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Emergency Rules

DECLARATION OF EMERGENCY

Board of Elementary and Secondary Education

The State Board of Elementary and Secondary Education at its meeting on January 24, 1980, exercised those powers conferred by the emergency provisions of the Administrative Procedures Act, R.S. 49:953B, to adopt the following: In order to allow the Department of Education to proceed with the annual school evaluations of special schools for school approval, the following action was taken since continued special schools' funding is dependent upon school approval.

The Board adopted as emergency rule policy amendment to Bulletin 741, *Handbook for School Administrators*, Classification Categories of Special Schools as follows:

Classification Categories of Special Schools

Approved: School meets standards of the State Board of Elementary and Secondary Education.

Provisional approval: School has some deficiencies in standards and is being advised and requested to make corrections (such as: some teachers teaching out of their field of certification, library books below the required number per pupil, teachers teaching more pupils per period or week than permitted, not meeting scheduling requirements as prescribed by Bulletin 741, etc.). Improvement is expected prior to the next school year.

Probational approval: School has one or more of the following deviations from standards:

A. Principal not certified.

B. Member(s) of the faculty not holding valid Louisiana teaching certificate(s).

C. School does not offer a curriculum to meet graduation requirements or a balanced elementary curriculum as prescribed in Bulletin 741.

The school has been on provisional approval for at least two years.

The school has no individual educational plans and/or no current multidisciplinary evaluations.

The State Board of Elementary and Secondary Education shall set the guidelines and fix the period of time for the corrections.

Unapproved: Any school that fails to comply with one or more of the following State Board of Elementary and Secondary Education standards:

A. No liability insurance.

B. Does not have eight fire drills per school year.

C. Not in compliance with Fire Code regulations.

D. Not in compliance with Health Code regulations.

School has not corrected the stated deficiencies within the time fixed by the State Board of Elementary and Secondary Education as defined by R.S. 17:10.

Any school that has not previously attained an approved classification.

The Board adopted as emergency rule policy amendment to Bulletin 746, *Louisiana Standards for State Certification of School Personnel*, because certification requirements for special education supervisors were imposed by the State Board of Elementary and Secondary Education since 1975, however,

funding for these positions did not become available to the state until the 1978 legislative session. Of the sixty-six school systems, only a small number of parishes had certified persons serving in this capacity. The following amendment is necessary so that approximately thirty acting supervisors currently employed may have time to complete their coursework.

The Board adopted the following amendment to Bulletin 746, pages 45-45a, last paragraph, Parish or City School Supervisor/Director of Special Education, to read:

Certification requirements may be temporarily suspended by the Board to allow the individuals to serve in the capacity of acting parish or city school supervisor/director of special education, provided the Board has approved an educational plan for the individual to complete certification requirements on or before December 31, 1980.

Individuals hired or serving as an acting parish or city school supervisor/director of special education, on and after January 1, 1981, must meet certification requirements when employed or to remain employed as a parish or city school supervisor/director of special education.

James V. Soileau, Executive Director

Board of Elementary and Secondary Education

DECLARATION OF EMERGENCY

Board of Trustees for State Colleges and Universities

At its meeting on January 11, 1980, the Board of Trustees for State Colleges and Universities adopted the following rule, effective immediately:

Policies and procedures Manual of the Board of Trustees for State Colleges and Universities, Part VIII, Section 8.12B, Tuition Waiver and Salaries for Student Government Association (SGA) Officers, paragraph 1 shall read as follows:

1. A waiver of tuition (as defined in Section 6.6B of Part VI of this Manual) shall be granted, by the institutions under the jurisdiction of the Board, to the top three elected SGA officers at those institutions, with the exception of Delgado Vocational-Technical Junior College, where the recipients of the tuition waivers shall be the SGA presidents and vice-presidents at the two Delgado College campuses. The waiver of tuition shall remain in effect for the duration of the respective terms of office.

This was taken as emergency action in order that current office holders at Delgado College might have opportunity to take advantage of the tuition waivers.

This action was taken in accordance with the emergency provisions of the Administrative Procedures Act and under the authority of Article VIII, Section 6, of the 1974 Constitution.

Bill Junkin

Executive Director

Rules

RULE

Department of Agriculture Louisiana Horticulture Commission

In accordance with the provisions of R.S. 37:1961 and the provisions of the Administrative Procedure Act, R.S. 49:951-968, Rules IV, I. and J. of the Rules and Regulations of the Louisiana Horticulture Commission are hereby promulgated.

The Rules require that all licensees, with the exception of retail florists and wholesale florists, display the title of their profession and their license number on all company vehicles, and that licensees have personal identification in their possession during times when work is being conducted.

RULE IV

1. All commercial vehicles (pick-up trucks, vans, etc.) owned and used by all professionals with the exception of retail florists and wholesale florists licensed under the Louisiana Horticulture Law (R.S. 37:1961-1975) in the performance of the normal activities of their profession must be plainly marked on both sides and the back in letters and numbers no smaller than three inches high displaying the title of their profession and license number.

J. Appropriate identification must be available on the person of all licensees with the exception of retail florists and wholesale florists while performing the activities normally associated with their professions.

Richard Carlton, Secretary
Louisiana Horticulture Commission

RULES

Department of Agriculture State Market Commission

The State Market Commission on January 23, 1980, amended Rules 9 and 12 of its Procedures for Developing and Executing Market Commission Loans and/or Guarantees to read as follows:

Rule 9

9. The application must include:
- A feasibility study of the proposed enterprise.
 - A credit analysis of the principals.
 - A three-year projected cash flow statement.
 - A letter from a Department of Agriculture attorney stating the application is in compliance with the law.
 - An evaluation of management capability.
 - Turn-down letters from two area lending institutions. The Market Commission will attempt to obtain participation from local sources.
 - An explanation of how the proposed marketing facility would enhance and/or benefit the agricultural community in which it would be located.
 - A financial statement on the principals, corporations, or cooperatives prepared by a public accountant using acceptable accounting principles.
 - An appraisal, if an existing facility, using market data, cost and earning approaches as the basis of value. Appraisal shall be made by Market Commission staff unless in their judgment an

outside qualified appraiser should be employed by applicant.

J. An affidavit disclosing what relationship, if any, the applicant(s) may have to any state official or employee of the State Department of Agriculture.

Rule 12

12. Upon completion of the facility, as specified in application, the applicant must submit to the Market Commission a copy of the note, the mortgage, and a mortgagee title insurance binder in favor of the Market Commission. Upon approval of these documents by a Department of Agriculture attorney, the Market Commission shall schedule a formal loan closing. On all loans to corporations and/or cooperatives, personal endorsement shall be required unless waived by unanimous vote of the Market Commission. In addition, each corporation and/or cooperative shall furnish on the anniversary date of the loan the following:

- Names of all stockholders and the number of shares held by each.
- The statement of its operations, including analysis of profits and losses.
- A statement of financial condition.

Albert Chapman, Executive Secretary
State Market Commission

RULE

Board of Elementary and Secondary Education

The Board approved a policy amendment for final adoption to Bulletin 741, *Handbook for School Administrators*, page 41, paragraph 1.b, to read as follows:

A person is considered a "member of the armed forces" if he/she is engaged in active military duty in the Army, Navy, Air Force, Marine Corps, Coast Guard, or is a member of the Army or Air Force National Guard.

The Board approved a policy amendment for final adoption to Bulletin 741, *Handbook for School Administrators*, page 41, paragraph 2.a., to read as follows:

Two units of credit toward high school graduation may be awarded to any member of the United States Armed Forces or their reserve components, or any honorably discharged veteran who has completed his/her basic training upon presentation of a military record attesting to such completion.

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

RULES

Office of the Governor Data Processing Coordinating and Advisory Council

LAC 1-9:1 Computer Utilization Reporting

1.1 Each department, commission or board, political subdivision or political corporation of the state, except parishes and municipalities, shall maintain hardware utilization records. Each data processing center will provide the Data Processing Coordinating and Advisory Council (DPCAC) monthly utilization reports as defined in Sections 1.3, 1.4, or 1.5 below as applicable. In addition, data processing centers will provide the Council with requested utilization data as required to support special studies.

1.2 The following definitions shall be applicable throughout the rules of the DPCAC:

- 1.2.1 "BCS" means Boeing Computer Services.
- 1.2.2 "CC" means Control Card.
- 1.2.3 "CDC" means Control Data Corporation.
- 1.2.4 "Council" means Data Processing Coordinating and Advisory Council.
- 1.2.5 "CPU" means Central Processing Unit.
- 1.2.6 "CRU" means Computer Resource Unit.
- 1.2.7 "DVI" means Device Group 1.
- 1.2.8 "DV2" means Device Group 2.
- 1.2.9 "DV3" means Device Group 3.
- 1.2.10 "ER" means Executive Request.
- 1.2.11 "EXCP" means Execute - Channel Program.
- 1.2.12 "IBM" means International Business Machines.
- 1.2.13 "JLF" means Job Lengthening Factor.
- 1.2.14 "MLF" means Master Log File.
- 1.2.15 "RLF" means Run Lengthening Factor.
- 1.2.16 "SARA" means System Analysis and Resource Accounting.
- 1.2.17 "SCF" means Statistical Collection File.
- 1.2.18 "SMF" means System Management Facility.
- 1.2.19 "SUP" means Standard Unit Processing.
- 1.2.20 "TSO" means Time Sharing Option.
- 1.2.21 "TSS" means Time Sharing System.

1.3 Data processing centers that have the SARA software installed will provide the following reports on a monthly basis. The reports are due not later than the tenth day of each month. The BCS SARA documents referenced in this rule are available at the DPCAC staff offices and at State agencies where the SARA package is installed.

1.3.1 SARA III (IBM) Users. Reference should be made to BCS document 20463-005, SARA-IBM Management Reporting System, for additional information. The monthly reports will be summarized at the day and shift level. The year-to-date reports will include the current twelve months of utilization data and will project the next twelve months using the SARA III control statement "growth best" (reference BCS page 31). The following monthly and year-to-date (past twelve months) reports are required (reference BCS page 35):

Report Number	Title	Comments
1	Number Jobs-Batch	
3	Active Hours-Batch	
5	Device Wait-Batch	
6	CPU Hours-Batch	
7	CPU Hours-TSO	TSO Users Only
8	CPU Hours-Total	
9	CRU-Batch	
10	CRU-TSO	TSO Users Only
11	CRU-Total	
12	CRU/Hour-Batch	
13	Throughput-Batch	
14	JLF-Batch	
15	CPU Percent-Total	
18	DVI Hours	Disk
19	DV2 Hours	Tape
20	DV3 Hours	Unit Record
27	Number TSO Sessions	TSO Users Only
28	Log-on Hours-TSO	TSO Users Only
29	Pages per second (Batch)	If available
30	Pages per second (TSO)	TSO Users Only
32	Pages per second (Total)	

In addition, the Monthly Summary Report (reference BCS page 14) will be provided for the current month.

1.3.2 SARA-H (Honeywell) Users. Reference should be made to BCS document 20463-015, SARA-H Management Reporting System, for additional information. The monthly reports will be summarized at the day and shift level.

The year-to-date reports will include the current twelve months of utilization data and will project the next twelve months using the control statement "growth best". The following monthly and year-to-date (past twelve months) reports are required (reference BCS pages 32, 33):

Report Number	Report Number Title
1	Number Jobs-Batch
3	Active Hours-Batch
4	Allocation Wait Hours-Batch
5	Swap Hours-Batch
6	CPU Hours-Batch
7	CPU Hours-TSS
8	CPU Hours-Total
9	CRU-Batch
10	CRU-TSS
11	CRU-Total
12	CRU/Hour-Batch
13	Throughout-Batch
14	JLF-Batch
15	CPU Percent-Total
16	Average Memory per Activity-Batch
18	DV1 Hours
19	DV2 Hours
20	DV3 Hours
27	Number TSS
28	Log-on Hours-(TSS)

In addition, the Monthly Summary Report (reference BCS page 12) will be provided for the current month.

1.3.3 SARA-U (Univac) Users. Reference should be made to BCS document 20463-018, SARA-Univac Management Reporting System, for additional information. The monthly reports will be summarized at the day level. The year-to-date reports will include the current twelve months of utilization data and will project the next twelve months using the control statement "growth best". The following monthly and year-to-date (past twelve months) reports are required (reference BCS pages 27-29):

Report No.	Title
1	Active Hours-Batch
2	Number of Runs-Batch
4	Allocation Wait Hours-Batch
5	Processor Hours-Batch
6	ER/CC Hours-Batch
7	SUP Hour-Batch
9	CRU Total-Batch
10	CRU/Hour-Batch
11	Throughput-Batch
12	RLF-Batch
13	Average core blocks-Batch
16	Active Hours-Demand
17	Number of Runs-Demand
19	Allocation Wait-Demand
20	Processor Hours-Demand
21	ER/CC Hours-Demand
22	SUP Hours-Demand
24	CRU Total-Demand
25	CRU/Hour-Demand
26	Throughput-Demand
27	RLF-Demand
28	Average core block-Demand
31	Active Hours-Real time
32	Number Runs-Real time
34	Allocation Hours-Real time
35	Processor Hours-Real time
36	ER/CC Hours-Real time
37	SUP Hours-Real time

39	CRU Total-Real time
40	CRU/Hour-Real time
46	Active Hours-Total
47	Number of Runs-Total
48	Allocation Wait-Total
49	Processor Hours-Total
50	ER/CC Hours-Total
51	SUP Hours-Total
52	Percent Processor-Total (if available)
68	DV1 Hours
69	DV2 Hours
70	DV3 Hours

In addition, the Monthly Summary Report (reference BCS page 10) will be provided for the current month.

1.4 Data processing centers with operating systems which support a system accounting file, e.g., SMF (IBM), MLF (Univac), SCF (Honeywell), Day File (CDC), etc., but do not have the SARA software are required to provide monthly reports. The statistics will be summarized at the day and month level. The following information will be provided to the Council by the tenth day of each month:

1.4.1 Total hours per month the hardware is operated, e.g., twenty-four hours per day times thirty days per month equals seven hundred twenty hours per month (summarized monthly only).

1.4.2 Total CPU hours.

1.4.3 Total tape channel utilization expressed as hours busy, EXCP counts or words transferred, as available in the accounting file.

1.4.4 Tape allocation hours, e.g., six tape units allocated two hours each equal twelve tape allocation hours.

1.4.5 Total disk channel utilization expressed as hours busy, EXCP counts or words transferred, as available in the accounting file.

1.4.6 Total permanent disk storage allocated (summarized monthly only).

1.4.7 Number of batch jobs.

1.4.8 Number of time sharing sessions (TSO, TSS, Demand, etc.).

1.4.9 Batch CPU time.

1.5 Data processing centers that have an operating system which does not support an accounting file will provide the following information monthly, with reports due not later than the tenth day of each month:

1.5.1 Total hours per month that the hardware is operated.

1.5.2 Total number of hours the CPU was utilized. If the CPU is metered, then metered hours may be reported.

1.6 If a data processing center is unable to report the information requested above, a written response must be submitted to the Council stating what can and cannot be reported as well as the method used to measure the hardware utilization. The Council reserves the right to have its staff members make periodic audits to verify the information furnished.

LAC 1-9:2 Professional Services Contracts for Data Processing

2.1 Each department, commission or board, political subdivision or political corporation of the state, except parishes and municipalities, shall present to the Data Processing Coordinating and Advisory Council the following information relative to professional services contracts for data processing for Fiscal Year 1977-78:

2.1.1 Contract number.

2.1.2 Contractor and client.

2.1.3 Effective and expiration dates.

2.1.4 Scope and objectives of the project and/or service to be performed.

2.1.5 Deliverables stated in the contract.

2.1.6 Total amount of the contract.

2.1.7 Amount of retainage or performance bond, if included.

2.1.8 The number of personnel furnished by the contractor by skill level and the hourly rate for each.

2.1.9 Name of the state person who supervises the activities of contract personnel.

2.1.10 Whether the project is a turnkey project, i.e., one in which the contractor is solely responsible for developing an application for a fixed price.

2.1.11 Method and frequency of review of the contractors performance.

2.1.12 Whether the method and frequency of review is stated in the contract.

2.1.13 Written justification and rationale for entering into this contract.

2.1.14 Number of state personnel (whether data processing or non-data processing personnel) that are assigned to this project.

2.2 All contracts with an effective date or those indicating a start date for the contractor after December 11, 1977, must be presented to the Council for approval and must be approved by the Office of Contractual Review, Division of Administration, prior to the commencement of work activities by the contractor.

2.3 Information as requested for Subsections 2.1.1 thru 2.1.14 of this rule must be furnished for all new contracts presented to the Council for approval. If approval to enter into the contract is granted by the Council, a signed and witnessed copy of the contract must be forwarded to the Council.

2.4 The following general guidelines shall be used in obtaining professional services contracts and subsequent amendments for data processing:

2.4.1 Professional services contractors should only be used where special expertise or guidance is required and cannot be provided by the state personnel, e.g., if special expertise in a particular industry is required for a project, consultants may be used to design a system and to guide and monitor the installation phase. Professional services contractors will not perform systems analysis or programming tasks where it is feasible to do so with state employees. Use of professional services over extended periods of time will not be approved.

2.4.2 Where projects are mandated by the Legislature and/or critical installation dates are required, an exception will be made to allow the use of professional services systems analysts and programmers for augmentation of staff provided proper justification is presented to the Council.

2.4.3 Professional services may be acquired for the installation of highly specialized software, or with firms providing hardware monitoring devices and capabilities or for data processing training, provided proper justification is presented and approval is granted by the Council.

LAC 1-9:3 Development of Long-Range Plans for Data Processing in Departments

3.1 Each department of state government shall develop a long-range plan for data processing.

3.1.1 The planning process will cover a three year period and shall be on a fiscal year basis to coincide with the budgeting process. The initial plan shall include fiscal years 1980-81, 1981-82, and 1982-83. A plan shall be submitted to the Data Processing Coordinating and Advisory Council (DPCAC) no later than December of each year. Semiannual updates including changes, additions or deviations to the plan shall be submitted to the DPCAC on June 1 of each year. The December plan will drop the oldest year and add an additional fiscal year.

3.1.2 The methodology or technique for developing the plan is left to the discretion of the department. However, the plan shall provide summary information in the format described in

Section 3.2. In addition, the methodology employed in developing the plan must provide the detailed data described in Subsections 3.2.3 and 3.2.7 for the DPCAC review upon request. Each data processing user, with technical assistance provided by the data processing agency, will provide the input required in Subsections 3.2.1 - 3.2.5, and 3.2.6H and 3.2.6K.

3.1.3 The actual format of the plan will be determined by the department. Section 3.3 does discuss, however, a set of forms and instructions which may be used, at the option of the department, in preparation of its plan.

3.2 The following is a description of information to be included in the plan:

3.2.1 State the mission and objectives of electronic data processing (EDP) within your department.

3.2.2 Provide the following information for systems currently in production on state EDP agency equipment and systems currently operating on nonstate equipment (do not include these systems in paragraph C below) which will be brought in-house within the three fiscal years covered in the plan.

A. For each system listed provide a narrative of the scope, objectives and benefits of the system.

B. Indicate the current and anticipated monthly computer center production costs for the system, and whether the system is run on state or nonstate equipment.

C. Indicate the percentage of the current total computer center's monthly production cost used by the system.

D. Indicate the current and anticipated level of staffing and other cost associated with the maintenance of the system.

3.2.3 Each agency will maintain and make available upon request the following detailed information associated with each of the systems described in Subsection 3.2.2 above:

A. Processing frequency, whether daily, weekly, monthly, quarterly, semiannually, annually or on request.

B. The run time per month (both Central Processing Unit (CPU) and total throughput).

C. The total permanent disk storage required for the system.

D. The maximum number of concurrent tape drives required for the system, and the average number of reels stored for the system in a tape library.

E. The total monthly print volume for the system.

F. The file organizations used by the system, i.e., sequential, indexed sequential, random, virtual storage access method (VSAM), relative or direct access.

G. Number of personnel required for basic maintenance.

H. Method and volume of data entry. Also indicate time required for the system in terms of manhours per month or number of full-time data entry operators.

3.2.4 List any major enhancements or redesign efforts, either in progress or proposed, for each of the production systems.

A. Indicate whether in progress or proposed showing a start and completion date.

B. State the scope, objectives and anticipated benefits of this effort.

C. Indicate the level of consultant and state personnel staffing and level of expertise required for this effort.

D. Indicate any hardware or software changes necessitated by the implementation of this effort.

3.2.5 List new systems currently in progress or planned during the three fiscal year period.

A. Indicate starting and completion date.

B. State the scope and objectives and anticipated benefits.

C. Indicate the level of consultant and state personnel staffing and level of expertise required for this effort.

D. Indicate any planned hardware or software changes necessitated by the implementation of this effort.

3.2.6 Provide the following EDP resource requirements information for each of the next three fiscal years:

A. Hardware cost.

B. Software cost.

C. Personnel number and cost.

D. Facilities cost.

E. Training cost.

F. Forms and supplies cost.

G. Consultant services cost.

H. Costs of other non-state EDP services, i.e., service bureaus, timesharing services and related consulting services associated with the service bureau or timesharing service.

I. Other cost.

J. Total cost of EDP resources.

K. Sum of total operating budgets for all users of EDP services.

L. Percentage of amount in Subsection 3.2.6K above represented by amount in Subsection 3.2.6J, i.e., percentage of total budget allocated to EDP.

3.2.7 Each agency will maintain and make available upon request the following detailed information associated with the resource requirements in Subsection 3.2.6 above:

A. The currently installed hardware configuration, indicating for each component whether leased, purchased or rented and the annual cost. Maintain a schematic of the hardware configuration.

B. Hardware upgrades or changes planned by year indicating the month in which it is to be installed. Indicate the anticipated rental, lease or purchase amount for each component. Indicate whether the upgrade or change is due to an increase in the volume of utilization of existing systems, implementation of new systems, changes due to technological advances, cost considerations, etc.

C. The software presently used, i.e., operating systems, compilers, assemblers, telecommunications, data base systems, data dictionary system, and major utilities. Indicate whether the software is furnished by the vendor, rented, leased or purchased. Indicate the annual cost associated with each.

D. Planned software changes or upgrades. Indicate the month of installation, plus the annual cost. Indicate whether the software change is due to technological advances, requirement for new systems, changes in existing systems, etc.

E. Maintain a listing of classifications currently allocated to data processing organization and the number of personnel positions in each.

3.3 Section 3.2 of this rule states the information to be collected and reported but does not specify exact formats or forms to be used. Given below are instructions for forms that may be used as presented or modified to meet a department's exact needs. Copies of these forms are available on request for the DPCAC.

3.3.1 The mission and objectives of EDP within a department shall be in a free format narrative, and shall be submitted to the DPCAC.

3.3.2 The form entitled "Production System Summary" contains space for all information required in Subsection 3.2.2, including a narrative of the scope, objectives and benefits, and projections of costs over the three-year planning period. These forms shall be submitted to the DPCAC as part of the plan.

3.3.3 The form entitled "Production System Detail Sheet" contains space for three-year projections in several categories for each production system. These forms are kept at the agency and do not have to be submitted to the DPCAC.

3.3.4 Provide Subsection 3.2.4 information on the form entitled "System Development or Enhancement Plan". Included is space for a narrative of the scope, objectives and benefits of the effort, as well as a three fiscal year view of start/completion dates, staffing, and hardware/software changes. These forms are submitted to DPCAC as part of the agency's plans.

3.3.5 New systems are described as per instructions in Subsection 3.3.4.