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# Executive Orders

## EXECUTIVE ORDER EWE-76-17

WHEREAS, the provisions of Article VII, Sections 10 (D) and 14 (C) of the Louisiana Constitution provide for the appropriation of public funds for public purposes and for cooperative endeavors between the State and its political subdivisions and public or private corporations for public purposes; and

WHEREAS, conditioned upon the creation and State recognition of the Criminal Justice Institute, Act 17 of the 1976 Regular Session of the Louisiana Legislature appropriated to the Criminal Justice Institute an amount not to exceed \$30,000 to be used only for minimum cash match from Federal Safe Streets Act funds on a nine to one match ratio; and

WHEREAS, on April 16, 1975, the Criminal Justice Institute was chartered under the provisions of the Louisiana Nonprofit Corporations Law (Title 12, Chapter 2, Louisiana Revised Statutes of 1950 as revised and codified by Act 105 of 1968, Legislature of Louisiana) for charitable, scientific and educational purposes, to wit:

- A. To promote study and research in the criminal law and related arts and sciences;
- B. To promote training and research which will foster high standards and professionalism among persons working within the criminal justice system;
- C. To promote study and research which will tend to improve methods of rehabilitating persons convicted of crime;
- D. To promote study and research which will tend to improve the criminal law and procedure as it relates to both adults and juveniles;
- E. To engage actively in or sponsor activities which will tend to prevent criminal acts with reference to both adults and juveniles; and
- F. To promote public understanding of the criminal justice system and encourage citizen participation in the prevention of crime and the rehabilitation of offenders; and

WHEREAS, all the activities of the Criminal Justice

Institute are within the contemplation of the aforementioned constitutional provisions and provide a needed public service.

NOW, THEREFORE, I, EDWIN EDWARDS, Governor of Louisiana, by virtue of the authority vested in me by the Constitution and statutory laws of this State, hereby create the Criminal Justice Institute for purposes of receiving funds now or hereafter appropriated to it, and recognize it as a nonprofit entity serving the public purposes mentioned hereinabove.

IT IS FURTHER ORDERED that the Criminal Justice Institute is authorized to request the assistance of any State department and to utilize such services in furtherance of the public purposes of the Criminal Justice Institute to promote maximum utilization of Institute resources and the more efficient use of public funds received by the Institute.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this the 30th day of December, A.D., 1976.

**EDWIN EDWARDS**

**Governor of Louisiana**

## EXECUTIVE ORDER EWE-76-18

WHEREAS, from 1916, until 1964, Major General Raymond H. Fleming served with great honor and universally recognized distinction in the Louisiana National Guard and the United States Army as an enlisted man and as an officer; and

WHEREAS, during his years of service and dedication to the nation and to our State, he distinguished himself by his ability, knowledge and leadership; and

WHEREAS, while serving as an officer of the United States Army and Louisiana National Guard, he held notable positions including Commander of the 141st Field Artillery Regiment, Adjutant General of Louisiana for 28 years, and Assistant Director of the National Selective Service System; and

WHEREAS, General Fleming was the only Louisianian to hold the position of Chief of the National Guard Bureau; and

WHEREAS, this gallant officer has been awarded decorations which include the United States Distinguished Service Medal, the Army Commendation Medal, the Louisiana National Guard Distinguished Service Medal with Fleur de Lis and the Distinguished Service Medal of the National Guard Association of the United States; and

WHEREAS, he was the only Louisiana National Guard officer to have been awarded the service medals of the Mexican Border, World War I, World War II, and the Korean Conflict; and

WHEREAS, this humanitarian is not only acclaimed for his service to his country in the military, but also is recognized as a leader and friend of those who knew him in his community, state and nation.

NOW, THEREFORE, I, EDWIN EDWARDS, Governor of the State of Louisiana, in memory of this great and beloved patriot, do hereby designate and proclaim that the Headquarters Building of the Louisiana National Guard at Jackson Barracks in New Orleans, shall be and is hereby named, and shall hereinafter be known as the Major General Raymond H. Fleming Memorial Armory.

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 27th day of December, A.D., 1976.

**EDWIN EDWARDS**  
Governor of Louisiana

**EXECUTIVE ORDER EWE-77-1**

WHEREAS, provision has been made for payment of advance sales tax and such tax has been charged on the sale of all tangible personal property since 1965; and

WHEREAS, exemption identification numbers, known as "W" numbers, have been issued to many Louisiana firms by the Department of Revenue during that period; and

WHEREAS, firms with "W" numbers are exempt from payment of advance sales tax, but do remit total tax when the tangible personal property is sold; and

WHEREAS, the complexity of administering these and related matters have been considered by the House Committee on Ways and Means, by the Department of

Revenue and a significant and representative number of affected tax payers; and

WHEREAS, there is need for study, direction, and clarification of all laws and procedures related to these matters.

NOW, THEREFORE, I, EDWIN EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested in me, pursuant to the Constitution and applicable statutes of Louisiana, do hereby create and establish the Governor's Study Commission on Advance Payment of Sales Taxes.

BE IT FURTHER ORDERED that the Commission shall consist of the Secretary of the Department of Revenue and Taxation, who shall serve as chairman; the Attorney General or his designee; the Chairman of the House Ways and Means Committee; the Chairman of the Senate Revenue and Fiscal Affairs Committee; the Executive Counsel to the Governor, and ten other persons to be appointed by the Governor, to conduct a comprehensive review and study of the advance sales tax.

BE IT FURTHER ORDERED that this committee is hereby directed to study these problems and to make recommendations to the Governor and the Legislature of Louisiana to correct any unfairness or inequities in the Advance Sales Tax Law, its application, or execution prior to the 1977 Regular Session of the Legislature.

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 6th day of January, A.D., 1977.

**EDWIN EDWARDS**  
Governor of Louisiana

**EXECUTIVE ORDER EWE-77-2**

WHEREAS, the State imposes a sales or use tax on the lease or rental of tangible personal property; and

WHEREAS, the complexity of administering these and related matters have been considered by the House Committee on Ways and Means, by the Department of Revenue and a significant and representative number of affected tax payers.

NOW, THEREFORE, I, EDWIN EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested in me, pursuant to the Constitution and applicable statutes of Louisiana, do hereby create and establish the Governor's Study Commission on Sales and Use Tax Law.

BE IT FURTHER ORDERED that this Commission shall consist of the Secretary of the Department of Revenue and Taxation, chairman; the Attorney General or his designee; the Chairman of the House Ways and Means Committee; the Chairman of the Revenue and Fiscal Affairs Committee; Executive Counsel to the Governor; and eight other persons appointed by the Governor, to conduct a comprehensive review and study of the law on the sales and use tax, particularly R.S. 47:302(B) and R.S. 47:321(B).

BE IT FURTHER ORDERED that this committee is hereby directed to make recommendations to the Governor and the Legislature of Louisiana to correct any unfairness and inequity in the State sales and use tax on the lease and rental of tangible personal property, its application, interpretation or execution prior to the 1977 Regular Session of the Legislature.

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 6th day of January, A.D., 1977.

**EDWIN EDWARDS**  
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**Governor of Louisiana**

#### EXECUTIVE ORDER EWE-77-3

WHEREAS, the Louisiana Legislature by Act No. 9 of the Second Extraordinary Session of 1976, has authorized the Governor to sell, lease or renovate the former residence of the late Huey P. Long in New Orleans; and

WHEREAS, LSU used the house on Audubon Boulevard and has maintained it for the official residence of the chancellor of the LSU School of Medicine; and

WHEREAS, if retained by the State, the building now in serious need of repair and renovation will require extensive attention in order to satisfy health and fire safety standards, and moreover, this building has been

unoccupied for over a year and a half requiring costly security; and

WHEREAS, the present situation has caused concern to neighboring residents who have requested the Governor to take immediate necessary steps to remedy the failing condition of the residence; and

WHEREAS, the Administration has contacted the members of the Long family of the decision of the Legislature authorizing the disposition of this property and they agree to any purpose which will assure continued stable use and maintenance whether as a private residence or as a public house.

NOW, THEREFORE, I, EDWIN EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested in me and pursuant to the Constitution and applicable statutory laws of this State, do hereby create and establish a special ad hoc committee to study, review, and make recommendations with regard to the sale, lease, repair and renovation, or other disposition of the New Orleans residence of the former Governor Huey P. Long at No. 14 Audubon Boulevard.

BE IT FURTHER ORDERED that this special committee shall be composed of seven members appointed by me and shall consist of the Lieutenant Governor, chairman; two members of the Senate; two members of the House of Representatives; and two persons from the public at large, all of whom shall serve for no compensation.

BE IT FURTHER ORDERED that this committee shall study and review the possibilities of the most efficient and desirable disposition of this property owned by the State and recommend to me by written report on the feasibility of the options in selling, leasing, renovating or otherwise disposing of the Huey P. Long residence no later than April 15, 1977.

BE IT FURTHER ORDERED that in performing and executing its duties and functions in advising me, this committee shall have available to it the services of my office, the Division of Administration, and any other department or office in the Executive Branch of the State to determine in what manner to dispose of this property or to decide on the merit of its historical or cultural significance to Louisiana, and all such offices of the Executive Branch shall cooperate with and provide the committee the assistance it deems necessary.

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 6th day of  
January, A.D., 1977.

**EDWIN EDWARDS**  
Governor of Louisiana

# Policy and Procedure Memoranda

OFFICE OF THE GOVERNOR  
DIVISION OF ADMINISTRATION

Policy and Procedure Memorandum  
No. 62 (Revised)

**Subject: Printing Procedures**  
**Effective Date: December 1, 1976**

This Policy and Procedure Memorandum rescinds, supersedes, and cancels Policy and Procedure Memorandum No. 48, including any and all previous delegation of authority pertaining to PPM No. 48, the addendum of September 21, 1972, and the revision dated November 1, 1975.

All administrative boards, commissions, departments, agencies, institutions, and offices within the Executive Branch of State Government shall purchase all requirements of printing and engraving through Central Purchasing, Division of Administration.

Exceptions: Louisiana State University and Agricultural and Mechanical Colleges, Office of Highways of the Department of Transportation and Development, and the port authorities.

All requisitions for printing, engraving, and binding shall be submitted directly by the agency to Central Purchasing, Division of Administration, and shall not be handled at the agency level through the printing vendors or their representative. Certified library binding should be handled on a release order through the agency's purchasing section using the correct binding contract for certified library binding and rebinding of books.

Requisition: All items of printing, binding, or engraving shall be requisitioned on a Purchase Requisition (Form DA 101 or DA 101 A). If agency is on FACS, use FACS Form 101 and only like items shall be requisitioned on each requisition form.

Example:

- (1) Printed letterheads
- (2) Engraved letterheads
- (3) Flat forms
- (4) Snap sets (same size)
- (5) Continuous forms
- (6) Card forms
- (7) Etc.

Each requisition must be accompanied by complete specifications (size, color, and kind of paper, construction, numbering information, etc.) and a sample or a clean layout. The sample must be a complete original. A Xerox copy or a reference to a previous order will not be acceptable.

When preparing a requisition, the agencies must use a fourteen-digit requisition number (first three digits agency number, next five agency cost center, next five requisition number, final digit will be last number of the fiscal year money is to be encumbered), complete specifications, and include an original sample.

Any and all requisitions received by Central Purchasing, Division of Administration, not meeting the above requirements shall be returned to the agency submitting such requisitions prior to entering the job request.

## Suspension

Acts 1972, S.C.R. No. 99 provides for a suspension of all laws or parts of laws requiring printed reports by State boards, commissions, departments, or agencies as follows: "Therefore, be it resolved by the Senate of the Legislature of the State of Louisiana, the House of Representatives thereof concurring, that all laws or parts of laws that require or authorize State boards, commissions, departments, and/or agencies to prepare, print, or publish and distribute annual or biennial reports to the Governor, the Legislature, or both of them, or for public distribution, are hereby suspended to the extent of such requirements or authorizations; provided, however, that said suspension shall not apply to any laws or portions of laws requiring or authorizing reports required by laws or regulations of the United States Government or any of its agencies in order to obtain or continue to receive Federal funds, grants, or assistance."

R.S. 43:31—Printed matter prohibitions; uniform standards; election material

A. No State agency shall print or cause to be printed any bulletin, leaflet, Christmas card, or other similar communication, house organ or circular, except those required by law. All printed matter so required shall be

effected in a uniform manner as to size, quality of paper, and use of color as contained in standards to be established by the Division of Administration and approved by the Legislative Budget Committee. (Note: These are established in the following standard specifications.)

The Division of Administration, with the approval of the Legislative Budget Committee, shall be empowered to make such exceptions that may be in the best interest of the State of Louisiana.

Provided, however, that no provision of this section shall be deemed in any manner to apply to either house of the Legislature or its committees, nor to the Legislative Council, the Office of the Legislative Auditor, or other agency or authority of the Legislature.

Provided further, that this section shall not apply to any laws or portions of laws requiring or authorizing reports required by laws or regulation of the United States Government or any of its agencies in order to obtain or continue to receive Federal funds, grants, or assistance.

When an agency is requisitioning one of the above items, a reference to the State or Federal law should be noted on the requisition. This will speed the processing of the requisition.

### **Standard Specifications State Publications**

- Size:** 6 x 9, 6½ x 8½, 8½ x 11, or 9 x 12  
**Paper:** Text 50 lb. or 60 lb. white offset  
Cover 65 lb. No. 1 Antique cover (standard colors)  
**Ink:** Text one color  
Cover one color  
**Binding:** On individual basis  
**Copy:**
1. Camera-ready:  
Typed, computer printout, or previously printed book, unless it has been copyrighted.
  2. Set-type for 6 x 9 or 5½ x 8½  
10-point on 12-point slug by 25 picas wide by 45 picas deep including folio. Agency may select type faces from those available. Smaller type may be used in tabular matter to save on the number of pages.  
Set-type for 8½ x 11  
10-point on 12-point slug by 42 picas (2 columns with 2-pica gutters) wide by 56 picas deep including folio. Agency may select type face from those available. Smaller type may be used in tabular matter to save on the number of pages.

The method of printing would determine the feasibility of photographs.

- Example:**  
Letterpress-(all type) No photographs should be used.  
Offset-photographs can be used.

### **Newsletters, Leaflets, Etc.**

- Size:** 8½ x 11 or 17 x 11  
**Stock:** 50 lb. or 60 lb. offset  
60 lb. or 70 lb. enamel  
**Ink:** One color (both sides)  
**Fold:** 8½ x 11 size to 8½ x 5½ or to fit no. 10 envelope  
17 x 11 size to 8½ x 1 or 8½ x 5½ or to fit no. 10 envelope  
**Copy:**
- (a) Camera-ready or
  - (b) Set type-image area  
8½ x 11 size—7½ x 10  
17 x 11 size—16 x 10

Agency may select type face and size from those available. Size of type will depend on amount of copy and the number of photographs that will be used in the newsletter, leaflet, etc. Photographs should be held to a limited number.

The Commissioner of Administration, or his designated representative, may be empowered to make certain exceptions that may be in the best interest of the State. However, application for such exceptions must be in writing and must present detailed information in support of such request.

**Classes of Printing:** The State printing contract covers thirty-one categories of printing and binding. Central Purchasing, Division of Administration, reserves the right to assign each request for printing to the proper contractor, to the Administrative Services Section of the Division of Administration, or to award to a commercial printer as a result of competitive bids taken by the State Printing Agent.

In all printing contracts, the right shall be reserved for all State boards, commissions, departments, institutions, and offices to do and perform printing, mimeographing, copying, and similar work for which they have existing facilities.

**R.S. 43:1B(3) Delegation of Authority:** The Commissioner of Administration may delegate the purchase of printing to any instrumentality whenever the best interests of the State will be served; however, the

delegation of this authority does not preclude the procurement of these items through the Purchasing Section when the Commissioner deems it more desirable or practical to do so.

Authority is delegated to all agencies covered by this Act to purchase the following items without prior approval by the printing offices.

1. Prepublished items specifically limited to:
  - a. Technical or scientific books
  - b. Pamphlets, reports, maps, and charts
  - c. Tax and tariff schedules
  - d. Subscriptions to newspapers, magazines, and periodicals.
2. Art work and similar professional services.
3. College yearbooks and student newspapers.
4. Athletic, cultural or entertainment programs, posters, and tickets.

Where unusual problems are encountered, and an agency considers additional delegated authority necessary, an application for this authority may be submitted to the Commissioner of Administration. Such application must be in writing and must present detailed information in support of the request.

All purchases, whether made by the Division or by the agency under the delegated authority provision, shall be made in compliance with R.S. 43:1-31.

**Forms Management:** Forms that are warehoused by the State for State agencies are ordered on a warehouse requisition (DA FM 1). These requisitions are sent directly to Forms Management, 655 Choctaw Drive, Baton Rouge, Louisiana. If you do not have a forms register or the warehouse requisition, you may obtain these by calling Forms Management (389-5546).

**Administrative Services:** If a State agency is certain their printing will be handled by Administrative Services they can fill out an Administrative Services printing request. This form along with an original sample, may be sent directly to Administrative Services, a DA 101 does not have to be included with this request. If the State agency needs any of these request forms they may call 389-7474.

**Information:** All requests for information shall be directed to Division of Administration, State Printing Agent, P. O. Box 44095, Baton Rouge, Louisiana. Questions regarding specifications, deliveries, and other matters pertaining to printing jobs shall be submitted directly by the agency to the Division of Administration and shall not be handled by the agency through representatives or vendors. The facilities of the printing

office are available to any agency and all requests will be handled promptly.

Charles E. Roemer, II  
Commissioner of Administration and  
Executive Assistant to the Governor

# Emergency Rules

## DECLARATION OF EMERGENCY

Department of Health and Human Resources  
Office of Family Services

The Department of Health and Human Resources, Office of Family Services, is issuing a concise statement of employment and training policy mandated by the U.S. Department of Health, Education and Welfare (HUD) by Social and Rehabilitative Services' Action Transmittal 76-160 published October 22, 1976.

Because this policy is federally mandated, it has been effected immediately. This policy has been followed from the outset of the Indo-Chinese Refugee Program because HEW had indicated that the requirements were the same as those followed in the Aid to Families with Dependent Children (AFDC) program, however, this is the first definite statement on this subject. This action was taken pursuant to R.S. 49:953B and R.S. 49:966C. Copies of the emergency rule are available for public examination at the office of the Department of Health and Human Resources, Office of Family Services, 755 N. Riverside Mall, Room 201, Baton Rouge.

### I. Employment or Training Requirements

- A. All employable refugees who apply for or receive cash assistance, and all employable members of the assistance unit of which they are a part, shall register for employment with the Louisiana State Employment Service (LSES), and shall accept an employment or training opportunity from any source, in the same manner as required for each recipient of AFDC. An individual is considered employable unless one of the following exemptions applies:

1. An individual who is under age 16, or who is under age 21 and is attending school or training full time, or who is age 21 or over

and is attending school or training except that training shall be limited to less than one year.

2. A person who is ill, incapacitated, or over 65 (verification of illness or incapacitation is required).
3. A person whose presence in the home is required because of illness or incapacity of another member of the household (verification is required).
4. A mother or other caretaker of a child under the age of 6 who is caring for the child.
5. A mother or other caretaker of a child, when the nonexempt father or other non-exempt adult relative in the home is registered and has not refused to accept employment without good cause.

Inability to communicate in English does not make the refugee "unemployable."

- B.** As an applicant for assistance, an employable refugee shall not, during thirty consecutive calendar days immediately prior to the receipt of aid, have voluntarily quit a job for the purpose of receiving assistance, or refused to apply for or accept an appropriate offer of employment. The dependent family of such an ineligible applicant may, however, apply for and receive cash assistance.
- C.** As a recipient of assistance under the refugee assistance program, an employable refugee shall not, while in receipt of aid, have voluntarily quit for the purpose of receiving assistance, or refused to apply for or accept an appropriate offer of employment or employment-related training meeting any applicable minimum wage requirement.
- D.** Appropriate Work and Training Criteria: The determination of "appropriate work" shall be made in accordance with the following criteria:
1. Appropriate work may be temporary, permanent, full-time, part-time, or seasonal work if such work meets the other work standards of this document.
  2. The wage shall meet or exceed the Federal or State minimum wage law, whichever is

applicable, or if such laws are not applicable, the wage shall not be less favorable than the wage normally paid for similar work in that labor market but in no event shall it be less than three-fourths of the minimum wage rate.

3. The daily hours of work and the weekly hours of work shall not exceed those customary to the occupation.
4. No individual shall be required to accept employment if:
  - (i) The position offered is vacant due to a strike, lockout, or other bona fide labor dispute;
  - (ii) The individual would be required to work for an employer contrary to the conditions of his existing membership in the union governing that occupation. However, employment not governed by the rules of a union in which he has membership may be deemed appropriate.

In addition to meeting these criteria, for training to be appropriate, the quality of the training must meet local employers' requirements so that the individual will be in a competitive position within the local labor market. The training must also be likely to lead to employment which will meet the appropriate work criteria, as defined in this document.

The following additional standards must be met before an employable adult cash assistance recipient can be required to accept a work or training assignment:

1. The job or training assignment must be related to the physical and mental capability of the individual to perform the task on a regular basis. Any claim of adverse effect on physical or mental health shall be based on an adequate medical testimony from a physician or licensed or certified psychologist indicating that participation would impair the individual's physical or mental health.
2. The total daily commuting time to and from home to the work or training site to which the individual is assigned shall not normally exceed two hours, not including