

CONTENTS

I. EXECUTIVE ORDERS

EWE-78-7—Assessment of public service and other properties	202
EWE-78-8—New Member for the Board of Trustees of the Louisiana Public Facilities Authority	202
EWE-78-9—Governor's Advisory and Review Commission on Assistant District Attorneys	202
EWE-78-10—Governor's Council of One Hundred	203
EWE-78-11—Approves the Bylaws of the Louisiana Public Facilities Authority	204

II. EMERGENCY RULES

Education:

Board of Elementary and Secondary Education—Removal of deficiencies during summer school	204
--	-----

Health and Human Resources Department:

Office of Family Services—Temporary increases in AFDC, GA, and medically needy payments	204
---	-----

Wildlife and Fisheries Department:

Brown shrimp season extension	205
-------------------------------------	-----

III. RULES

Agriculture Department:

Structural Pest Control Commission—Fumigation; examinations	205
---	-----

Commerce Department:

Real Estate Commission—Cooperation with out-of-state brokers	207
--	-----

Education:

Board of Elementary and Secondary Education—Bulletin 741 amendments; Act 20 Guidelines; Bulletin 1196 revisions; graduate courses offered in Louisiana by out-of-state institutions; guidelines for teacher-preparation programs	207
Louisiana State University Board of Supervisors—Law Center; amendments to bylaws	209

Governor's Office:

Tax Commission—Leased personal property	209
---	-----

Health and Human Resources Department:

Office of Family Services—Emergency medical transportation payments to SNFs and ICFs I and II	210
Method of payment to mental health, substance abuse and family planning clinics	210

Office of Human Services:

Bureau of Aging Services—State Plan on Aging	210
--	-----

Office of Mental Health—Louisiana State Plan for Comprehensive Mental Health Services	210
---	-----

Natural Resources Department:

Office of the Secretary—Mineral Leasing Policy	210
--	-----

Wildlife and Fisheries Department:

Spring brown shrimp season; oyster leases	211
Stream Control Commission—Discharges in sand and gravel extraction	212

IV. NOTICES OF INTENT

Agriculture Department:

Office of Agricultural and Environmental Sciences—Sweet-potato Weevil Quarantine and Regulation	213
--	-----

Commerce Department:

Board of Certified Public Accountants—Experience requirements	213
---	-----

Education:

Board of Trustees for State Colleges and Universities—Financial assistance for student government officers	213
---	-----

Board of Elementary and Secondary Education—School psychologists; employee assistance; out-of-state fees at vocational-technical schools; Annual Program Plan for Adult and Community Education; Title I Migrant Education State Plan; school social workers; removal of deficiencies during summer school	214
---	-----

Board of Regents—Tenure; Guidelines for Programs for Preparation of Teachers and other Professional School Personnel; graduate courses offered in Louisiana by out-of-state institutions	214
--	-----

Health and Human Resources Department:

Office of Family Services—Income Standards and Basis of Issuance in the Food Stamp Program	214
--	-----

Medically Needy Eligibility Standards	214
---	-----

Vendor payments for physician services	215
--	-----

Standards for Payment to SNFs and ICFs I and II	216
---	-----

Day care transportation	216
-------------------------------	-----

Office of Human Services:

Bureau of Aging Services—State Plan for Aging	217
---	-----

Board of Veterinary Medicine—Recordkeeping; relicensing; public spay clinics; standards of professional conduct; pet shops, kennels, and breeders; unlicensed veterinarians; Schedule II drugs	217
Public Safety Department: Fire Prevention Board of Review—Procedural rules	217

V. POTPOURRI

Governor's Office: Tax Commission—Sales-Appraisal Ratio Study for Orleans Parish	218
Health and Human Resources Department: Office of the Secretary—New treatment facility for mental illness	220
Natural Resources Department: Office of Conservation—Storage of hydrocarbons in Napoleonville salt dome	220
Storage of crude oil in Clovelly salt dome	220

EXECUTIVE ORDERS

EXECUTIVE ORDER EWE-78-7

WHEREAS, it appears urgent problems and unanticipated complications have arisen with respect to the appraisal and assessment, for ad valorem tax purposes, of public service properties and other properties within the State of Louisiana; and

WHEREAS, it appears to be necessary that correcting and amending legislation should be enacted at the forthcoming Regular Session in order to clarify and expand upon existing laws; and

WHEREAS, the members of the Louisiana Tax Commission, my Executive Counsel, the Chairman of the Governor's Commission on Ad Valorem Taxation and others have advised me that it is imperative that further consideration be given to the method of appraisal, as well as recommendations and determinations heretofore made; and

WHEREAS, in order to give further analysis, study, and consideration to the criteria and procedures for appraisal and assessment of such properties by the several assessors throughout the State of Louisiana and by the Louisiana Tax Commission; and

WHEREAS, assuming that it is necessary that any contract for professional appraisal services would, under normal circumstances, have to be let in accordance with the normal public bid law and procedures; and

WHEREAS, it is impossible within the period between now and the beginning of the coming legislative session to comply with the public bid laws of this State, in order to obtain needed professional recommendations,

NOW, THEREFORE, I, EDWIN EDWARDS, do declare that an emergency exists with respect to the necessity for obtaining professional recommendations relating to the appraisal of public service properties within the State of Louisiana,

FURTHER, I authorize the Louisiana Tax Commission, without complying with normal advertising and public bid procedures, to forthwith enter into such contracts and agreements as may be necessary, but subject to my approval, with competent persons, firms, or corporations in order to determine a basis for appraisal and assessment of public service and other properties within the State of Louisiana.

FURTHER, the Louisiana Tax Commission is authorized to take whatever steps it considers necessary, expedient, and appropriate to discharge its obligations with respect to the imposition of ad valorem taxes throughout the State of Louisiana.

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 23rd day of February, A.D. 1978.

Edwin Edwards
Governor of Louisiana

EXECUTIVE ORDER EWE-78-8

WHEREAS, by Executive Order 71, dated August 27, 1974, I, Edwin Edwards, by virtue of the authority vested in me under the Constitution and laws of the State of Louisiana, as Governor thereof, did accept on behalf of the State of Louisiana the beneficial interest in the public trust authority entitled the Louisiana Public Facilities Authority; and

WHEREAS, the provisions of the Indenture of Trust creating the Louisiana Public Facilities Authority provide for the appointment of successor trustees to fill vacancies on the Board of Trustees of the Authority; and

WHEREAS, by virtue of the resignation of Camille F. Gravel, Jr. on October 1, 1976, as a member of the Board of Trustees of the Authority, there does exist a vacancy on the Board of Trustees of the Authority; and

WHEREAS, the Authority, pursuant to the provisions of Article VI of the Indenture of Trust creating the Authority, has submitted to the Office of the Governor a list of three eligible names for consideration as a successor trustee to fill the vacancy created by the resignation of Camille F. Gravel, Jr. as a member of the Board of Trustees of the Authority.

NOW, THEREFORE, I, EDWIN EDWARDS, by virtue of the authority vested in me under the Constitution and laws of the State of Louisiana, as Governor thereof, and pursuant to the provisions of the Louisiana Public Trust Act, R.S. 9:2341-47, as amended by Act 699 of the 1976 Regular Session, do hereby constitute and appoint Thomas A. Antoon, Alexandria, Louisiana, as a member of the Board of Trustees of the Louisiana Public Facilities Authority, with his term of office to commence upon his compliance with the provisions of Article IV of the Indenture of Trust creating the Authority; the term of office of said appointee to expire at 12:01 a.m. on September 1, 1979.

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 April, A.D. 1978.

Edwin Edwards
Governor of Louisiana

EXECUTIVE ORDER EWE-78-9

WHEREAS, the well-being of the citizenry of the State of Louisiana and the effective administration of criminal justice is greatly affected by and dependent upon the proper functioning of the office of the district attorney in the various judicial districts; and

WHEREAS, the district attorneys throughout the state and their assistants must shoulder the tremendous responsibility of representing the State in civil actions and criminal prosecutions as well as acting as legal advisors to grand juries and performing other duties as provided by law; and

WHEREAS, the enactment by the Louisiana Legislature in the 1974 Regular Session of Act 640 provided the State funding for a specific number of assistant district attorneys in each judicial district; and

WHEREAS, there has been a proliferation of assistant district attorneys, creating a need to review and revise the method by which additional assistant district attorneys are approved for endorsement; and

WHEREAS, the Louisiana District Attorneys Association, cognizant of this need to review and revise the method by which additional assistant district attorneys are approved for endorsement, approves of having requests for assistant district attorney positions for the various districts screened by a special commission and consents to abide by any guidelines developed by this commission.

NOW, THEREFORE, I, EDWIN EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested in me by the Constitution and laws of this State, do hereby create the Governor's Advisory and Review Commission on Assistant District Attorneys consisting of nine members. The members to be comprised of the following: the Chief Justice of the Louisiana Supreme

Court or his designee; the President of the Louisiana District Judges Association; the President of the Louisiana Police Juries Association; the President of the Louisiana District Attorneys Association; the President of the Louisiana Clerks of Court Association; the Executive Director of the Louisiana District Attorneys Association; the Chairman of the House Committee on the Administration of Criminal Justice; the Chairman of the Senate Committee on Judiciary C; and the Executive Counsel to the Governor, who shall serve as chairman.

BE IT FURTHER RESOLVED, that in functioning as a screening body this commission will advise the Governor and the Legislature as to the necessity of additional assistant district attorney seats in the respective judicial districts.

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 the 13th day of April, A.D. 1978.

Edwin Edwards
Governor of Louisiana

EXECUTIVE ORDER EWE-78-10

WHEREAS, Louisiana is blessed with an abundance of cultural resources which give our state its unique personality and vitality and represents the soul of our people; and

WHEREAS, Louisiana also has an abundance of active businesses and industries which have contributed tremendously to this cultural environment; and

WHEREAS, in recent years the exodus of business and industry, particularly corporate headquarters, to the Sun Belt has been dramatic; and

WHEREAS, quality of life is fast becoming a major determinant of plant location and is important, sometimes vital, in the decision of where to locate a corporate headquarters, a research facility, or an office where highly-trained professional, or well-educated persons work, thus translating quality of life into hard economic factors; and

WHEREAS, in State government, some real headway has been made in recent years to emphasize the importance of arts and cultural programs through the creation of the Department of Culture, Recreation, and Tourism; and

WHEREAS, a cooperative spirit has existed for years in Louisiana between the arts and business and, with the proper kind of leadership and commitment, as demonstrated at the Arts Corporate Appreciation Luncheon in conjunction with the Tutankhamun Exhibits in New Orleans, momentum for progress and development can begin to take place, and

WHEREAS, as Governor, it is my desire to take a leadership role in providing an atmosphere in Louisiana wherein the arts can flourish, recognizing the integral part business has to play in achieving that goal and with the understanding of how productive a partnership of government and business can be in further developing the cultural resources of Louisiana;

NOW, THEREFORE, I, EDWIN EDWARDS, Governor of the State of Louisiana, by the authority vested in me by the Constitution and laws of the State do hereby create and establish a Governor's Council of one hundred composed of involved and interested corporate leaders representing all areas of the business and industrial community.

Through the establishment of such a council a greater dialogue can exist between the public and business sectors for the betterment of all. Utilizing the expertise and resources of business and industry to a greater extent, a new dimension can be added to

government's ability to deliver services. With this kind of cooperative spirit, rapid progress can be realized in improving the cultural environment in Louisiana.

1. The Council is charged with the responsibility of:

A. Advising the Governor and Secretary on broad policy matters relating to the growth and stability of the arts and cultural resources in the State of Louisiana and reporting annually on areas of critical need and ways business can assist in addressing those needs in the form of program priorities and objectives.

B. Providing necessary leadership to the business and industrial community as to how it can appropriately support worthy cultural endeavors throughout the state.

C. Advising on ways the arts, historic preservation, museums, and the humanities can contribute to business and industry.

D. Advising and recording general policies which Louisiana business and industry may wish to adopt regarding contributions to cultural projects.

E. Taking strong and unified positions on matters positively or negatively affecting the cultural resources of Louisiana.

F. Outlining methods for cultural groups to adopt regarding effective fund-raising activities, administrative, organizational and fiscal management and better business involvement.

G. Participating in an appropriate way with the Governor's Conference on Cultural Affairs in coordination with the Division of the Arts, the Division of Archaeology and Historic Preservation, the State Museum, and the Secretary of the Department of Culture, Recreation, and Tourism.

H. Consulting with individual businesses and industries, whether domestic or foreign corporations, interested in cultural matters and the exchange of information that would enlighten and benefit all those involved.

I. Performing other related functions as requested by the Governor or by the appropriate officers of the Department.

2. The Council of One Hundred will be chaired by a President appointed by the Governor. The first President will be Senator Virginia Shehee of Shreveport, Louisiana.

3. Additional offices will be elected by the group and will include an executive vice-president and eight district vice-presidents. The district vice-presidents will serve on a planning and action committee with selected members of the Louisiana Arts Council, the Director of the Division of the Arts, and the Secretary of the Department of Culture, Recreation, and Tourism to plan and execute the responsibilities of an improved business-culture relationship in the state.

4. Special committees may be appointed by the President as deemed necessary and appropriate.

5. The Council of One Hundred will meet twice annually with one meeting held in conjunction with the Governor's Conference on Cultural Affairs. Committee meetings may be called as the situation dictates.

6. The Department of Culture, Recreation, and Tourism, through the appropriate offices, will provide any necessary personnel or other support when requested by the President, within reasonable budgetary limits.

7. Members will serve without compensation in carrying out the functions of the Executive Order.

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 14th day of April, A.D. 1978.

Edwin Edwards
Governor of Louisiana

EXECUTIVE ORDER EWE-78-11

WHEREAS, by Executive Order 71, dated August 27, 1974, I, Edwin W. Edwards, by virtue of the authority vested in me under the Constitution and laws of the State of Louisiana, as Governor thereof, did accept on behalf of the State of Louisiana the beneficial interest in the public trust authority entitled the Louisiana Public Facilities Authority;

WHEREAS, the provisions of the Indenture of Trust creating the Louisiana Public Facilities Authority and the provisions of the Louisiana Public Trust Act, R.S. 9:2341-2347, as amended by Act 699 of 1976, Regular Session, provides that the Authority may make and adopt bylaws for the due and orderly administration and regulation of the affairs of the Authority;

WHEREAS, the Louisiana Public Trust Act does provide in R.S. 9:2341(C) that the bylaws of a public trust that has as its beneficiary the State of Louisiana shall be submitted in writing to the Governor of the State of Louisiana for approval;

WHEREAS, the Authority has forwarded to the Office of the Governor, State of Louisiana, a copy of its Bylaws duly adopted by the Authority at a special meeting held on Wednesday, April 12, 1978;

NOW, THEREFORE, I, EDWIN W. EDWARDS, by virtue of the authority vested in me under the Constitution and laws of the State of Louisiana, as Governor thereof, and pursuant to the provisions of the Louisiana Public Trust Act, R.S. 9:2341-2347, as amended by Act 699 of 1976, Regular Session, do hereby approve the Bylaws of the Louisiana Public Facilities Authority adopted by the Authority at a special meeting held on Wednesday, April 12, 1978.

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 3rd day of May, A.D. 1978.

Edwin W. Edwards
Governor of Louisiana

EMERGENCY RULES

DECLARATION OF EMERGENCY

Board of Elementary and Secondary Education

The State Board of Elementary and Secondary Education at its regular meeting on April 27, 1978, exercised the emergency rule-making provision of the Administrative Procedures Act, R.S. 49:953B, to revise Bulletin 741, *Handbook for School Administrators*. Several school systems have contacted the Department of Education for clarification. They stated that they would be in favor of allowing promotion from one elementary grade to another elementary grade upon removal of deficiencies during summer

school and this amendment would be necessary to give a clearer meaning as the interpretation now stated is not specific.

Rule 3.01.51i

The Board adopted a revision to Bulletin 741, *Handbook for School Administrators*, page 32 to read as follows:

Summer Schools

The following regulations govern the operation of approved summer schools:

Purpose

1. To enable students to schedule courses which would tend to enrich their experiences.
2. To take new subjects.
3. To enable students who have failed in subjects to remove deficiencies.

Administration

1. A summer school must be organized and operated under the administrative and supervisory control of the chief administrative officer of the school system.
2. Summer school must be conducted in an approved school building.
3. A parish with seven or more summer school teachers shall have at least one certified principal.

Application

1. All summer schools must apply to the State Department of Education for approval.
2. An application for approval of summer school offerings must be filed no later than the end of the first week after school is in session.

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

DECLARATION OF EMERGENCY

Department of Health and Human Resources Office of Family Services

The Department of Health and Human Resources, Office of Family Services, has used the emergency provision of the Administrative Procedures Act (R.S. 49:953B) to adopt the following temporary increases in the Aid to Families with Dependent Children (AFDC) and the General Assistance Programs. The Legislature authorized these increases for May and June, 1978. This emergency action was therefore necessary in order to adopt the increases effective May 1, 1978.

Because medically needy payments under the Medical Assistance Program are tied to these rates by Federal regulation (42 CFR 448.4), effective May 1, 1978, all medically needy computations shall be based on the new amounts regardless of which months are considered for medically needy coverage. These adjustments to the Medically Needy Income Eligibility Standards will parallel the increases in the AFDC flat grant payments.

Assistance Payments

AFDC

Non-Urban Grant

Household Size	Flat Grant Amount
1	\$ 48
2	90
3	127
4	159
5	189
6	216
7	245
8	272
9	298
10	325
11	353
12	382
13	413
14	443
15	474
16	504
17	535
18	565

For each additional person add \$33 to the flat grant amount

Urban Grant

1	\$ 53
2	101
3	140
4	172
5	203
6	231
7	258
8	286
9	312
10	338
11	367
12	396
13	424
14	455
15	485
16	518
17	543
18	578

For each additional person add \$36 to the flat grant amount

The urban grant amounts are in effect in Orleans, Jefferson, St. Bernard and East Baton Rouge Parishes and are based on higher shelter costs in those areas.

The maximum grant increases will result in payments that will average \$130 month.

General Assistance

Size of Household or Circumstance	New Maximum
1 person	\$ 70
2 or more	99
1 with special diet	105
2 + with special diet	110
1 foster family placement	121
1 special care required	115
2+ special care required	120

The General Assistance maximum grant increases will result in payments that will average \$65 per month.

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

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries

The Louisiana Wildlife and Fisheries Commission has exercised the emergency provision of the Administrative Procedures Act (R.S. 49:953B) to extend the opening date in Zone 2 for the brown shrimp season in inside waters to Thursday, May 25, 1978. The opening date was originally set for May 15, but due to cool temperatures and record rainfall, the normal growth rate was retarded in the young shrimp and made it advisable to delay the opening date. This action was taken based on scientific data to serve the best interests of the shrimp fishermen of our state.

J. Burton Angelle, Secretary
Department of Wildlife and Fisheries

RULES

RULES

**Department of Agriculture
Structural Pest Control Commission**

**Amendment to
Rules and Regulations**

In accordance with the provisions of Chapter 5, Title 40, Sections 1261-1274 of Revised Statutes of 1950 as amended by Act 512 of 1976, the Structural Pest Control Rules and Regulations are amended as follows:

To Section IV. add as follows:

G. When a pest control operator is performing a fumigation job of a residential structure, office building, church, school, or any other building frequented by people, he is required to have at least one guard on duty during the time the property is being fumigated. Any deviation from this procedure must receive prior approval from the Commission.

Change Section V. B. to read as follows:

Applicants qualifying to take an examination shall be given a written examination which may be supplemented by an oral quiz and the identification of insects, pests and pest damage that may be encountered in the phase or phases of work for which the examination is taken at the domicile of the Commission on dates specified during the months of January, April, July, and October. Any deviation from this procedure must receive prior approval from the Commission. The minimum grade for passing an examination shall be seventy percent. Applicants failing to pass an examination shall be permitted to take a second examination after a lapse of three months. Applicants who pass satisfactory examinations but allow a period of two or more years to lapse before meeting other requirements for a license for which the examination was taken shall be required to pass a reexamination before being issued a license.

**Procedures and Guidelines
Purpose**

The Structural Pest Control Law authorizes the members of the Structural Pest Control Commission to set rules and regulations, after a public hearing of pest control operators.

The Commission establishes guidelines and procedures to follow in making decisions on various matters that are brought before

the Commission. Over the years, procedures have been established to guide this Commission.

The purpose of this publication is to make this information available to all interested parties.

Licensee

I. Licensee--Residence: A company wishing to do termite work from a licensed office which does not have a termite license by using the supervisory services of a person licensed in termite control at another office for the same company may do so by accepting inquiries and referring them to the office that holds a termite license for further solicitation selling and treatment. This applies to all other phases of pest control work for which the individual may be licensed.

II. Licensee--Employment: When a licensee is employed full-time other than with the pest control company, he may register two employees, providing they perform pest control work the same hours as the licensee, who will be available for supervision when work is performed for his company.

Contracts

I. Contract--State: All pest control operators are required to issue a State-approved contract. If the operator chooses to issue a rider or additional coverage the rider must first be approved by the Commission.

II. Contract--Completion: After the initial treatment of the property under contract is completed, a twelve month period is allowed to trench and treat the perimeter to specifications. In the event there are circumstances preventing this, the licensee may so advise the Commission and request an extension.

Violations

I. Minimum Specifications.

A. Licensee--When the work for a contract issued by the company is found to be in violation of the minimum specifications, the Commission may:

1. Revoke the license by unanimous vote, or
2. Place the licensee on probation for one year. During this period of time if the licensee is found to be in violation of this Act, the license will be suspended for thirty days, and the probation will be extended for one year from the last day of the suspension. If during this second probationary period the licensee is found to be in violation, the license may be revoked.

B. Registered Employee--When the employee is present and performing the work at the time the minimum specifications are violated, the Commission may:

1. Revoke the registration certificate by unanimous vote, or
2. Place the employee on probation for one year. During this period of time if the employee is found to be in violation of this Act, the registration certificate will be suspended for thirty days, and the probation will be extended for one year from the last day of the suspension. If during this second probationary period the employee is found to be in violation, the registration certificate may be revoked.

II. Reports--Delinquent: When a licensee is found guilty of being delinquent in submitting the required monthly report of termite contracts, the Commission may:

1. Revoke the license by unanimous vote, or
2. Place the licensee on probation for three months. During this period of time if the licensee is again found to be in violation of this part, the license will be suspended for fifteen days, and the probation will be extended for three months from the last day of the suspension. If during this second probationary period the licensee is found to be in violation, the license may be revoked.

III. Contracts--Failure to Issue: When a licensee fails to issue the required State contract, the Commission may

1. Revoke the license by unanimous vote, or

2. Place the licensee on probation for a period of one year. During this period of time if the licensee is found to be in violation of this Act, the license will be suspended for fifteen days, and the probation will be extended for one year from the last day of the suspension. If during this second probationary period the licensee is found to be in violation, the license may be revoked.

IV. Contracts--Failure to Report and Pay the Fee: When a licensee fails to report and pay the fee for a contract issued, the Commission may:

1. Revoke the license by unanimous vote, or
2. Place the licensee on probation for a period of one year. During this period of time if the licensee is found to be in violation of this Act, the license will be suspended for fifteen days, and the probation will be extended for one year from the last day of the suspension. If during this second probationary period the licensee is found to be in violation, the license may be revoked.

V. Failure to Register Employee: When a licensee fails to register an employee within the required time, the Commission may:

1. Revoke the license by unanimous vote, or
2. Place the licensee on probation for a period of one year. During this period of time if the licensee is found to be in violation of this Act, the license will be suspended for fifteen days, and the probation will be extended for one year from the last day of the suspension. If during this second probationary period the licensee is found to be in violation, the license may be revoked.

VI. Company: When a company repeatedly commits violations, although there are changes in the status of the licensee, the Commission may:

1. Place the company on probation for six months.
2. Place the licensee on probation for one year.

Employee

I. Disciplinary Action: The Commission has adopted a policy to refuse permission for an applicant to take an examination as required of Section 1265 of the Structural Pest Control Law, while the applicant is under probation, suspension or any other disciplinary action of the Commission.

II. Fraud: When it is established that an employee has engaged in fraud while in the employ with a company, the licensee may go to court. If he obtains a conviction, the employee will then be required to come before the Commission. The Commission will consider refusal to issue the individual a registration certificate in the future.

III. Criteria for Employee and Licensee: Each employee registered for the first time is furnished a copy of the criteria and guidelines to be followed:

A. All supplies are distributed through the licensed branch office.

B. All employees draw their pay from the main office or branch office, and applicable payroll taxes are deducted and maintained at the main office or branch office.

C. All accounts must be processed through the licensed main office or licensed branch office.

D. All insurance must be paid by the licensed main office or licensed branch office.

E. All records concerning accounts serviced shall be current at the licensed home and/or licensed branch office, and all routes shall be directed and supervised from the licensed home and/or licensed branch office.

Perimeter

I. Perimeter Procedures.

A. When Not Treated to Specifications: When it is established that the perimeter is not treated to minimum specifications, give the pest control operator (PCO) thirty days to retreat