuous location on preliminary and final products and will read:

This report (or map) was prepared under contract (Contract Number) for (Name of Locality) by (Name of Consultant). The preparation of this report (or map) was financially aided through a comprehensive planning grant from the Department of Housing and Urban Development, and through the financial assistance of the State of Louisiana, Commission on Intergovernmental Relations and by (Name of Locality).

3. Additional inclusion requirements are as follows:
  - (a) Outside cover sheet which gives name of report, name of locality, name and location of consultant, and the month and year in which the report was prepared.
  - (b) Bibliographic Data Sheet.
  - (c) Inside title sheet which gives the same information as the outside

title sheet. The HUD citation must appear on this sheet.

- (d) Roster sheet giving the names of the planning commission members.
- (e) Table of Contents.
- (f) List of Tables.
- (g) List of Maps.
- (h) Bibliography (standard form).

4. A consultant performing comprehensive local assistance plans will submit an original reproduceable or a duplicate film reproduceable of the base map of the locality to IGR.
5. The consultant will provide IGR with the appropriate number of copies of each of the final products based on the following distribution needs:

20 copies—designated HUD depositories  
1 copy—Louisiana Commission on Intergovernmental Relations  
43 copies—Secretary of State, Louisiana  
1 copy—Parish library  
5-9 copies—Planning commission members  
5-16 copies—Mayor, town council, or police juries  
1 copy—substate district  
25 copies—locality (general use)

#### E. Procedures for Payment

1. The consultant will submit a standard IGR invoice to IGR upon submittal of the printed report. The invoice must have the original signature of the planning commission chairman or his designated representative. Comments from the planning commission, in the form of official meeting minutes indicating approval of the final draft, must be attached to the invoice. Processing of the invoice will require fifteen working days.

#### F. Professional Competency

1. In accordance with HUD requirements on professional competency (Federal Register, Volume 40, No. 164, August

22, 1975), IGR requires that each planning agency entering into a contract with IGR on local assistance work have the staff person supervising the planning work fulfill certain qualifications prior to execution of the contract. (This staff member would meet criteria used to designate the previously used "Planner-In-Charge" classification. A consultant having a "Planner-In-Charge" designation and having a contract with IGR during fiscal year 1976-77 will automatically be considered a qualified consultant).

2. Only those consultants under contract to IGR or under consideration for a contract will be evaluated and considered for IGR approval.
3. IGR approval of a consultant is valid only for the period of time that the consultant is under contract to IGR.
4. The following procedure will be used to qualify for local assistance work:
  - (a) The applicant will submit a written request for IGR approval. The request will include:
    - (1) Two examples of comprehensive planning work for which the applicant had major responsibility.
    - (2) A certified transcript of course work.
    - (3) A resume indicating education, professional planning work experience, employment history, and three professional planner references.
  - (b) IGR will review the request and will inform the applicant of approval or nonapproval of the request. In the event of nonapproval, the reasons for such action will be given.
5. IGR may rescind its approval for the following reasons:
  - (a) Unethical or unprofessional con-

duct of the approved consultant and/or members of his/her specialist team in the performance of planning duties. The AIP Code of Professional Responsibility will be used as a guide in making determinations of unethical or unprofessional conduct.

- (b) Repeated unsatisfactory performance in professional services to any planning area as judged by the standards used by IGR.
6. The following qualifications will be used to determine professional competency.
    - (a) In lieu of degree: eight years of professional planning experience of which five years shall be responsible charge.
    - (b) BA or BS in unrelated field: five years of professional planning experience of which three years shall be responsible charge.
    - (c) BA or BS in related field as defined by Civil Service: three years of professional planning experience of which one year shall be responsible charge.
    - (d) BA or BS in Urban Planning or MA, MS, or PhD in related field as defined by Civil Service: two years of professional planning experience of which one year shall be responsible charge.
    - (e) MA or PhD in Urban Planning: one year of responsible experience in comprehensive planning.

#### IV. Regional Planning and Management

##### A. Application Requirements

1. Applications for grant assistance are required on an annual basis in the form of an Overall Program Development (OPD).
2. The OPD submittal date will be based on HUD's announcement of funding levels.

IGR will allow the subgrantee sufficient time to prepare an OPD.

**B. Performance of Work**

1. The definitions given in Section II, Part C, Paragraph (a), (b), and (c) will apply to regional planning studies.
2. Preliminary regional planning reports will be scheduled for submittal to IGR by the subgrantee, submittal dates subject to approval of IGR.
3. Prior to presentation of the preliminary report to the regional planning commission, the following procedures will be utilized.
  - (a) One copy of the preliminary report will be submitted to IGR and one copy to each planning commission member.
  - (b) This preliminary report will arrive at least fifteen working days prior to the official planning commission meeting at which the report is scheduled for presentation.
  - (c) IGR will review the report and will submit written comments within ten working days following receipt of the report.
  - (d) The written comments, if containing approval or comments on minor deficiencies, will be sent to the areawide planning organization.
  - (e) Should the preliminary report have major deficiencies, the deficiencies will be resolved between IGR and the subgrantee without review sheets going to the planning commission members. However, in the event this should occur, a letter explaining the delay in IGR's acceptance of the report will be sent to each planning commission member. Should the preliminary report be deemed unacceptable, the subgrantee will be required to resubmit the preliminary report within ten working days following notification by IGR.
4. Planning studies will be subject to approval by IGR in regard to quality of work performed. Necessary revisions in reports will be discussed and resolved between IGR and the subgrantee.
5. Nonperformance of planning activities:
  - a. Grave discrepancies in the administration of the subgrantee's 701 planning and management program resulting in mismanagement of funds or noncompliance with HUD and State regulations will result in the following action. Payment on the planning and management program will be stopped until such time that the affected agency corrects the discrepancies to the satisfaction of the Louisiana Commission on Intergovernmental Relations and Housing and Urban Development.
  - b. Noncompliance with established preliminary planning report submittal dates, as outlined under contract, may result in the following action. A grace period beginning the first working day following the scheduled submittal date and not exceeding five working days will be allowed. Upon expiration of the grace period, there will be a daily deduction of two percent of the element cost, that cost as stipulated in the planning organization's Annual Work Program, for each working day that the planning report is overdue past the grace period, up to a maximum of twenty-five percent. The entire contract will be subject to termination if the planning report is not submitted within thirty working days following the scheduled submittal date.
6. Amendments to the subgrantee's OPD will be made in writing and will be approved by the governing body of the areawide planning organization, and will be submitted to IGR as soon as the need for a revision becomes evident. Proposed amendments cannot be submitted to IGR after March 31. Final approval of any amendment will be with HUD.