

CONTENTS

I. EXECUTIVE ORDERS

DCT-80-17—Revokes and supersedes Executive Order No. 80-13 relative to R.S. 39:1596, Small Purchases	635 ✓
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II. EMERGENCY RULES

Agriculture Department: Livestock Sanitary Board—Provides for the control of canine parvovirus vaccine	636
Governor's Office: Division of Administration—Instructions for preparation of Capital Outlay Budget Request Forms	636 ✓
Health and Human Resources Department: Office of Family Security—Eligibility for Medically Needy Program	647 ✓
Implement Low Income Energy Assistance Program	647 ✓

III. RULES

Education Department: Board of Elementary and Secondary Education—Adoption of policies for BESE Schools and Special School District Number 1 Programs	648
Guidelines for Compensatory-Remedial Education Act	651
Board of Trustees for State Colleges and Universities—Chief Executive Vacancies	652
Louisiana State University and Mechanical College Board of Supervisors-Faculty ranks	652
Governor's Office: Data Processing Coordinating and Advisory Council—Long-range plans for data processing in departments and universities	653 ✓
Health and Human Resources Department: Board of Practical Nurse Examiners—Admissions	657 ✓
Office of Family Security—Expansion of in-patient physician services	657 ✓
Labor Department: Office of Labor—Prevailing Wage Law	657
Natural Resources Department: Office of Environmental Affairs—Revised regulations of Air Control Commission and State Implementation Plan	659
Public Safety Department: Office of State Fire Marshal—Parking fire lanes prohibited	659
Office of State Police—Chemical analysis methods for intoxication	660
Treasury Department: Board of Trustees State Employees Group Benefits Program—Increase monthly health benefit programs	664

IV. NOTICES OF INTENT

Agriculture Department: Livestock Sanitary Board-Provides for the control of canine parvovirus vaccine	664
Office of Animal Health Services—Adoption of Federal/State Meat and Poultry Inspection Regulations	665
State Entomologist—Inspection fees increased for nurseries	665

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Commerce Department:	
Office of Financial Institutions—Conversion of state-chartered savings and loan associations from mutual to stock	666
Defines Negotiable Order of Withdrawal Accounts	667
Application for Trust Power	668
Renegotiable rate mortgage instruments	673
Corrections Department:	
Office of the Secretary—Disciplinary rules for adult prisoners	675
Education Department:	
Board of Elementary and Secondary Education—Grievance procedure for vocational-technical employees	675
Revised Bulletins 1213, 1508, and 746; speech therapists evaluated	676
Health and Human Resources Department:	
Office of Family Security—Title XIX (Medicaid) payment for abortions	677 ✓
State medical assistance for retirees	678 ✓
Assignment of health insurance benefits	678 ✓
Office of Human Development—Amends Title XX 1980-81 State Plan	679 ✓
Subsidized Adoption Program for special needs children	680 ✓
Rate increase for day care services	680 ✓
Office of Licensing and Regulation—Reviews of existing institutional health services	681 ✓
Natural Resources Department:	
Office of Environmental Affairs—Revisions to Air Quality regulations and State Implementation Plan	681
Solid Waste Management Program	682
Office of Conservation—Surface mining	683
Public Safety Department:	
Commission on Alcoholic Beverages—Continue prohibition of stocking and pricing of alcoholic beverages	684
Office of State Fire Marshal—Standards for mobile homes	685
State Department:	
Office of the Secretary—Election rules for member of State Civil Service Commission	685
Transportation and Development Department:	
Specifications for diesel fuel oils	686
Treasury Department:	
School Lunch Employees' Retirement System—Delinquent payments	688
State Bond Commission—Non-traditional bond financing	689
Board of Trustees State Employees Group Benefits Program—Selection of minority members to the Board of Trustees	690
Wildlife and Fisheries Department:	
Wildlife and Fisheries Commission—Close commercial netting on Iatt Lake during drawdown: oyster season	691
Close D'Arbonne Lake to commercial netting during drawdown	692

V. POTPOURRI

Natural Resources Department:	
Fishermen's Gear Compensation Fund claims	692
Transportation and Development Department:	
Office of the General Counsel—Minority business enterprise	693
Urban and Community Affairs Department:	
Office of Community Services—Revisions to Weatherization Plan for 1981	694
Office of the Secretary—Notice of meeting	694

VI. ERRATA

Natural Resources Department:	
Office of Environmental Affairs—Change of meeting date	694

Executive Order

EXECUTIVE ORDER DCT 80-17

This Executive Order is issued by virtue of authority vested in me by law, in accordance with the provisions of R.S. 39, Chapter 17:1551-1736, with reference to the subject matter covered herein. Effective as of the date of my signature below, this Order revokes and supersedes Executive Order 80-13 dated June 12, 1980.

R.S. 39:1596: Small Purchases

"Any procurement not exceeding the amount established by Executive Order of the Governor may be made in accordance with Small Purchase Procedures prescribed by such Executive Order, except that procurement requirements shall not be artificially divided so as to constitute a Small Purchase under this Section."

Therefore, pursuant to the above authority, in order to discharge my duty and responsibility as directed by the above-quoted Section of the State Statutes, it is hereby ordered that all state of Louisiana agencies shall observe and abide by the following rules and regulations, and provided further that all purchases shall be made through the State Purchasing Office in the Division of Administration except where specific authority to purchase any materials or supplies has been delegated in writing by the Commissioner of Administration.

Therefore, pursuant to the authority vested in me by R.S. 39:1596, all departments, institutions, boards, commissions, budget units, and any other agencies under the jurisdiction of the Executive Department of the state government shall be required to observe and be guided by the following specific directives.

Small Purchases: Any procurement not exceeding five thousand dollars may be made in accordance with the following small purchase procedures, except that procurement requirements shall not be artificially divided so as to constitute a small purchase.

1. All agencies shall requisition their requirements for all tagable equipment of any kind through the State Purchasing Office of the Division of Administration, with the provision that the only exceptions shall be by written permission of the Commissioner of Administration or those agencies exempted by R.S.:39:1572.

2. All agencies of the state government covered by R.S.:39: Chapter 17, wherever the cost is estimated to be above fifty dollars, regardless of whether purchases are made by the State Purchasing Office or agencies to whom purchasing has been delegated, shall observe the following rules and regulations on small purchases, but maximum competitive bidding shall be obtained in all cases in accordance with R.S.39:1655. *This Executive Order in no way affects or changes the purchasing authority which has been delegated to your agency.*

a. Purchases under fifty dollars. No competitive bidding is required.

b. Purchases over fifty dollars but under two hundred dollars shall be made by receiving price quotations wherever time permits, or if time does not permit, telephone and telegraph quotations may be obtained and purchases made on the basis of the lowest quotation received; however, it shall be determined in writing why time did not permit written quotations.

c. Purchases over two hundred dollars but under one thousand dollars shall be made by soliciting written quotations from at least five bona fide prospective bidders using DA 101 and FACS 101 forms.

d. Purchases over one thousand dollars but under five thousand dollars. No purchases where the estimated cost is over one thousand dollars but under five thousand dollars shall be made except by sending out written invitations for bids to at least eight bona fide, qualified bidders. In addition, the agency may advertise at their discretion. Written invitations for bids shall contain complete specifications, the quantity required, and shall stipulate that bids will be publicly opened and read at a specific date and time, as well as such other pertinent information such as the delivery point and other information sufficient for a supplier to make an acceptable bid. Agencies shall follow the requirements of the Purchasing Rules and Regulations established by the Commissioner of Administration in all other aspects of purchasing except as indicated above.

e. Purchases over five thousand dollars. No purchases where the estimated cost is over five thousand dollars shall be made except by advertising in accordance with R.S. 39:1594C and sending out written invitations for bids to at least eight bona fide, qualified bidders and where feasible, use should be made of State Purchasing's computerized vendor list. In addition, all purchases must be made in accordance with the Purchasing Rules and Regulations established by the Commissioner of Administration.

f. Automotive, Machinery and Equipment Parts and Repairs under five thousand dollars. Parts and Repairs for Automobiles and Machinery shall be obtained by either:

(1) The use of an "Authorized Dealer." (An "Authorized Dealer" is defined as a dealer certified by the manufacturer to perform maintenance on their equipment.)

(2) Obtaining competitive bids as indicated above.

g. Exceptions to minimum competitive requirements:

(1) Federal Government surplus property.

(2) Livestock for slaughter when purchased at public auction sale.

(3) Purchasing or selling transactions between State budget units.

(4) Textbooks, newspapers, subscriptions, or foreign publications.

h. *Telephone or telegraph quotations should be obtained for the following from at least three bona fide, qualified bidders wherever possible.*

(1) Farm products which include, but may not be limited to, fresh vegetables, milk, eggs, fish, or other perishable foods.

(2) Food, materials, and supplies needed for the operation of boats in isolated localities where only limited outlets of such supplies are available.

(3) Food purchased and used in Home Economics colleges courses where purchasing, preparing, and serving is part of the regularly prescribed course.

(4) Food purchases and other materials and supplies required by juvenile Detention homes where the number of the inmates is unstable and unpredictable.

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 October, A.D., 1980.

David C. Treen
Governor of Louisiana

Emergency Rules

DECLARATION OF EMERGENCY

Department of Agriculture Livestock Sanitary Board

Because of the existence of a two-fold emergency (i.e., (1) the widespread incidence of the animal disease of canine parvovirus, and (2) absence of any existing Rule to control and/or supervise the manufacture, distribution and/or sale of canine parvovirus vaccine), the Louisiana Livestock Sanitary Board, under the authorization of LSA 49:953 B and Attorney General's Opinion Number 80-1290, adopted the following Rule on an emergency basis at its meeting on October 14, 1980:

Proposed Rule

As an addition to Regulation 12 of the Rules and Regulations of the Livestock Sanitary Board, being a new Sub-part 6:

No person, firm, association, or corporation shall manufacture, distribute, or sell any animal vaccine other than those covered above within the State of Louisiana unless such person, firm, association or corporation can prove to the Board that he (it) is currently the holder of a valid Federal license to manufacture, distribute or sell such animal vaccine, provided that this Rule shall not apply to any person, firm, association, or corporation which is the holder of a special permit from the State Veterinarian at the effective date of this regulation.

In accordance with the provisions of LSA 49:951, et seq., the Administrative Procedure Act, and LSA 3:2096, relative to the authority of the Louisiana Livestock Sanitary Board to regulate all matters pertinent to animal health, notice is hereby given that the Louisiana Department of Agriculture, Louisiana Livestock Sanitary Board, will conduct a public hearing to consider the permanent adoption of regulations relative to the manufacture, distribution, and sale of animal vaccines within the State of Louisiana at 9:30 a.m., Friday, December 12, 1980, in the Office of the Commissioner of Agriculture, 21st Floor, State Capitol, Baton Rouge, Louisiana.

Written comments will be accepted through December 10, 1980, by the following: C. T. Raby, DVM, Assistant Commissioner for Animal Health Services, Box 1951 at 12055 Airline Highway, Baton Rouge, Louisiana 70821, or may be presented in person at the public hearing.

All interested persons will be afforded a reasonable opportunity to submit data, views, or arguments, orally or in writing, as provided by LSA 49:953.

Bob Odom

Commissioner of Agriculture

DECLARATION OF EMERGENCY

Office of the Governor

Division of Administration

The Office of the Governor, Division of Administration, does hereby exercise the emergency provisions of the Administrative Procedures Act (R.S. 49:953B and R.S. 49:954B(2)) to adopt effective December 20, 1980, the following rules and regulations pertaining to the Capital Outlay Budget Request procedure mandated by Act 14 of the Second Extraordinary Session of 1980.

Instructions For Preparation of 1981-82

Capital Outlay Budget Request Forms

Section I. General Instructions

Introduction

Act 14 of the Second Extraordinary Session of 1980 amends Section 61 of Title 39 relative to capital outlay budget procedures. In order to reflect and comply with these changes in the law, the capital outlay budget request forms have been revised.

R.S. 39:61-B(1) requires the head of each budget unit and spending agency of the state to submit "a list of all (proposed)

expenditures for capital projects falling within the definition contained in R.S. 39:2(8), except for construction of streets, roads, highways, and bridges governed by the budgetary requirements of Part XII of Chapter 1 of Title 48. Such annual requests shall include projects proposed to be funded within the next five years." This section further provides that "Any legislator desiring the expenditure of state funds for any capital projects falling within the definition contained in R. S. 39:2(8) or for any other capital project also shall comply with the provisions of this Subsection. All officials of political subdivisions shall submit their proposed capital projects through the senator and representative in whose district the proposed capital project will be located. Each legislator shall forward such request to the Facility Planning and Control Section of the Division of Administration with his recommendation for approval or disapproval or without recommendations."

"Capital outlays," according to R.S. 39:2(8), "means expenditures for acquiring lands, buildings, equipment or other properties, or for their preservation or development or permanent improvement."

Projects that qualify as capital budget items include acquisition of land; site development and improvement; construction of buildings and other structures; additions, major improvements, and alterations to an existing facility that will extend its life or increase its usefulness; installation, extension, or replacement of utility systems, fire protection, and other major facilities; and initial equipment and furnishings for new buildings.

Projects that do not qualify as capital budget items include minor alterations to an existing building such as painting, decorating, and repair or replacement of flooring, sanitary fixtures, windows, locks and similar items; equipment and furnishing for existing buildings; and supplies and materials. Projects that involve alterations and improvements but that primarily comprise maintenance work should not be submitted for approval; nor should such projects be lumped together to form an apparent sizable project.

Following is information regarding the new forms and the timetable for submission.

Budget Request Forms

The new budget request forms and preparation instructions are included in Section II of this manual. There are now five forms which are designated as follows:

Form A-1-New Project Request-Needs Assessment/Feasibility/Justification.

Form A-2-New Project Request-Construction Cost Data and Project Financing.

Form A-3-New Project Request-Estimated Annual Operation and Maintenance Costs.

Form B-Status Report of Projects in Process.

Form R-Recap of New Project Requests.

These forms, especially the Form A-1, require thorough, complete information in compliance with the preparation instructions. It is extremely important that working papers and sufficient backup information be retained by preparing agencies so reviewing offices will have access to supporting information. Project requests will be returned to the preparing agencies as incomplete for the following reasons:

(1) Lack of adequate needs assessment, feasibility documentation, or justification of need.

(2) Failure to fill out forms completely.

(3) Failure to specify project locations clearly.

(4) Lack of adequate project description.

(5) Lack of supporting data.

(6) Incorrect data.

Some portions of the instructions may not be clear or may not cover some of the situations confronted by your agency. In such cases, personnel from the Budget Office of the Division of

Administration will be available to help you. The telephone number of the Budget Office is 342-7006 or LINC 421-7006.

After the individual forms have been prepared, they should be assembled in the following order for each budget unit in the department.

1. Form R

2. Form A series in priority order (Form A-1, Form A-2, Form A-3 for priority 1 project, then Form A-1, Form A-2, Form A-3, for priority 2 project; etc. until all new project reports have been assembled from highest to lowest priority).

3. Form B

When the forms have been assembled, assign page numbers beginning with the first Form R, and continuing through the last Form B. This constitutes the original set of capital budget request forms. This original set and five duplicate sets constitute the budget request document. The department head is requested to prepare a transmittal letter to accompany the budget request document(s). In addition, one duplicate set is required to be submitted to the Legislative Fiscal Office.

Capital Budget Timetable

The budget request document, i.e., the original and five duplicate sets along with a transmittal letter, must be SUBMITTED NO LATER THAN December 15, 1980 to: Division of Administration, Facility Planning and Control Department, Box 44095, Baton Rouge, Louisiana 70804.

The submission date for 1981-82 requests is based on the following schedule to comply with statutory requirements:

1. Capital budget requests forms and instructions sent to agencies.

2. Development and preparation of capital budget request document by state agencies. This period includes internal departmental review and review by governing authorities.

3. *December 15, 1980*-Submission of capital budget request documents by department heads or governing authority. Individual agencies or budget units *must* submit their requests through their department head or governing authority. Documents not submitted properly will not be accepted by the Division of Administration.

4. Review of project requests by the Division of Administration. All requests will be evaluated by the State Planning Office as to the adequacy of service projections, environmental impact, spatial impact, and conformity with objectives of the Administration. The requests will also be evaluated by the Facility Planning and Control Department to determine whether the estimates are reasonable and the projects are technically feasible. The Facility Planning and Control Department will also evaluate requests from the standpoint of their architectural and engineering soundness and their compliance with State standards for design and construction. In addition, the requests will be evaluated by the Budget Office in terms of their impact on the operating budget. Throughout this evaluation process, formal conferences will be held between agency directors and the Division of Administration concerning the capital budget requests.

5. The Division of Administration prepares a capital outlay program for the next five fiscal years and submits it to the Governor. The program includes a list of projects recommended and the source of funds for each project for each of the five ensuing years.

6. The Governor shall submit to the presiding officer of each house of the legislature a preliminary capital outlay recommendation together with a summary thereof outlining the maximum amount of monies to be spent in each area and an appendix listing those projects which have been requested and evaluated but not included in the capital outlay program.

7. *By the seventh day of each regular session*-The Gov-

ernor submits to the Legislature his capital outlay program, a capital outlay budget message setting forth the reasons for the program, and a proposed capital outlay budget act implementing the first year of the five-year program. All capital outlay projects approved by the Legislature are then made part of the capital outlay budget.

Section II: Forms and Preparation Instructions

Preparation Instructions

Form A-1 Needs Assessment/Feasibility/Justification

Purpose

Act 14 of the Second Extraordinary Session of the 1980 Legislature amended R.S. 39:61 regarding new capital outlay requests by requiring a completed feasibility study for each new project requested. R.S. 39:61(3) (a) further provides that "the feasibility study shall include a needs assessment with corroborative data, when the project will be needed, its proposed location, . . . as well as an identification and description of other similar facilities and projects in the given area and evaluation of their capabilities. The list of new project requests shall indicate the order of priority." Section 61 (3)(c) states, "If a feasibility study is requested by a legislator, the Division of Administration shall comply with the request. If the study cannot be completed within sixty days by the Division of Administration they shall send the requesting legislator within fifteen days of receipt of his request, a notice stipulating the projected time period within which said study can be made. If the requesting legislator reasonably believes the Division of Administration's estimate is too lengthy, or reasonably believes the Division of Administration lacks the technical expertise necessary to conduct the study, he may request of the Legislative Fiscal Office that the study be performed under their supervision. Funds shall be appropriated by the legislature annually to the legislative fiscal office for such purpose." Also, Section 61 (3)(d) provides that "A legislator may submit a feasibility study with respect to a project of a local nature prepared by or for a local political subdivision which study shall be in compliance with the provisions of Paragraph 3(a) of Subsection B hereof, and subject to factual verification by the Division of Administration or the Legislative Fiscal Office within thirty days of submission thereof."

The purpose of Form A-1 is to provide a narrative documentation of the needs assessment/feasibility/justification for each new project request. In this context, "new project request" means any request for new or additional funding for a capital outlay project. All the following require new project forms:

- (1) Projects not previously requested.
- (2) Projects previously requested but not appropriated.
- (3) Projects previously requested and appropriated in a prior year, but for which bonds were not sold in that prior year.
- (4) Projects previously requested and included in a prior year Omnibus Bond Bill, but for which bonds were not sold in that prior year.
- (5) Projects previously requested and funded, but which now require additional new funds to supplement or complete the project.

Items of Information

Department; Office; Section/Facility — Indicate the proper department, office, and section or facility name. Abbreviations may be used. Example: Department: DI-HR, Office: Hospitals, Section/Facility: E.K. Long Hospital.

Contact Person; Phone — Indicate the name and phone number of the person to be contacted if there are any questions or if supplemental or clarifying information is necessary.

Agency Number — Indicate the six digit schedule number assigned to the budget unit.

New Project Priority Number — Assign a priority number to each new project request in keeping with the relative importance to

the achievement of overall department goals. For example, the priority number given to a project at a general hospital must reflect the overall DHHR priorities, not just the priorities at the hospital.

Classification Letter — Assign a letter classification to each project in terms of the Project Classification Criteria defined in Appendix A. The three classifications are: A - Emergency, B - Current Program Requirements, and C - Anticipated Program Needs.

Parish, City — Indicate the parish and city in which the project is or will be located.

New Project Title — Give the project a concise title that is sufficient to identify it clearly. This title should be the same as the title used for the project on the Recap of New Project Requests (Form - R). This title should be used for the project on all subsequent forms.

Louisiana Senatorial District Number — Indicate the State Senatorial District in which the project is or will be located.

Louisiana Representative District Number — Indicate the State House of Representatives District in which the project is or will be located.

Head of Budget Unit — Signature and typed name of the head of the budget unit or his designee.

Governing Authority Representative — Signature and typed name of the department head or his designee, or a representative of the appropriate management or governing board.

Needs Assessment/Feasibility/Justification — The following format must be followed whether the information is provided by in-house personnel or outside consultants. If this information is provided by outside consultants, identify the consultants and give the preparation date of their report.

Format for Feasibility Studies

I. Conformance with current State Policy Goals and Objectives

A. Cite either an executive order or any section of the Louisiana Revised Statutes of 1950 to indicate the legislative or executive mandate or authority under which the project is being proposed.

B. Describe in five sentences or less how the proposed project is related to the mandate or authority cited in I. A.

II. Description of Project

A. Using Table 1, identify which basic function the project fulfills.

B. Cite the location of the project.

C. Identify the services that fall under the function of the project (See Table 2 for a sample listing of services).

D. If the project is intended to service or regulate a particular segment of the population, identify the segment (i.e. handicapped, youth, poverty families, etc.).

E. Explain why the location of the project is most suitable for serving the target population (i.e. availability of resources, accessibility, etc.)

III. Coordination with other Entities

A. List any other government entities or programs that will have an important impact on the effectiveness of the project. Show how the impact has been anticipated and whether these entities or program managers have been contacted so that negative impacts can be minimized and positive impacts be maximized.

IV. Demonstration of Need

A. Document the current service capacity. (Exclude the capacity to be gained from the project.)

B. Document the growth in service requirements and in the target population.

C. Give a projection of service capacity following completion of the project.

D. If the project improves the nature of the quality of the service, specify how.

E. Identify any similar existing facilities in the vicinity of the

project that could be upgraded or expanded in such a manner that would meet the current service needs. Identify similar services rendered.

V. Other Impacts

A. Environmental-Identify the general impact the project may have on the environment.

B. Demographic-Describe the effect the project may have on the mobility of the population, or any other demographic factors.

C. Economic-Describe the economic impact of the project (i.e. increase of employment opportunities*, impact on the cost of doing business in the area where the project is located, impact on total income, etc.).

**Table 1
Function**

- (1) Public Safety
- (2) Transportation
- (3) Health Services
- (4) Human Resource Services (i.e. aid to poverty income families, services to handicapped)
- (5) Education
- (6) Economic Development (including tourism, agriculture, and unemployment insurance)
- (7) Environmental Protection and Resource Conservation
- (8) Management and financing of State Government programs
- (9) Judiciary and/or law enforcement
- (10) Legislature
- (11) Corrections
- (12) Regulation of local governments or other organizations

**Table 2
Examples of Activities or Services for each function**

- (1) -Driver licenses issued
-Automobiles registered
- (2) -Additional miles of road constructed
-Existing miles of road maintained
-Completed road repairs and an inventory of necessary repairs
-Mass transit ridership
- (3) -Average daily attendance
-Admission rates
- (4) -Number of applicants for aid to families with dependent children
-Number of social worker cases
- (5) -Enrollment in the specific institution
-Projected enrollment
-Projection of need for the various types of skills that are taught by the institution
- (6) -Number of tourists visiting the facility
-Projected number of people using the agricultural cooperative

*in the private sector as well as the public sector

Preparation Instructions

Form A-2 Construction Cost Data and Project Financing

Purpose

As the name indicates, Form A-2 is designed to provide new project information regarding estimated construction cost, the cost of equipping and furnishing, the method and source of financing for each of the next five years, and the estimated time of planning and construction. A separate Form A-2 is required for each new project requested. As noted in the preparation instructions for Form A-1, "new project request" means any request for new or additional funding for a capital outlay project.

Items of Information

Dept. through Governing Authority Representative — See individual item instructions on Form A-1 Preparation Instructions.

I. Description — In the appropriate space(s) indicate whether the requested funds are for land acquisition, planning, construction, equipment, or other purpose. Indicate in the appropriate space whether the project is complete in itself or is part of a multi-phase project or facility. Indicate whether or not the funds requested are to complete or supplement a previously funded project. Indicate whether or not a Preliminary Program of Requirements has been completed.

In the remainder of the block provide a concise description of the project. Do not include justification, workload data, or similar information required on the Form A-1. Do include a description of the needed property to be acquired, identify the facility, include a description of the proposed scope of work, and description of equipment and/or furnishings to be purchased, etc.

II. Proposed Financing — In columns (1) through (5) indicate the source of financing for each of the next five fiscal years. These figures should represent the amount required to cover contracts awarded in each fiscal year. For instance, if a project entails architectural plans that will take a year to complete, and the estimated construction time is two years and movable equipment can be delivered within two months after placing the order, then the amount required for the first fiscal year is only the architect's fee, the amount required the second year is the entire construction contract amount, and the amount required the third year is for the movable equipment. If contracts for design, construction, and equipment cannot reasonably be awarded in the same fiscal year, do not make a lump request for all project funds in one fiscal year.

The definitions of the sources of financing are as follows:

(1) "State Funds" — includes cash from the State General Fund or Tideland Escrow Fund of general obligation bonds.

(2) "Revenue Bonds" — are special bonds whose debt service is payable by revenues derived from operation of the bond funded facility, e.g. a parking facility, toll bridge, laundry, etc.

(3) "Self-Generated Revenue" — represents Self-Generated Revenue from agency operations, e.g. license fees, admission fees, etc. or from statutory dedications.

(4) "Federal Funds" — any federal grant, loan, etc. that has been applied for, awarded, or received for the project.

(5) "Other Funds" — any other type of financing not covered above, including interagency transfers, donations, local funds, etc.

(6) "Total" — The additive total of the six sources of financing described above; Column (6), Total Five-Year Request, is the additive totals of each means of financing for all five years (the total of columns 1-5).

NOTE: — If the funding requested is to supplement or complete a previously funded project, only the requested new funding should be included in columns (1) - (6) on this form. Do not include previously appropriated funds in columns (1) - (6). Use the "Com-

ments" space to refer to the appropriate Form B, which should identify the source and amount of previous funding.

III. Construction Cost Data — Indicate the type of facility, e.g., library, classroom, general hospital, etc. Then indicate the number of units for the appropriate category. For a general hospital for example, indicate the number of beds. Indicate the estimated square footage of the facility and the cost/sq. ft. based on the estimated construction cost. This estimated construction cost on which the cost/sq. ft. is based must be reflected in item V. 3 of Form A-2.

IV. Implementation Schedule — Indicate the estimated number of months required for planning and for construction.

V. Project Component Costs — Indicate the estimated dollar amount of expenditures for each of the project components. These component costs are defined as follows:

Land Acquisition — Cost of purchasing real property, including closing cost.

Planning Cost — Fee for professional services for planning. This figure should be ten percent of the construction cost.

Construction Cost — Cost of construction, renovation, repair, demolition, or other work, excluding land, professional fees and other costs. This should include the cost of all immovable or fixed equipment, such as bathroom fixtures, laboratory and kitchen equipment, etc.

Miscellaneous — Incidental expenses not listed above, including insurance, legal and testing. This figure should be five percent of the construction cost.

Movable Equipment — Furnishings and equipment which are not fixed to the building or facility.

NOTE: — In computing construction cost and/or equipment cost, an inflation adjustment should be built in so these cost figures reflect the estimated costs as of June 30 of the current fiscal year.

The Total Project Cost (item V. 6) must reflect the total new funding requested on Form A-2, item II, column 6, plus any previous funding as referenced on Form B. For example: Suppose an agency was appropriated \$1,000,000 in 1979 for land acquisition and design of a project. The same agency then wants to request an additional \$5,000,000 in 1981 to award the construction contract for the same project. Item II, column 6 of Form A-2 would reflect only the \$5,000,000 in new funding requested, and Form B would reflect only the \$1,000,000 previously appropriated, but item V.6 on Form A-2 would reflect the total project cost of \$6,000,000.

Next, indicate the date these component cost calculations were prepared.

Indicate the source of the component cost data, e.g., staff architect or engineer, consultant, etc.

VI. FP and C Comments — Leave this space blank.

CAPITAL OUTLAY BUDGET REQUEST FOR FY 19__ - 19__
NEW PROJECT REQUEST
FORM A-2 CONSTRUCTION COST DATA AND PROJECT FINANCING

Dept.: _____ Office: _____ Section/Facility: _____ Contact Person: _____ Phone (____) _____

Agency No: _____ New Project Priority No: _____ Classification Letter: _____ Parish: _____ City: _____

New Project Title: _____ La. Senatorial District No. _____ La. Representative District No. _____

Head of Budget Unit: _____ Governing Authority Representative: _____

I. Description:

Land Acquisition _____ Planning _____ Construction _____ Equipment _____ Other _____

Is the project complete in itself? _____ or, does this project represent a part or phase of a multi-phase project or facility? _____

Is the funding requested below to supplement or complete a previously funded project? _____

Has a Preliminary Program of Requirements been completed? _____

III. Construction Cost Data:

Facility Type _____

Construction Type/Unit Projections:

No. of Beds _____ No. Seats _____

No. Students _____ No. Books _____

No. Occupants _____ Other _____

Square Footage _____ Cost/Sq. Ft. _____

IV. Implementation Schedule:

Estimated time of planning _____ months

Estimated time of construction _____ months

V. Project Component Costs:

1. Land Acquisition \$ _____

2. Planning Costs _____

3. Construction Cost _____

4. Miscellaneous _____

5. Movable Equipment _____

6. Total Project Cost \$ _____

Source of Cost Data _____

II. Proposed Financing:

	(1)	(2)	(3)	(4)	(5)	(6)
FY _____	FY _____	FY _____	FY _____	FY _____	FY _____	Total 5 Yr. Request
1. State Funds	_____	_____	_____	_____	_____	_____
2. Revenue Bonds	_____	_____	_____	_____	_____	_____
3. Self-gen. Revenue	_____	_____	_____	_____	_____	_____
4. Federal Funds	_____	_____	_____	_____	_____	_____
5. Other Funds	_____	_____	_____	_____	_____	_____
6. Total	_____	_____	_____	_____	_____	_____

Comments:

VI. FP&C Comments:

641

Preparation Instructions
Form A-3 Estimated Annual Operating and Maintenance Costs

Purpose

As required by R.S. 39:61.B (3) (a), Form A-3 is designed to provide new project information regarding “. . . the estimated annual operating and maintenance costs, and the method and source of financing for each of the next five years...” The purpose is to identify the impact that the requested new project will have on the operating budgets of any affected agencies.

Items of Information

Dept. through Governing Authority Representative — See individual item instructions on Form A-1 Preparation Instructions

Expenditures and Financing/FY Columns—For each of the next five years, indicate by the categories of expenditures listed the estimated cost of operating and maintaining the requested new project. As noted above, the purpose is to determine the impact on the operating budget, so list the additional costs associated with operation and maintenance and any savings generated by the new project. For instance, if an agency is occupying rented office space and requests a new facility to replace the rented space, this form should reflect a reduction in the rentals expenditure category while also reflecting the new or increased costs for utilities, janitorial and maintenance, insurance, etc. If the purpose of the new project is to provide additional space for a new or expanded activity, the new program employees and other related costs must be reflected on this form. Be sure to indicate the total number of new positions in the appropriate spaces.

In addition to the categories of expenditures, indicate the source of financing these expenditures. Of particular importance are federal funds that cease or decrease after a certain period. The total expenditures for each fiscal year must of course equal the total means of financing for the corresponding year.

Comments/Explanation — In concise terms, explain the rationale or basis for computation of the operating and maintenance costs. Give the specific source and method of calculation for utilities. In the event the requested new project has an impact on more than one agency's operating budget, such impact must be explained here and included in the cost figures on this form. Explain why the operating means of financing was chosen and what other alternatives were considered. Use a continuation sheet if necessary.

Preparation Instructions
Form B Status Report of Projects in Process

Purpose

Form B is a status report of all incomplete capital outlay projects legislatively authorized including those in planning, under construction, or in the process of acquisition. This form indicates the *current* project funding by source and displays the amount and source of funds to be expended/encumbered as of the close of the current fiscal year and the amount and source of *current* funding to be encumbered during each of the five succeeding years. If additional funding is required to supplement or complete a project, such funding must be requested using the Form A series. See Form A-1 Preparation Instructions for definition of “New Project.”

Items of Information

Dept.; Office; Section/Facility — Indicate the proper department, office, and section or facility name. Abbreviations may be used. Example: Dept.: DHHR, Office: Hospitals, Section/Facility: E.K. Long Hospital.

Contact Person; Phone — Indicate the name and phone number of the person to be contacted if there are any questions, or if supplemental or clarifying information is necessary.

Agency Number — Indicate the six digit schedule number

assigned to the budget unit.

Head of Budget Unit — Signature and typed name of the head of the budget unit or similar responsible person.

Governing Authority Representative — Signature and typed name of the department head or his designee, or of a representative of the appropriate management or governing board.

I. Project Identification — For each project to be reported, indicate the project number assigned by Facility Planning and Control Department, the project name, and the parish and city where the project is located.

II. Authorizing Acts — Indicate the act number and year of the act(s) in which funds for the project were appropriated. If bonds were authorized but not sold and there was no line of credit authorized, do not list the act. If bonds were appropriated and sold, whether in full or in part, do list the act.

III. Completion Data — In the “status” column indicate one of the letter designations which describe the physical work completed:

A - Authorized: Projects that have been authorized but which have not entered the planning or construction phase.

P - Planning: Projects for which planning and design work has begun, but for which construction has not begun.

C - Construction: Projects in any stage of construction/acquisition up to completion/delivery, acceptance and utilization.

In the ‘percentage’ column indicate the percentage of work that has been completed in the current phase. Percentages must be expressed as whole numbers, such as ninety percent, ninety-five percent, etc.

In the “Date” column indicate the month and year on which the status and percentage are based.

Example: If planning is fifty percent complete as of October 25, 1980, the column would read “P - 50 - 10/80.”

IV. Project Funding — In the column “Current Authorization by Source” indicate the amount currently authorized for the project from each source of funding. “Currently Authorized” means either cash or bonds appropriated in the current year capital outlay appropriations act plus any cash appropriated from prior acts or any bonds previously sold. Do not include bond authorizations from prior years which have not been sold. Do not include bonds authorized in the current year omnibus bond act but not appropriated in the current year capital outlay act.

For example, if \$1,000,000 was authorized in a prior year bond authorization, but only \$100,000 was sold, and the balance was not reappropriated in the current year, then the current authorization by source column would indicate only the \$100,000 that was sold.

The means of financing sources are defined as follows:

“State” — Includes cash from the State General Fund or the Tidelands Escrow Fund.

“G.O. Bd.” — Represents general obligation bonds which were authorized and are appropriated in the current year capital outlay act, whether they have been sold or not; and bonds which were sold in a prior year. Do not include previously authorized but unsold bonds.

“Rev. Bd.” — Represents revenue bonds which were authorized and sold in a prior year or authorized in the current year capital outlay act. Revenue bonds are special bonds whose debt service is payable from revenues derived from operation of the bond funded facility, e.g., a parking facility, toll bridge, laundry, etc.

“Self-Gen. Rev.” — Represents Self-Generated Revenues from agency operations, e.g., license fees, admission fees, etc., or from statutory dedications.

“Fed.” — Represents any federal grant, loan, etc. that has

CAPITAL OUTLAY BUDGET REQUEST FOR FY 19__ – 19__
NEW PROJECT REQUEST
FORM A-3 ESTIMATED ANNUAL OPERATING AND MAINTENANCE COSTS

Dept: _____ Office: _____ Section/Facility: _____ Contact Person: _____ Phone (____) _____

Agency No: _____ New Project Priority No: _____ Classification Letter: _____ Parish: _____ City: _____

New Project Title: _____ La. Senatorial District No. _____ La. Representative District No. _____

Head of Budget Unit: _____ Governing Authority Representative: _____

EXPENDITURES AND FINANCING		FY _____	FY _____	FY _____	FY _____	FY _____	COMMENTS/EXPLANATION:
21	Salaries & Rel. Ben.						
22	Travel						
23	Operating Expenses:						
	Utilities						
	Insurance						
	Rentals						
	Other Maintenance						
	Telephone						
	Other Oper. Exp.						
	Sub-total						
24	Supplies:						
	Office						
	Operating						
	Repair & Maint.						
	Other						
	Sub-total						
25	Professional Services						
26	Other Charges						
27	Acquisitions						
29	Interagency Transfers						
	TOTAL EXPENDITURES						
	TOTAL NO. POSITIONS						
	SOURCE OF FINANCING:						
	State						
	Self-Generated Revenue						
	Federal Funds						
	Interagency Transfers						
	Other						
	TOTAL MEANS OF FINANCING						

643

been awarded and appropriated for the project.

“Other” — Represents any other type of funding not covered above, including interagency transfers, donations, local funds, capital outlay interest earnings account allocations, Interim Emergency Board allocations, etc.

“Total” — The additive total of the six sources of funding described above.

In the six columns under “Estimated expenditures/encumbrances by fiscal year,” the total and each means of financing listed under “current authorization by source” must be distributed to indicate the amount to be encumbered and expended as of the close of the current fiscal year and the additional amount to be encumbered during each of the next five years. For example, if (1) the total funding for a project included \$1,000,000 in general fund cash and \$100,000 in federal funds, and (2) the amount estimated to be encumbered as of June 30 of the current year was \$800,000, and (3) if all of the federal funds and the balance of the state funds are expected to be encumbered by next June 30, the columns would appear as follows:

<u>Current Authorization</u>	<u>Thru 6/30/80</u>	<u>FY 81-82</u>	<u>FY 82-83</u>	<u>FY 83-84</u>	<u>FY 84-85</u>	<u>FY 85-86</u>
State 1,000,000	800,000	200,000	-0-	-0-	-0-	-0-
Fed 100,000	-0-	100,000	-0-	-0-	-0-	-0-
<u>Total 1,100,000</u>	<u>800,000</u>	<u>300,000</u>	-0-	-0-	-0-	-0-

In those cases where additional funding is necessary to complete a project, do not indicate the dollar amount needed on this form. Under the appropriate fiscal year column on Form B indicate a reference to a Form A request for supplemental funding. For example, if in the case above \$300,000 additional funding was needed in FY 82-83, a note such as “See Form A, Priority 6” would be entered in the FY 82-83 column on Form B.

Preparation Instructions Form R Recap of New Project Requests

Purpose

Form R is designed to recap information on all new project requests by budget unit. The completed forms for all budget units in a department provide an overall perspective of the capital requests of each budget unit and department for the next five years. **PROJECTS IN PROCESS ARE NOT TO BE INCLUDED ON THIS FORM.**

Items of Information

Dept; Office; Section/Facility — Indicate the proper department, office and section or facility name. Abbreviations may be used.

Agency Number — Indicate the six digit schedule number assigned to the budget unit.

Head of Budget Unit — Signature and typed name of the head of the budget unit or his designee.

Governing Authority Representative — Signature and typed name of the department head or his designee, or of a representative of the appropriate management or governing board.

(1) Project Title — Beginning with the highest priority new project request, list the project titles as shown on the Form A series. Each new project requested on a Form A must be listed in priority order on Form R.

(2) Class Number — For each project listed, indicate the classification letter from the corresponding Form A.

(3) Priority Number — For each project listed, indicate the priority number from the corresponding Form A.

(4) State Funds — For each project listed, indicate the first year state funds requested as shown on the corresponding Form A-2, in Section II, Column (1), line 1.

(5) Revenue Bonds — For each project listed, indicate the first year revenue bonds requested, as shown on the corresponding Form A-2, in Section II, Column (1), line 2.

(6) Self-Generated Revenue — For each project listed, indicate the first year Self-Generated Revenue requested, as shown on the corresponding Form A-2, in Section II, Column (1), line 3.

(7) Federal Funds — For each project listed, indicate the first year federal funds requested, as shown on the corresponding Form A-2, in Section II, Column (1), line 4.

(8) Other Funds — For each project listed, indicate the first year other funds requested, as shown on the corresponding Form A-2, in Section II, Column (1), line 5.

(9) Total First Year Request FY — Indicate the fiscal year, such as 81-82, then for each project listed, indicate the total first year funds requested as shown on the corresponding Form A-2, in Section II, Column (1), line 6. These figures should agree with the total columns (4) - (8) on this Form R.

(10) Request for Years two - five, as shown on the corresponding Form A-2, in Section II, line 6, Columns (2) - (5).

(11) Total Five-Year Project Request — For each project listed, indicate the total five-year project request, as shown on the corresponding Form A-2 in Section II, Column (6), line 6. These figures should agree with the total of Column (9) plus Column (10) on this Form R.

Total Class A. Emergency — After listing each new project request as described above, count the number of projects classified as A. Emergency and indicate the number in Column (2). Then for Columns (4) through (11), indicate the totals for all Class A. projects.

Total Class B. Cur. Program Requirements — After listing each new project request as described above, count the number of projects classified as B. Current Program Requirements and indicate the number in Column (2). Then for Columns (4) through (11), indicate the totals for all Class B. projects.

Total Class C. Anticipated Program Needs — After listing each new project request as described above, count the number of projects classified as C. Anticipated Program Needs and indicate that number in Column (2). Then for Columns (4) through (11) indicate the totals for all Class C. projects.

Total New Project Requests — In Column (2), indicate the total number of new project requests. In Columns (4) through (11), indicate the total dollars for all new project requests.

CAPITAL OUTLAY BUDGET REQUEST FOR FY 19____ - 19____
FORM B STATUS REPORT OF PROJECTS IN PROCESS

Dept: _____ Office: _____ Section/Facility: _____ Contact Person _____ Phone (____) _____
Agency No: _____ Head of Budget Unit: _____ Governing Authority Representative: _____

I. PROJECT IDENTIFICATION	II. AUTHORIZING ACTS		III. COMPLETION DATA			IV. PROJECT FUNDING						
	No.	Year	Status	%	Date	CURRENT AUTHORIZATION BY SOURCE	ESTIMATED EXPENDITURES/ENCUMBRANCES BY FISCAL YEAR					
							Thru 6/30/____	FY____	FY____	FY____	FY____	FY____
No: Name: Parish: City:						State G. O. Bd. Rev. Bd. Self-Gen. Fed. Other						
						Total						
No: Name: Parish: City:						State G. O. Bd. Rev. Bd. Self-Gen. Fed. Other						
						Total						
No: Name: Parish: City:						State G. O. Bd. Rev. Bd. Self-Gen. Fed. Other						
						Total						
No: Name: Parish: City:						State G. O. Bd. Rev. Bd. Self-Gen. Fed. Other						
						Total						

645

**Section III.
Appendix A
Project Classification Criteria**

Class Letter	Title	Criteria
A.	Emergency	A capital project can be classified as emergency if it is essential to alleviate conditions hazardous to life or property. It would include measures to reduce fire hazards and provide increased safety. Other emergency or unforeseen conditions include extensive leaking of roofs and plumbing, unsafe structural defects (e.g., sinking, cracking foundations or walls), and extensive breakdowns of air conditioning systems. Projects to rectify facility inadequacies which have a significant detrimental effect on current programs are included in this category. This would include inadequate electrical, water, sewage, heating, and steam systems, inadequate streets and inadequate drainage.
B.	Current Program Requirements	Current program requirements are needs that would enable an agency to bring its facilities up to program standards set by national or regional accrediting associations. Also, changes necessary to improve the functioning of a program belong in this classification. This would include measures to rectify inadequacies or the non-existence of facilities stipulated by accrediting associations to be necessary for program achievement. It would also include provision for air conditioning and other similar equalizing needs, and major alterations to meet or maintain current program requirements.
C.	Anticipated Program Needs	Anticipated program needs are projects that are anticipated on the basis of increased enrollments, additional service, obsolescence of existing facilities, and changing of an agency's role, scope or mission. Evidence to substantiate such needs must be provided. David M. Bruce Assistant Commissioner

DECLARATION OF EMERGENCY

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

In accordance with the provision of Louisiana R.S. 40:29, the Department of Health and Human Resources, Office of Family Security, will implement, effective December 1, 1980, the following policy related to determining the applicant's eligibility for the Medically Needy Program:

Bills (expenditures) for medical services recognized under State Law shall be included in the spend-down process for determining Medically Needy eligibility, although some of these services may not be covered under Louisiana's Medical Assistance Program (i.e., dental services, psychiatric services, podiatrist services, etc.).

This action will allow the Medical Assistance Program to be in compliance with federal regulation 42CFR 435:831. Compliance with this federal regulation assures federal financial participation in Louisiana's Medical Assistance Program.

George A. Fischer, Secretary
Department of Health and Human Resources

DECLARATION OF EMERGENCY

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

The Department of Health and Human Resources, Office of Family Security, does hereby exercise the emergency provision of the Administrative Procedures Act (R.S. 49:953 B) to adopt effective January 1, 1981, a rule to implement the Low Income Energy Assistance Program to assist low income households with

the high cost of energy during the winter months of January, February, and March 1981. This action is necessary so that public participation may be obtained in the timely development of the State Plan.

Eligible households are those with liquid assets at or below \$1,500 for a single person household and \$3,000 for a multi-person household. Additionally, total monthly income shall not exceed \$276 for a single person household and \$451 for a multi-person household. Finally, eligible households are those vulnerable to the rising cost of home energy. To be vulnerable, a household shall be paying for a heating utility or making an undesignated payment for energy in the form of rent and shall not be a resident of Low Rent Public Housing or Section 8 Public Housing.

The Program will be implemented January 1, 1981 and will extend through the month of March, 1981. Payments in the month of January and February to eligible recipients shall range from fifteen dollars to thirty-five dollars depending upon income, household size, region of the State, and the type of heating utility. The third payment in the month of March may be higher or lower than the preceding two depending upon the amount of Federal funds remaining.

A copy of the proposed State Plan can be viewed at the *Louisiana Register*, 1500 Riverside North, Baton Rouge, Louisiana.

Interested persons may submit written comments on the rule through December 12, 1980, at the following address: Mr. Michael S. Haddad, Assistant Secretary, Office of Family Security, Box 44065, Baton Rouge, Louisiana 70804.

George A. Fischer, Secretary
Department of Health and Human Resources

Rules

RULE

Board of Elementary and Secondary Education

Rule 4.02.07

The Board approved for final adoption policy statements for Board of Elementary and Secondary Education Schools and Special School District No. 1 Programs.

I. Transportation

It is the policy of the State Board of Elementary and Secondary Education (BESE) that home visit transportation costs for residential students will be paid by the state for a minimum of nine round trips at the rate of one trip home per month. Any trip(s) in excess of this shall be arranged between the residential program and the sending LEA according to the child's IEP. Any transportation not arranged and listed in the IEP will be borne by the parents.

The cost of daily transportation for commuter/day students will be the responsibility of the sending LEA or a consortium of LEAs.

Specific procedures to administer this policy are included in residential policy and procedures manuals.

II. Least Restrictive Environment (Mainstreaming)

A. It is the policy of the BESE Schools to require the sending LEA to document the need for educating the child in the BESE school. This documentation will include supporting information that:

1. The proposed education placement at a residential/day program is the LRE for the child.
2. The parish or city school system cannot make reasonable accommodations for the child in the existing city-parish programs.

This document and supporting information must be forwarded to both Special School District No. 1 for its review and agreement, and to the BESE school in question for its review and agreement, that the District/BESE School has the most appropriate program for the child.

B. As part of their educational programs the BESE schools shall maintain full or part-time mainstreaming activities with LEAs through written cooperative agreements in the following areas:

1. Academic subjects
2. Counseling
3. Physical/recreational exercises
4. Inter and intramural/interscholastic athletics
5. Transportation
6. Health services
7. Social Activities

C. BESE schools will make their facilities and programs available, through written cooperative agreements, to the LEAs for specific activities of a speciality nature consistent with the unique offerings of the BESE facility.

D. Procedures to administer this policy are included in residential policy and procedures manuals.

III. Involvement of the Sending LEAs in the Evaluation, IEP, and Placement Process of BESE Schools

A. Prior to and during the admission consideration for educational placement, and in accordance with Act 754 of 1977 (R.S.17:1941 et seq), the sending LEA will retain responsibility for:

1. Providing all screening data concerning the student.
2. Providing all prior evaluation data concerning the student.
3. Performing or assuring the performance of any evaluations that are necessary.
4. Obtaining necessary releases from parents.
5. Arranging for the attendance of the parents and students for further evaluations as necessary by the BESE school.

6. Attending the initial evaluation conference and the initial IEP conference with parents.

7. Participating in placement discussions with parents.

8. Obtaining necessary clearance(s) of the State Department of Education (Special School District No. 1) to request approval for enrollment outside of the geographical boundaries of the LEA.

9. Advising parents of due process rights, confidentiality regulations, etc.

B. Following admission, the LEA retains responsibility for:

1. Attendance at IEP updates prior to discharge.
2. Transportation arrangements, when applicable.

IV. Involvement of the Sending LEAs in the Evaluation, IEP, and Placement Process in Special School District No. 1 Programs

A. Prior to, and during, the admissions considerations for habilitation placements by the Department of Health and Human Resources (DHHR) or by the Department of Corrections (DOC) in Special School District No. 1 programs the sending LEA will retain responsibility for:

1. Providing all screening and evaluation data currently available.
 2. Performing or assuring the performance of evaluations on at-risk students who are non-emergency placements within thirty days of notice by DHHR or DOC.
 3. Completion of the initial IEP on all non-emergency placed students.
 4. Obtaining necessary releases from parents.
- B. Following placement, the sending LEA retains responsibility for:
1. Tracking the placement of the students.
 2. Participating in the IEP conference prior to discharge.

Rule 5.00.80 (Replaces present policy in effect)

The Board approved for final adoption Guidelines for Tuition Exemption Continuing Education Program for Teachers. These guidelines were published in the August 20, 1980 *Louisiana Register* as Emergency Rule.

GUIDELINES

Tuition Exemption Continuing Education Program for Teachers

Bulletin 1533/1980-81

Louisiana State Department of Education

Introduction

The Louisiana Legislature during the First Extraordinary Session of 1977, passed Act 20, which established funding for continuing education. Louisiana Revised Statute 17:7.3 provides continuing education funding at Louisiana colleges and universities. The purpose of the Act is to make it possible for teachers to return to Louisiana colleges and universities to take courses in their fields or disciplines.

The attached Guidelines have been adopted by the State Board of Elementary and Secondary Education by the authority vested in them in Louisiana Revised Statute 17:7.3. By Board authority, the Guidelines are subject to further administrative interpretation by the Louisiana State Department of Education. The Guidelines are addressed to participants in the continuing education program. Infractions of these Guidelines will cause applicants to pay their own tuition. Questions relative to the Guidelines should be submitted to the State Department of Education, Continuing Education Office Box 44064, Room 603, Baton Rouge, Louisiana 70804; telephone numbers (504) 342-3414 or (504) 342-3422 or toll free 1-800-272-9872.

Application Forms

A. Distribution.

1. The State Department of Education prepares and distributes the forms.

2. Participating parish or city school systems secure forms from the State Department.

3. Participating schools secure forms from either parish or city school board office.

4. Participating applicants secure forms from either employing school or school board office.

B. Completion.

1. Read the directions on the application.

2. Complete Section I and sign.

3. Have employing authority complete Section II and sign.

4. Have university official complete Section III and sign.

5. Present application to appropriate university official at the time of official university registration. (You must inquire at the Registrar's Office at the university which you plan to enroll as to the specific university official to whom this form is submitted.) Applicant will be declared ineligible for tuition exemption if the application form is incomplete or inaccurate.

Deadlines

A. Applications and courses.

1. Regular Semester or Quarter.

a. Application forms must be submitted to the specific university official no later than the fourteenth official university class day.

b. Courses to be reimbursed shall be courses for credit which begin and end within the same semester or quarter in which registration is held no later than the fourteenth official university class day of the semester or quarter.

2. Summer Session.

a. Application forms must be submitted to the specific university official no later than the seventh official university class day.

b. Courses to be reimbursed shall be courses for credit which begin and end within a summer session in which registration is held no later than the seventh official university class day.

3. Interim Courses.

a. Application forms must be submitted to the specific university official no later than the fifth official university class day.

b. Courses to be reimbursed shall be courses for credit which begin after the close of one term and before the opening of the following term.

B. Unsuccessfully completed courses.

1. Applicants who do not successfully complete the course(s) for which tuition exemption was applied must pay the tuition as determined by the college or university in which the applicant was enrolled.

2. The applicant will receive a bill for the dropped, failed, or incompleting course(s) from the State Department of Education.

3. Courses dropped before the university deadline will cause the applicant to be billed a percentage of the tuition. The university determines the percentage of the tuition due.

4. The deadline for removal of an incomplete "I" grade shall be sixty university class days into the following semester unless the university deadline is sooner.

5. The applicant shall be allowed thirty days from receipt of the billing for unsuccessfully completed courses in which to pay the tuition due. After thirty days from the applicant's receipt of the billing, if no payment is made, the applicant's name and the signed application form shall be submitted by the Department of Education to the Attorney General of the Louisiana Department of Justice for collection. A penalty in the amount of five percent of the tuition shall be imposed on each applicant who fails to meet the thirty day time restraint.

Eligibility

A. Participants.

1. **Elementary and Secondary Teachers**—Any full-time degreed teacher who is regularly employed or on approved leave from a state approved elementary or secondary school, listed on the annual school report as a member of the faculty of a state approved elementary or secondary school under the jurisdiction of the State Board of Elementary and Secondary Education is eligible. These schools shall include public, nonpublic, alternative, and special schools as defined in Bulletin 741.

2. Vocational-Technical Instructors.

a. Any full-time instructor regularly employed or on approved leave from a vocational-technical school, which is under the direction of the State Board of Elementary and Secondary Education, and who is required by Bulletin 746 to earn fifteen credit hours in VTIE courses for certification, or who desires to take courses in his field of specialization is eligible.

b. Vocational-technical instructors must be listed on a composite report which is submitted to the State Board of Elementary and Secondary Education.

3. **Adult Education Teachers**—Any full-time degreed teacher teaching adult education for a minimum of thirty hours per week in schools under the jurisdiction of the State Board of Elementary and Secondary Education, who is under agreement with a city or parish school system to teach a full year in this capacity, or an adult education teacher who is on approved leave from such schools is eligible.

4. **Teachers in thirteenth and fourteenth Grades**—Any full-time degreed teacher regularly employed or on approved leave listed on the annual school report as a member of the faculty of Bossier Parish Community College or St. Bernard Parish Community College is eligible.

5. **Academic Supervisors**—Any degreed person holding a teacher's certificate and working in a supervisory capacity with an academic program within the state school system and under its jurisdiction is eligible. This includes academic supervisors working in the city and parish school systems of the state, the nonpublic school system, the State Department of Education.

B. Colleges and Universities.

1. **State Supported**—Delgado College, Grambling State University, Louisiana State University, Louisiana Tech University, McNeese State University, Nicholls State University, Northeast Louisiana University, Northwestern State University, Southeastern Louisiana University, Southern University, University of New Orleans and University of Southwestern Louisiana.

2. **Nonpublic**—Centenary College, Dillard University, Louisiana College, Loyola University, Our Lady of Holy Cross College, St. Mary's Dominican College, Tulane University, Xavier University.

Application for admission to colleges and universities must be in compliance with the college or university regulations, entrance requirements, deadlines, and any other conditions for admissions.

No student shall be allowed to pursue courses at more than one college or university simultaneously under this program.

C. Courses.

1. Credit courses in the subject matter area in which the applicant is currently teaching, or courses outside the subject matter area, provided the principal or superintendent recommends the area of instruction in which the applicant shall enroll, are eligible.

2. Course load shall not exceed six semester hours or its equivalency in quarter hours while a teacher is teaching full-time. Summer Session course load may exceed the six hour limit providing a teacher is not teaching summer school. Teachers who are on sabbatical or approved leave are not limited to six hours.

3. Eligibility of courses will be determined by either the

principal or the superintendent and the college or university official.

4. Applicants will not receive tuition exemption for the following ineligible courses.

a. Non-credit courses or audit courses.

b. Non-instructional credit courses such as examination courses. Thesis courses are eligible for reimbursement only in the semester in which credit is earned.

c. Courses in theology or divinity.

d. Courses pursued at more than one college or university simultaneously under this program.

e. Courses taken outside the geographical boundaries of the State of Louisiana.

f. Correspondence courses.

g. Courses which are not successfully completed by the end of the semester or sixty university class days into the following semester unless the university deadline is sooner.

h. Dropped, incompletes, or failed courses.

D. Tuition.

1. Tuition, for the purposes of this program, is defined as the registration fee and the building use fee per semester hour. The state will not reimburse for student activity fees. Tuition exemption shall be limited to the amount of tuition assessed for on-campus courses.

2. Tuition paid to eligible nonpublic colleges and universities shall be equal to, but not greater than, the highest tuition charged by a public college or university in Louisiana. The difference in the amount of tuition paid by the state and the amount charged by private colleges and universities shall be paid by the applicant.

3. Reimbursement shall be made to the colleges and universities by the State Department of Education from state appropriated funds.

Collections

A. The State Department of Education shall send by certified mail, with return receipt requested, a single billing to each applicant who is ineligible for any reason, for the amount of the outstanding tuition costs.

B. The applicant shall be allowed thirty days from receipt of the billing date in which to pay the amount due.

C. After thirty days from the applicant's receipt of the billing, if no payment is made, the applicant's name and the signed application form shall be submitted by the Department of Education to the Attorney General of the Louisiana Department of Justice for collection. A penalty in the amount of five percent of the tuition shall be imposed on each applicant who fails to meet the thirty day time restraint.

Appeals

A. Any applicant whose tuition exemption is denied may appeal to the State Department of Education, Continuing Education Office, Box 44064, Baton Rouge, Louisiana, 70804.

B. Any applicant whose appeal is denied by the State Department of Education shall have the right to a due process appeal before the State Board of Elementary and Secondary Education. The applicant should contact the Executive Director of the State Board of Elementary and Secondary Education, Box 44064, Baton Rouge, Louisiana 70804, no later than fourteen days following receipt of notification from the State Department of Education of tuition exemption denial.

C. While an appeal is pending, the thirty day time restraint imposed for payment of tuition costs shall be temporarily waived until the appeal process has been completed.

D. If the appeal is denied, the applicant shall have thirty days from the date of the notice of the denial in which to pay the amount due. The names and the application forms of all students

failing to pay within thirty days shall be submitted to the Attorney General of the Louisiana Department of Justice for collection.

College and University Procedures

A. At the time of registration, the applicant shall be exempt from paying tuition for eligible course work covered in this program.

B. The last date for the colleges and the universities to accept applications for tuition exemption shall be the fourteenth official university class day of a regular semester or quarter, the seventh official university class day of a summer session, and the fifth official university class day for interim courses.

C. Two weeks after the official dates stated above, the university or college shall submit to the State Department of Education the following documents.

1. Application forms.

2. A master list of applicants enrolled in the tuition exemption program.

3. An invoice for tuition payments.

D. Prior to the middle of the semester or quarter, the State Department of Education shall submit to the colleges and universities a check for the full amount of the invoice which shall cover only those charges designated as "tuition" for eligible applicants.

E. Within two weeks after the end of the semester or quarter, the colleges and the universities shall submit to the State Department of Education a list of names and tuition due for applicants who either dropped, failed, or received an incomplete.

F. The deadline for removal of an incomplete grade shall be sixty university class days into the following semester unless the university deadline is sooner. Immediately following the sixty day deadline for completion of incomplete grades, the university shall submit the names and the mailing addresses of applicants who did not successfully complete an "I" grade.

G. Courses dropped before the university deadline will cause the applicant to be billed a percentage of the tuition. The university determines the percentage of the tuition due.

Rule 6.03.46

The Board approved for final adoption Rules and Regulations for removal from office of regional directors, directors, and assistant directors in vocational-technical schools in order to comply with the mandates of Act 644 of the 1979 Regular Session as follows:

A regional director, director, or assistant director in a vocational-technical school under the jurisdiction of the State Board of Elementary and Secondary Education shall not be removed from office except upon written and signed charges of willful neglect of duty, or incompetency, or dishonesty, and then only if found guilty after a hearing by the Board or a committee of the Board, which hearing may be public or private at the option of the affected employee. Removal from office includes termination and/or demotion. At least fifteen days in advance of the date of the hearing, the Board shall furnish the respondent employee with a copy of the written charges. The respondent employee shall have the right to appear before the Board or committee of the Board, with witnesses in his behalf and with counsel of his selection, all of whom shall be heard by the Board or committee of the Board at the hearing. Any finding of a committee of the Board shall be reviewed and acted upon by the full Board. The Board may set aside or modify the findings of a committee of the Board. Nothing herein contained shall impair the right of appeal to a court of competent jurisdiction.

Rule 5.03.31 (Replaces present policy in effect)

State operated trade and vocational-technical schools are to charge a tuition fee of thirty dollars per month to non-resident students. It is the responsibility of the applicant to provide the trade and vocational-technical school with the evidence deemed necessary to establish the applicant's resident status.

A citizen of the United States who has established bona fide residence in Louisiana shall be considered a resident.

An applicant who is married to a Louisiana resident may acquire the residence status of his or her spouse.

State operated trade and vocational-technical schools are not to charge this fee to permanent employees of Louisiana industry who are taking night or extension courses.

An alien who has been lawfully admitted to the United States for permanent residence as an immigrant (proof of such status in his possession - Form 1-515 Alien Registration Receipt Card) and who has established residence under any of the foregoing provisions shall be declared a resident of the state.

James V. Soieau
Executive Director

RULE

Board of Elementary and Secondary Education

Rule 3.01.07

The Board adopted Guidelines for Implementation of the 1980-81 Pilot Year of the Compensatory/Remedial Education Act as follows:

1.0. Guidelines for Implementation

The following guidelines are a formal statement of the rules and regulations for implementation of the 1980-81 pilot year of the Louisiana Compensatory/Remedial Education Act. Applicants for proposals are expected to adhere closely to these guidelines.

1.1. Types of Proposals and Awards

Local school districts may individually or as a consortium submit proposals for one of sixteen pilot, planning or demonstration projects for the 1980-81 school year. A district may submit more than one proposal; each proposal will be judged solely on its merit. Two projects will be awarded to each of the eight congressional districts. If a district has less than two (none or only one) acceptable proposals, then only that number will be funded. At most only two planning projects will be accepted, while the remaining fourteen will be pilot or demonstration projects. Summer school projects will not be accepted.

A total of \$800,000 was allocated by Act 433 to fund these sixteen projects. The amount of money available to each local district will be partially a function of the number of children who are identified as compensatory education students in that district.

1.2. Target Population

Second graders, including those in continuous progress programs, will be the target population for these pilot, planning or demonstration projects.

1.3. Options for Implementing Compensatory Education

It is anticipated that the projects will encompass one or more of the following four educational options for compensatory education: (1) the addition of other certified teachers into a regular classroom; (2) the addition of resource personnel, who are certified specialists in various areas, to the staff of a school; (3) changes in the organizational structure and climate of the schools; and (4) computer assisted instruction. However, should a project present a creative remedial program not based on one of the four optional programs, it will be considered highly.

1.4. Components of Narrative

Act 433 dictates that the proposal include a narrative which will incorporate the following:

- a. A statement of the educational objectives and how they are determined.
- b. A review of the appropriate literature.
- c. The student population to be served and the selection criteria to be used.
- d. The methodologies to be utilized in meeting the educational problems.

e. A description of the course content to be taught.

f. A detailed budget including excess costs above regular programs.

g. An evaluation plan encompassing both the educational process and the extent of growth and achievement evidenced by the pupils.

1.5. Student Eligibility

With regard to 1.4.c., it is imperative that students selected for the pilot year should approximate those students who will fail to achieve the mastery level on the minimum competency test which will be administered in the spring, 1982. For the purpose of this pilot year program, the following criteria should be utilized in the selection of students for participation in the program: (a) previous scores on standardized tests; (b) teacher judgment; (c) previous retention; and (d) previous scores on local criterion-referenced tests.

1.6. General Budget Requirements

With regard to Section 1.4.f., the budget must include only funds used for compensatory education. Act 433 dictates that accounting for compensatory education be separate from that of other local and state funds. No funds for the program shall decrease or supplant state, local or federal funds for educationally deprived students.

It is anticipated that most of the budget will be expended on salaries and not on materials. An exception to this general expectation will be made in the case of computer assisted instruction.

1.7. Evaluation of Projects-General Information

With regard to Section 1.4.g., the evaluation plan will involve: (a) a measure of the increase in student achievement in the basic skills of reading, writing and arithmetic as a result of the state compensatory/remedial education programs; and (b) a measure of the degree to which the compensatory/remedial education program has given the students a sense of success and has prevented their alienation toward the schools and possibly their early departure from the schools. There will be two aspects of the evaluation process: (a) each local school district must develop an evaluation plan for its project including the two criteria mentioned above; and (b) the Bureau of Evaluation in the LDE will conduct a statewide evaluation of all projects. Each local school district is required to describe its evaluation process in its proposal for compensatory/remedial education funds.

With regard to the statewide evaluation of all projects, pre-and post-test measures will be taken on the target students (experimental and control) in all the compensatory education programs. The Bureau of Evaluation in the LDE will be responsible for the selection of appropriate pre-and post-test measures and will audit the administration of the tests. The local school district should indicate a control group of children with similar educational deprivation to those in the compensatory education programs for comparison purposes. This control group should be taken from the original pool of target students eligible for compensatory education according to the local school district's plans. The local school districts will be responsible for administration of the tests selected by the Bureau of Evaluation. The Bureau of Evaluation will be responsible for the analysis of the data and for the preparation of the final statewide evaluation report.

1.8. Required Final Product

The final product from the local school districts will be a report detailing the implementation of the compensatory education program in their district.

1.9. Replication of Projects

The compensatory education programs should be replicable. That is, the projects should be transportable for use in other school districts and should be easily disseminated. This requirement does not hold for planning projects.

"Faculty Ranks. Faculty members and other members of the academic staff of comparable rank, including librarians, may be appointed for a specified term ("term appointment") or indefinitely ("tenured appointment") depending on rank and experience." (The remainder of the section to be unchanged.) Delete, in its entirety, 2-7.b. entitled "Library Ranks."

M. D. Woodin
Secretary to the Board

RULES

Office of the Governor

Data Processing Coordinating and Advisory Council

The Data Processing Coordinating and Advisory Council has adopted revised rules LAC 1-9:3 and LAC 1-9:4 regarding long-range plans for data processing in departments and universities.

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. A plan shall be submitted to the Data Processing Coordinating and Advisory Council (DPCAC) no later than December 31 of each year. Semi-annual updates including changes, additions or deviations to the plan shall be submitted to the DPCAC by July 15 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 the summary information described in Section 3.2. In addition, the methodology employed in developing the plan must provide the detailed data described in Subsection 3.2.3 for the DPCAC review upon request.

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 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 costs, on a monthly basis, associated with maintenance of the system.

E. Indicate any hardware or software changes necessitated by growth of the system, and the dates such changes are planned to occur.

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, semi-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 or level of effort 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 in manmonths and level of expertise required for this effort.

D. Indicate any hardware or software changes necessitated by the implementation of this effort, and the dates such changes are planned to occur.

E. State the dollar amount requested for the enhancement or redesign. This amount will normally equal the total shown on budget forms BR-4 and BR-4A "Expansion of Current Services and/or Proposed New Services."

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 in manmonths and level of expertise required for this effort.

D. Indicate any planned hardware or software changes necessitated by the implementation of this effort, and the dates such changes are planned to occur.

E. State the dollar amount requested for the new system. This amount will normally equal the total shown on budget forms BR-4 and BR-4A, "Expansion of Current Services and/or Proposed New Services."

3.2.6 Summarize the funds necessary to provide the EDP resources described in other parts of the plan, in terms of amounts by categories of expenditure. This summary will be for not only the three years of the plan but for the previous year as well. The form entitled "EDP Resource Requirements Cost Plan," available from the DPCAC, provides a format suitable for easy presentation of these cost estimates.

A. Amounts.

1. For the last fiscal year, indicate the total budgeted amount.

2. For the first year of the three-year plan, indicate for each category of expenditure the following:

a. Amount of State General Fund requested, excluding outgoing interagency transfers.

b. Amount of State General Funds for interagency transfer, i.e., amount being transferred out to another State agency.

c. Total amount of State funds being requested.

d. Amount of Federal Funds.

e. Total amount (State and Federal) being requested.

B. Categories of expenditure.

1. Hardware. Include expenditures for the purchase, rental, lease and maintenance of hardware. The total amount re-

requested for hardware will equal the sum of the detail costs shown in the Hardware Plan (see Subsections 3.2.7 A-B).

2. Software. Include expenditures for the purchase, rental, lease and maintenance of software, e.g., operating systems, compilers, assemblers, data base systems, data dictionary systems, utilities, etc. The total amount requested for software will equal the sum of the detail costs shown in the Software Plan (see Subsections 3.2.7 C-D).

3. Personnel. Include expenditures for all salaries, wages and related benefits for personnel assigned to the data processing cost center (or section). Also include those personnel having Civil Service data processing classifications (e.g., Data Entry Operator) who are assigned outside of the data processing cost center (or section). Exclude those personnel outside the data processing cost center (or section) who may use the data processing equipment but do not have Civil Service data processing classification titles.

4. Facilities. Include expenditures for items such as building rentals, repairs, construction, acquisition of desks/typewriters/other office equipment, utilities and telephones.

5. Training. Include expenditures for off-site courses and conferences, vendor-supplied in-house training, audio-visual equipment and supplies, training manuals, etc.

6. Supplies. Include expenditures for paper, office supplies, ribbons, magnetic tapes and disks, gasoline, etc.

7. Professional Services. Include expenditures for all professional services, whether they be used for system development, management consulting, operations audit, systems tuning, etc.

8. Other Non-State Services. Include expenditures for services provided by non-State organizations such as service bureaus and timesharing services, and related consulting services associated with service bureaus or timesharing services. Also include subscription services (e.g., library or legal), outside data entry services and microfilm/microfiche production services.

9. Other operating services. Include expenditures for services not included in other categories. Examples would be travel, postage, dues and subscriptions, insurance, automobile purchase and repairs.

10. Total EDP cost. This category represents the total dollar amount requested, the sum of the preceding nine categories.

11. Interagency Transfer In. Include the total amount of incoming interagency transfers from other State agencies.

12. Positions Allocated. Indicate the number of personnel positions requested, including incumbents, vacant positions and new positions. This number will match the total number indicated in the part of the plan detailing future manpower requirements (see Subsection 3.2.7 E).

3.2.7 Provide 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. Provide a schematic of the hardware configuration.

B. Hardware upgrades or changes planned during the three-year period 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. Software changes or upgrades planned during three-year period. 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. Provide a listing of classifications, and the number of positions in each, planned to be allocated to the department during each of the three years. The total will equal that specified in Section 3.2.6 and will include all positions in the data processing cost center (or section) as well as positions with data processing classifications in other cost centers of the department.

F. If professional services are being budgeted for Year 1, provide the name of the proposed vendor (if known), the nature of the work to be performed, and amount requested for each project. A completed form BR-17A (Schedule of Professional Services-Detail) may be provided instead. The total amount shown will equal that required in Section 3.2.6.

G. For any incoming interagency transfers, specify service to be rendered and dollar amount to be received from each department or university. Completed budget forms BR-6/BR-6A/BR-6B may be provided instead.

H. For any interagency transfers being made by the department to another department or university, list the services to be received, the dollar amount to be transferred and to whom. A completed form BR-19 may be used instead.

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 from 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.

3.3.6 All information requested in Subsection 3.2.6 may be supplied on the form entitled "EDP Resource Requirements Cost Plan." These forms are submitted to DPCAC as part of the plan.

3.3.7 For Subsection 3.2.7 A-D information, use form entitled "Hardware/Software Plan," along with a schematic of the configuration. Use form entitled "Plan of Positions in EDP Organization" for Subsection 3.2.7 E information. Use budget form BR-17A for Subsection 3.2.7F information; BR-6/BR-6A/BR-6B, Subsection 3.2.7 G; BR-19, Subsection 3.2.7 H. All forms are submitted to DPCAC as part of the plan.

LAC 1-9:4 Development of Long-Range

Plans for Data Processing in

Colleges and Universities

4.1 Each state college and university shall develop a long-range

plan for data processing.

4.1.1 The planning process will cover a three-year period and shall be on a fiscal year basis to coincide with the budgeting process. The plan shall be submitted to the Data Processing Coordinating and Advisory Council (DPCAC) no later than December 31 of each year. Semi-annual updates including changes, additions or deviations to the plan shall be submitted to the Data Processing Coordinating and Advisory Council by July 15 of each year. The December plan will drop the oldest year and add an additional fiscal year.

4.1.2 The methodology or technique for developing the plan is left to the discretion of each individual college or university. However, the plan shall provide the summary information described in Section 4.2.

4.1.3 The actual format of the plan will be determined by the college or university. Section 4.3 does provide, however, a set of forms and instructions which may be used, at the option of the college or university, in preparation of its plan.

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

4.2.1 State the mission and objectives of electronic data processing (EDP) within your college or university. Also include a description of benefits from the usage of EDP to your college or university in the following terms (at a minimum):

A. The number of credit courses in the college or university which make use of the computing facilities.

B. The total number of students enrolled who have (or will) at one time or another used the computing facilities for course work or research work (use best estimates), and subtotals by number pursuing each level of degree.

C. Number of students supported by administrative system.

4.2.2 List and describe any major enhancements or redesign efforts in progress or proposed for each existing administrative application. Also, it is recommended, but not mandatory, to include major efforts in instruction, research and academic applications to the extent practical in order to present a complete plan. For example, if considerable resources (fifteen percent or more of the development/enhancement budget) are to be committed to the enhancement of a programmed instruction package for students in engineering, the plan would be incomplete without inclusion of such an effort. For each application listed, describe as follows:

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 university and consultant personnel staffing in man-months and expertise (programmer, analyst, project leader, etc.) required for this effort.

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

E. State the dollar amount requested for the enhancement or redesign. The amount will normally equal the total shown on budget forms BR-4 and BR-4A, "Expansion of Current Services and/or Proposed New Services."

4.2.3 List and describe new administrative applications currently in progress or planned during the three fiscal year period. Also, as mentioned in Subsection 4.2.2 above, other applications are recommended, but not mandated, for inclusion when considerable resources are required for implementation. For each application listed, describe as follows:

A. Indicate whether in progress or proposed showing estimated starting and completion date.

B. State the scope, objective and anticipated benefits.

C. Indicate the level of university and consultant personnel

staffing in man months and expertise (programmer, analyst, project leader, etc.).

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

E. State the dollar amount requested for the new system. This amount will normally equal the total shown on budget forms BR-4 and BR-4A, "Expansion of Current Services and/or Proposed New Services."

4.2.4 Separate the anticipated total yearly EDP costs (as specified in Subsection 4.2.5) of the college or university into the costs necessary to support administrative, research, instruction and other activities. Include totals for both shared and dedicated EDP resources for the next three fiscal years in a format like the following:

Category	Fiscal Year 1		Fiscal Year 2		Fiscal Year 3	
	Shared	Dedicated	Shared	Dedicated	Shared	Dedicated
Administrative	\$	\$	\$	\$	\$	\$
Research	\$	\$	\$	\$	\$	\$
Instruction	\$	\$	\$	\$	\$	\$
Other	\$	\$	\$	\$	\$	\$

The term EDP resources can include a central processing unit (CPU) and associated peripheral units, remote job entry terminal, other terminals, minicomputers, and microcomputers. Describe the cost allocation method or algorithm used to determine costs associated with central, shared systems. Also include a definition of each component in the algorithm.

4.2.5 Summarize the funds necessary to provide the EDP resources described in other parts of the plan, in terms of amounts by categories of expenditure. This summary will be for not only the three years of the plan but for the previous year as well. The form entitled "EDP Resource Requirements Cost Plan," available from the DPCAC, provides a format suitable for easy presentation of these cost estimates.

A. Amounts.

1. For the last fiscal year, indicate the total budgeted amount.

2. For the first year of the three-year plan, indicate for each category of expenditure the following:

a. Amount of State General Fund requested, excluding outgoing interagency transfers.

b. Amount of State General Funds for interagency transfer, i.e., amount being transferred out to another college, university, or State agency.

c. Total amount of State funds being requested.

d. Amount of Federal funds.

e. Total amount (State and Federal) being requested.

3. For the last two years, indicate only the total amount planned.

B. Categories of expenditure.

1. Hardware. Include expenditures for purchase, rental, lease and maintenance of hardware. The total amount requested for hardware will equal the sum of the detail costs shown in the Hardware Plan (see Subsections 4.2.6 A-B).

2. Software. Include expenditures for the purchase, rental, lease and maintenance of software, e.g., operating systems, compilers, assemblers, telecommunications, data base systems, data dictionary systems, utilities, etc. The total amount requested for software will equal the sum of the detail costs shown in the Software Plan (see Subsections 4.2.6 C-D).

3. Personnel. Include expenditures for all salaries, wages and related benefits for personnel assigned to the data processing cost center (or section). Also include those personnel having Civil Service data processing classifications (e.g. Data Entry Operator) who are assigned outside of the data processing cost center (or

section). Exclude those personnel outside the data processing cost center (or section) who may use the data processing equipment but do not have Civil Service data processing classification titles. Also exclude part-time student workers, personnel funded by a grant, or students or faculty who use an EDP system.

4. Facilities. Include expenditures for items such as building rentals, repairs, construction, acquisition of desks/typewriters/other office equipment, utilities and telephones.

5. Training. Include expenditures for off-site courses and conferences, vendor-supplied in-house training, audio-visual equipment and supplies, training manuals, etc.

6. Supplies. Include expenditures for paper, office supplies, ribbons, magnetic tapes and disks, gasoline, etc.

7. Professional Services. Include expenditures for all professional services, whether they be used for system development, management consulting, operations audit, systems tuning, etc.

8. Other Non-State Services. Include expenditures for services provided by non-State organizations such as service bureaus and timesharing services, and related consulting services associated with service bureaus or timesharing services. Also include subscription services (e.g., library or legal), outside data entry services and microfilm/microfiche production services.

9. Other Operating Services. Include expenditures for services not included in other categories. Examples would be travel, postage, dues and subscriptions, insurance, automobile purchase and repairs.

10. Total EDP cost. This category represents the total dollar amount requested, the sum of the preceding nine categories.

11. Interagency Transfer In. Include the total amount of incoming interagency transfers from other colleges, universities or State agencies.

12. Positions Allocated. Indicate the number of positions re-requested, including incumbents, vacant positions and new positions. This number will match the total number indicated in the part of the plan detailing future manpower requirements (see Subsection 4.2.6 E).

4.2.6 Provide the following detailed information associated with the resource requirements in Subsection 4.2.5 above:

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

B. Hardware upgrades or changes planned during the three-year period 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. Software changes or upgrades planned during the three-year period. 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. Provide a listing of classifications, and the number of positions in each, planned to be allocated in the college or university during each of the three years. The total will equal that specified in Section 4.2.5 and will include all positions in the data processing cost center (or section) as well as positions with data processing classifications in other cost centers of the college or university.

F. If professional services are being budgeted for Year 1, provide the name of the proposed vendor (if known), the nature of the work to be performed and amount requested for each project. A completed form BR-17A (Schedule of Professional Services-Detail) may be provided instead. The total amount shown will equal that required in Section 4.2.5.

G. For any incoming interagency transfers, specify service to be rendered and dollar amount to be received from each department or university. Completed budget forms BR-6/BR-6A/BR-6B may be provided instead.

H. For any interagency transfers being made by the college or university to another department or university, list the services to be received, the dollar amount to be transferred and to whom. A completed form BR-19 may be used instead.

4.3 Section 4.2 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 college or university's exact needs. Copies of these forms are available on request from the DPCAC.

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

4.3.2 Provide Subsection 4.2.2 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 college or university's plan.

4.3.3 New systems are described as per instructions in Subsection 4.3.2.

4.3.4 Subsection 4.2.4 information shall be in free format narrative and submitted as part of the plan to the DPCAC.

4.3.5 All information requested in Subsection 4.2.5 may be supplied on the form entitled "EDP Resource Requirements Cost Plan." These forms are submitted to DPCAC as part of the plan.

4.3.6 For Subsection 4.2.6 A-D information, use form entitled "Hardware/Software Plan," along with a schematic of the configuration. Note that only annual costs are required; quarterly costs are not. Use form entitled "Plan of Positions in EDP Organization" for Subsection 4.2.6 E information. Use budget form BR-17A for Subsection 4.2.6 F information; BR-6/BR-6A/BR-6B, Subsection 4.2.6 G; BR-19, Subsection 4.2.6 H. All forms are submitted to DPCAC as part of the plan.

Thomas G. Hagan, Executive Director
Data Processing Coordinating
and Advisory Council

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: LAC 1-9:4**

**Development of Long-Range Plans for
Data Processing in Colleges and Universities**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)
The Data Processing Council's staff will experience no change in workload and therefore, there will be no implementation costs or savings.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)
There will be no impact on revenues.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)
There will be minimal cost savings to these institutions. These

institutions will submit one planning/budgeting document to the Council instead of two which will reduce paperwork and simplify their reporting requirements.

IV. ESTIMATED EFFECT IN COMPETITION AND EMPLOYMENT - (Summary)

There will be no effect on competition and employment.

Thomas G. Hagan
Executive Director

Mark C. Drennen
Legislative Fiscal Officer

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: LAC 1-9:3**

**Development of Long-Range Plans for
Data Processing in Departments**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

The Data Processing Council's staff will experience no change in workload and therefore, there will be no implementation costs or savings.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

There will be no impact on revenues.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

There will be minimal cost savings to other state agencies. State agencies will submit one planning/budgeting document to the Council instead of two which will reduce paperwork and simplify their reporting requirements.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

There will be no effect on competition and employment.

Thomas G. Hagan
Executive Director

Mark C. Drennen
Legislative Fiscal Officer

RULE

**Department of Health and Human Resources
Board of Practical Nurse Examiners**

The Louisiana State Board of Practical Nurse Examiners at its meeting on September 26, 1980 adopted the following amendments to the *Administrative Rules and Minimum Requirements Relating to Practical Nursing Education and Licensure to Practice in the State of Louisiana*.

Section IV

7. Admissions

7-1 Regular admissions-shall meet the requirements:

a. Grade placement of 9.5 in reading and 8.5 in mathematics on the achievement test battery.

7-2 Advanced standing

a. (5) Delete

Mrs. Helen W. Sheehan, R.N.
Executive Director

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Repeal of Pre-
Admission Test Requirements**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

There are no estimated implementation costs.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

There is no estimated effect on revenue collections.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

The repeal of this rule would eliminate the cost of taking the test for all applicants. At the cost of \$12.00 to take the test for approximately 1,400 applicants per year, the annual savings to applicants is estimated at \$16,800.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

No effect on competition and employment is estimated.

Mrs. Helen W. Sheehan, R.N.
Executive Director

Mark C. Drennen
Legislative Fiscal Officer

RULE

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

The Department of Health and Human Resources, Office of Family Security has expanded, effective November 20, 1980, in-patient physician services from a benefit limit of fifteen in-patient visits per year to a provision for coverage of one in-patient physician visit per day for each day of a Title XIX eligible hospital admission provided the following criteria are met:

1) The recipient is eligible for Title XIX hospital benefits at the time of admission, either because of having at least one day remaining in the fifteen annual hospital day benefit or because of State authorization of the admission;

2) The length of the hospital stay is approved by PSRO or PAS/LOS Standards. If any days are not approved, no in-patient physician services will be paid on non-approved days.

George A. Fischer, Secretary
Department of Health and Human
Resources

RULES

**Department of Labor
Office of Labor**

The following rules and regulations of the Prevailing Wage Division, Office of Labor, Department of Labor, State of Louisiana, were adopted pursuant to the Administrative Procedure Act of Louisiana (R.S. 49:951, et seq.) after a public hearing held thereon on November 5, 1980.

Prior thereto, written objection was made to the proposed rules and regulations by the Senate Committee on Labor and Industrial Relations after a hearing held in Committee Room C, State Capitol, on Monday, November 3, 1980, a copy of which is printed below.

The Committee's objections were disapproved by the Governor by letter dated November 7, 1980, a copy of which is also printed below.

**Louisiana State Senate
Committee on
Labor and Industrial Relations
November 5, 1980**

The Honorable David C. Treen
Governor
State of Louisiana
Baton Rouge, LA 70804

Re: Notice of Unacceptable Report on
Proposed Department of Labor Rules

Dear Governor Treen:

Pursuant to R.S. 49:968, Notice is hereby given to you that the Senate Standing Committee has given an Unacceptable Report on the attached Rules proposed by the Department of Labor.

The committee based its determination on the following factors:

1. The rules were drafted with insufficient input from affected groups. Labor unions and other employee groups were not consulted;

2. The proposed rules fail to provide procedures for the documentation of classes of employees within the three categories listed in R.S. 38:2301;

3. The rules fail to provide procedures for the documentation of wages and benefits actually paid in a given area;

4. The rules fail to provide objective criteria for the determination of prevailing wages and benefits;

5. The rules, if promulgated, would seriously undermine the competitive position of union contractors when bidding on state construction projects;

6. The proposed rules totally lack enforcement procedures;

7. The Department of Labor has failed to make sufficient personnel requests to implement the proposed rules and in fact abolished one position necessary to the implementation of R.S. 38:2301;

8. The rules totally lack criteria and procedures for the determination of geographic boundaries.

Respectfully yours;
Gaston Gerald, Chairman
Joseph Sevario, Vice Chairman

State of Louisiana
Executive Department
Baton Rouge
November 7, 1980

Honorable Gaston Gerald, Chairman
Honorable Joseph Sevario, Vice Chairman
Senate Labor & Industrial Relations Committee
State of Louisiana
Post Office Box 44183
Baton Rouge, Louisiana 70804

Gentlemen:

Pursuant to R.S. 49:968, notice is hereby given to you that I have disapproved the Senate Standing Committee's Unacceptable Report on the attached rules proposed by the Louisiana Department of Labor. I based my disapproval on the following factors:

(1) Public hearing was held for input from affected groups. The Department was already in possession of labor union collective bargaining agreements. Meetings with contractors were held for survey information. Rules are established to set procedures for the Department and to set up guidelines for contractors to follow in paying prevailing wage.

(2) As a result of the public hearing, Rule I has been amended for clarification of corresponding classes of employees to be paid the prevailing wage.

(3) This procedure is not required in the prevailing wage law.

(4) The prevailing wage law specifies the criteria to be used in the determination of prevailing wage and benefits.

(5) Collective bargaining rates are one of the criteria stated in the law and will be considered in wage determinations. This objection is not applicable to the rules. However, laws mandating exclusive reliance on collectively bargained rates have been challenged in the courts as unconstitutional. This issue led to invalidation of the rate determination methodology in Arizona; and, an injunction in Michigan stopping enforcement of the law with respect to school construction in certain school districts.

(6) Based upon testimony in the public hearing, Rule IV,

Section C has been amended to clarify enforcement procedures.

(7) Organizational changes have recently been made within the Office of Labor which eliminate the need for additional personnel.

(8) Geographic boundaries have been clarified as a result of the public hearing by amendment of Rule III.

Respectfully yours,
David C. Treen

RULES

RULE I. Three categories of employees.

A. Mechanics* - skilled in trade or craft, either by completion of an approved apprenticeship program or other proof of years of experience in the particular trade or craft.

B. Workmen - specific work but limited or semi-skilled.

C. Laborers (which will include helpers, trainees, tenders, etc.) - general unskilled work.

The categories of employees, the job classifications recognized by the assistant secretary of labor and the wages of each classification thereunder will be listed under each project in the prevailing wage decisions (LD's).

RULE II. Six types of work projects.

A. Highway construction.

B. Building construction (which includes building repairs, electrical high linemen, air conditioning and heating and swimming pools).

C. Heavy construction (which includes land based bucket dredging equipment).

D. Water well drilling.

E. Marine floating bucket or hydraulic dredging.

F. Shipbuilding and repairs.

RULE III. Geographical boundaries
for Prevailing Wages.

By parish in which work is being performed. If data is not available, then contiguous parishes.

RULE IV. Prevailing wages notice.

A. To be posted on the job site by the PW Specialist for that area.

B. Notice will call attention to the prevailing wages for that particular project (a copy of LDL attached). Should any employee have a question or grievance over either his job classification or wages, he may either consult his employer or the area PW Specialist whose name, address and telephone number will be shown on the notice. PW Specialist will explain procedures to file a formal complaint. Formal complaints shall be made only to the General Counsel, Office of Labor, who shall receive same, prepare the complaint and forward to the employee for his signature. The name of the complainant will remain confidential.

C. PW Specialist is to refrain from visiting the job site except on specific instruction from his supervisor and for the following:

1. Making initial contact with the general contractor or his representative and posting the prevailing wage notice.

2. Periodic visits to insure that the prevailing wage determination is still posted, and to insure that the prevailing wage is being paid.

3. "Follow-up" visit upon direction of the assistant secretary of labor or his designee which will be made after receipt of a written complaint from an employee.

RULE V. LDL Decisions

A. Will include definitions of mechanics, workmen and laborers.

*Apprentices are to be governed under the provisions of R.S. 23:381, et seq.

B. Notation that apprentices will be governed by Louisiana Apprenticeship laws, which will also include a definition of apprentices.

C. Wages will be shown for each employee classification with the notation that any wages to be paid at higher rate than shown thereunder are negotiable between employer and employee.

D. Notification that anyone who does work in a category other than the one in which his job classification falls, should either be an indentured apprentice under the laws of the State of Louisiana or if not, shall be paid no less than the minimum wages of the classification in which he actually works.

E. The contracting agency shall notify the Office of Labor of date and place of pre-job conference, which notice shall include an invitation to the Office of Labor to attend for the purpose of explaining the contractor's responsibilities under the prevailing wage law.

F. Notice that job classifications and wage rates under each employee category may, from time to time, be enlarged, altered, amended or terminated, due to obsolescence or development of new classifications, and the right to do so shall remain exclusively with the assistant secretary of labor.

**Office of Labor
Department of Labor
State of Louisiana**

NOTICE

The Prevailing Wages applicable to this project, as determined by the Office of Labor, Department of Labor, State of Louisiana, are attached to this notice.

Should any employee have a question concerning the wages paid to him on this project or his job classification thereunder, said employee should immediately contact his employer. Should any questions still remain after, and only after, discussions with his employer, the employee should contact the following representative of the Office of Labor.

Telephone: _____

J. T. Armatta
Assistant Secretary of Labor

RULE

**Department of Natural Resources
Office of Environmental Affairs
Environmental Control Commission**

The following revision to Louisiana's State Implementation Plan was approved October 23, 1980 by the Environmental Control Commission:

WHEREAS, the current State Implementation Plan under the Federal Clean Air Act contains a resolution of the Louisiana Air Control Commission concerning potential or actual conflicts of interest as required by Section 128 of the Federal Clean Air Act; and

WHEREAS, the Environmental Control Commission, under Act 449 of 1979, is the successor agency to the Air Control Commission, exercising all power and authority formerly held by the Air Control Commission; and

WHEREAS, the powers and duties formerly exercised by the technical Secretary of the Air Control Commission is now exercised by the Assistant Secretary of the Office of Environmental Affairs; and

WHEREAS, the current resolution of the Louisiana Air Control Commission needs to be re-adopted by the Environmental Control Commission to reflect the changes effected in administration of the State Implementation Plan by reason of Act 449 of 1979;

THEREFORE, BE IT RESOLVED, that any commission member or Assistant who approves permit or enforcement orders under the provisions of the Federal Clean Air Act as amended August, 1977, and derives any significant portion of his income from persons (as defined in Section 4.49 of the Air Control Regulations) subject to said permits or enforcement orders, shall not take part in the discussion of said permit or enforcement order and shall not vote thereon. The Commissioner or Assistant Secretary shall announce his abstention from Commission action to the Commission Chairman at the time of Commission action.

BE IT FURTHER RESOLVED, that each Commission member and the Assistant Secretary will disclose to the Chairman of the Environmental Control Commission on or before July 1, 1981, and annually thereafter, details of any actual or potential conflicts of interest occurring between January 1 and December 31, of the preceding year. The Commission members and the Assistant Secretary shall be provided a listing of permits and enforcement orders approved between January 1 and December 31 by January 15 of the following year by the Administrator, Air Quality Division. The Air Quality Division shall maintain any conflict of interest reports on file and make them available for public inspection. A notice shall be published in the *Louisiana Register* and other appropriate State Journals advising the public of these reports.

Copies of the above revision are available from the Department of Natural Resources (Natural Resources Building - 6th Floor) Office of Environmental Affairs, Air Quality Division, P. O. Box 44066, Baton Rouge, Louisiana 70804.

B. Jim Porter
Assistant Secretary

RULE

**Department of Public Safety
Office of State Fire Marshal**

The Department of Public Safety, Office of the State Fire Marshal intends to adopt the following administrative rulings with regard to hospital fire lanes and shopping center fire lanes.

LAC 17-4:9 Hospital Fire Lanes

9.3 — The Fire Marshal, his certified local authorities, or local law enforcement officials shall remove any vehicle parked in any fire lane in the State of Louisiana by any means necessary and shall assess the cost of removal against the owner of said vehicle by storing said vehicle and refusing to release said vehicle until all costs incident to the removal and storage of said vehicle have been paid by the owner.

9.4 — Owners and occupants of the property on which fire lanes are located are hereby charged with the responsibility of notifying the Fire Marshal, his certified local authorities, or local law enforcement officials of the existence of any vehicles parked in those fire lanes; and in the event that they are unable to contact the Fire Marshal, his certified local authorities, or local law officials, the owner and occupant are hereby charged with the responsibility of and are hereby authorized to remove any vehicle parked in those fire lanes by any means necessary and to assess the cost of same against the owner of said vehicle by storing said vehicle and refusing to release said vehicle until all costs incident to the removal and storage of said vehicle have been paid by the owner.

LAC 17-4:10 Shopping Centers - Fire Lanes

10.4 — The Fire Marshal, his certified local authorities, or local law