

CONTENTS

I. EXECUTIVE ORDERS

EWE-79-1 (Amendment)—Domicile of the Department of Wildlife and Fisheries	74
EWE-79-2—State Health Planning and Development Agency and Statewide Health Coordinating Council. Supersedes Executive Order EWE-76-10	74

II. EMERGENCY RULE

Health and Human Resources Department: Office of Licensing and Regulation—Adding pentazocine to the list of controlled dangerous substances	74
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III. RULES

Agriculture Department: Office of Agricultural and Environmental Sciences—Supplement to the Sweet-potato Weevil Quarantine and Regulation	75
Livestock Sanitary Board—Vaccination of eligible calves; identification with “S” brand; testing of horses	76
Education: Board of Elementary and Secondary Education—High school graduation requirements	77
Board of Regents—Letters of intent; review of proposed and existing academic programs; a sixth regional council included in the <i>Master Plan for Higher Education</i>	77
Governor’s Office: Landscape Architects Selection Board—Rules for Selection Procedure	78
Tax Commission—Personal Property Rules and Regulations	79
Health and Human Resources Department: Office of Health Services and Environmental Quality—Mechanical sewage treatment plants	80
Office of the Secretary—Care of handicapped persons	80

IV. NOTICES OF INTENT

Agriculture Department: Office of Agricultural and Environmental Sciences: Seed Commission—Certification of lespedeza seed	81
Office of Animal Health Services: Livestock Sanitary Board—Milk ring test; movement from quarantined herds; brucellosis requirements	81
Commerce Department: Racing Commission—Pari-mutuel ticket issuing machines	82
Culture, Recreation and Tourism Department: Office of the State Museum—Charges for non-museum functions	82
Education: Board of Trustees for State Colleges and Universities—Athletic policies	82
Board of Elementary and Secondary Education—Board advisory councils; Competency Based Education Plan; equal opportunity statement; project evaluators; nonpublic school teachers without degrees; notice for special board meetings	83
Board of Supervisors of Louisiana State University—Retirement plans	83
Governor’s Office: Tax Commission—Personal property rules and procedures under Act 556 of 1978	84
Health and Human Resources Department: Air Control Commission—Permit fees; state implementation plan for lead	84
Office of Family Security—Medical transportation for GA recipients	84
Standard deductions for long term care patients	85
Office of Health Services and Environmental Quality—Municipal Wastewater Construction Grants Priority System and Lists	85
Office of Human Development: Division of Youth Services—Implementation of the Parish Youth Services Act	85
Office of Licensing and Regulation—Adding drugs to the list of controlled dangerous substances	89
Board of Examiners of Psychologists—Unlicensed psychologists and assistants	89
Office of the Secretary—Care of the handicapped	89
Revenue and Taxation Department: Severance tax credits for first use tax	90
River Port Pilot Commissioners for the Port of New Orleans Board: Qualifications for applicants	90
Urban and Community Affairs Department: Office of Community Affairs—Weatherization Assistance Program	91
Wildlife and Fisheries Department: Stream Control Commission—Water Quality Management Plan	91

V. POTPOURRI

Health and Human Resources Department: Board of Veterinary Medicine—Exam date	92
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Executive Orders

AMENDMENT TO EXECUTIVE ORDER EWE-79-1

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

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

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

Edwin Edwards
Governor of Louisiana



EXECUTIVE ORDER EWE-79-2

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

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

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

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

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

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

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

(C) Increasing cost of health care.

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

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

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

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

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

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

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

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

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

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

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

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

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

Edwin Edwards
Governor of Louisiana

Emergency Rule

DECLARATION OF EMERGENCY

Department of Health and Human Resources Office of Licensing and Regulation

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

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

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

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

Rules

RULE

Department of Agriculture Office of Agricultural and Environmental Sciences

Supplement to the Sweet-potato Weevil Quarantine and Regulation

III. Quarantined areas.

1. In the United States.

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

2. In Louisiana.

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

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

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

Caddo Parish—all of Wards 6 and 7.

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

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

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

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

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

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

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

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

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

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

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

Richard Carlton, State Entomologist
Office of Agricultural and
Environmental Sciences

RULES

Department of Agriculture Office of Animal Health Services Livestock Sanitary Board

The Livestock Sanitary Board has amended the following regulations.

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

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

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

* * * *

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

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

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

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

Exceptions: Steers and spayed heifers.

* * * *

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

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

* * * *

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

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

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

* * * *

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

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

* * * *

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

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

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

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

RULE

Board of Elementary and Secondary Education

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

The units required for graduation shall include the following:

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

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

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

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

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

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

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

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

**Does not apply to nonpublic schools.

***Note: "Special Requirements."

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

RULES

Board of Regents

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

2.2 (Rev.) Letters of Intent

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

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

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

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

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

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

2.3 Review of Proposed Academic Programs

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

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

* * * *

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

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

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

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

* * * *

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

William Arceneaux
Commissioner of Higher Education

RULES

Office of the Governor Landscape Architects Selection Board

Rules For Selection Procedure

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

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

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

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

Article IV—Members.

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

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

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

Article V—Officers.

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

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

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

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

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

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

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

Article VI—Meetings.

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

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

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

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

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

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

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

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

Article XI—Application.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

James R. Turner, Acting Chairman
Landscape Architects Selection Board

RULES

Office of the Governor Tax Commission

Personal Property Rules and Regulations

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

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

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

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

IV. Leased Equipment.

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

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

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

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

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

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

B. "Manufacturer—Lessor" Equipment For Sale.

1. Computer Equipment.

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

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

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

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

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

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

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

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

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

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

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

C. Gordon Johnson, Chairman
Tax Commission

RULE

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

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

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

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

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

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

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

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

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

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

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

RULES

Department of Health and Human Resources Office of the Secretary

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

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

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

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

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

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

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

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

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

Notices of Intent

NOTICE OF INTENT

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

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

Lespedeza Seed Certification Standards

I. Application and Amplification of General Standards.

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

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

II. Number of Varieties.

A. Only one variety shall be grown per farm.

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

III. Land Requirements.

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

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

IV. Field Inspection.

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

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

V. Field Standards.

A. General

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

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

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

B. Specific Requirements.

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

VI. Seed Standards.

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

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

*Objectionable Weeds

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

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

Richard Carlton, Secretary
Seed Commission

NOTICE OF INTENT

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

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

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

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

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

NOTICE OF INTENT

Department of Commerce Racing Commission

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

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

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

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

Albert M. Stall, Chairman
Racing Commission

NOTICE OF INTENT

Department of Culture Recreation and Tourism Office of the State Museum

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

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

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

Proposed Policy Use of Museum Facilities

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

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

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

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

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

Conditions of usage:

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

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

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

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

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

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

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

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

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

NOTICE OF INTENT

Board of Trustees for State Colleges and Universities

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

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

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

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

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

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

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

NOTICE OF INTENT

Board of Elementary and Secondary Education

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

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

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

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

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

NOTICE OF INTENT

Board of Supervisors of Louisiana State University

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

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

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

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

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

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

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

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

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

* * * *

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

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

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

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

NOTICE OF INTENT

**Office of the Governor
Tax Commission**

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

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

C. Gordon Johnson, Chairman
Tax Commission

NOTICE OF INTENT

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

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

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

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

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

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

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

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

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

James F. Coerver, Technical Secretary
Air Control Commission

NOTICE OF INTENT

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

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

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

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