

CONTENTS

I. EXECUTIVE ORDERS
EWE-76-3 Amends and supercedes specified provisions of E.O. No. 57, Article III relative to law enforcement planning districts 105

II. EMERGENCY RULES
Dairy Stabilization Board—Establishes an experimental system of dock pricing and back-door delivery 105
Livestock Sanitary Board—Amends Regulation 3—Governing the Operation of Livestock Auction Markets 106
Wildlife and Fisheries Commission—Extends for thirty days the oyster harvesting season in a certain area east of the Mississippi River and in Bay Junop in Terrebonne Parish 107

III. RULES
Corrections, Department of—Regulation No. 10-11, Records of Adult Offenders and Ex-offenders 107
Elementary and Secondary Education, Board of—Revises requirements for high school graduation and creates guidelines for the adoption of textbooks 109
Health and Human Resources Administration, Division of Family Services—Adds a policy for payment to chiropractors in the Medical Assistance Program 111
Health and Human Resources Administration, Division of Family Services—Amends policies and procedures manual relative to Aid to Families with Dependent Children. 111
Health and Human Resources Administration, Division of Youth Services—Amends the State Plan for Child Support Enforcement and Establishment of Paternity. 111
Parole, Board of—Regulations Determining Conduct of the Board of Parole and Related Agencies in the Granting, Releasing, and Supervising of Parolees 113
Public Safety, Department of—Rules for the Issuance of a Driver’s License Following a Name or Sex Change 118
Public Safety, Department of—Sign Requirements for Used Vehicle Dealerships 119
Public Works, Department of—Amendment to Section 2.6.Q.O. of the Regulations and Standards for Water Well Construction 119

IV. NOTICES OF INTENT
Consumer Protection Division, Governor’s 120
Consumer Protection Division, Governor’s 121
Elementary and Secondary Education, State Board of 122
Health and Human Resources Administration, Division of Management, Office of Licensing and Certification Section 122
Livestock Sanitary Board 124
Public Safety, Department of 125
School Lunch Employees’ Retirement System, Board of Trustees. 130

Executive Orders

EXECUTIVE ORDER EWE-76-3

Acting pursuant to the authority vested in me by the Constitution and the laws of the State of Louisiana, I, Edwin W. Edwards, Governor of Louisiana, do hereby issue the following proclamation and executive order specifically amending and superseding specified provisions of Executive Order No. 57 issued on the 29th day of January, A.D., 1974.

WHEREAS, the Red River Delta Law Enforcement Planning Council, Inc. has been created to function as the law enforcement planning agency for the area comprised of the parishes of Avoyelles, Catahoula, Concordia, Grant, LaSalle, Rapides, Winn and Vernon; and

WHEREAS, the creation of the Red River Delta Law Enforcement Planning Council, Inc. is in the best interests of the people of the State of Louisiana because of better service in assessing problems in the fields of law enforcement and the administration of criminal justice and more comprehensive and coordinated plans in law enforcement; and

WHEREAS, the Kisatchie-Delta Economic Development District Council, Inc. has functioned in this capacity for this district until this time; and

WHEREAS, Executive Order No. 57 states in Article III relative to Law Enforcement Planning Districts that the parishes of Avoyelles, Catahoula, Concordia, Grant, LaSalle, Rapides, Winn, and Vernon comprise the Kisatchie-Delta Law Enforcement Planning District; and

WHEREAS, Executive Order No. 30 stated in Article IV, Section A relative to "Delineation" that one of the law enforcement planning agencies is the "Kisatchie-Delta Economic Development District Council, Inc.—Kisatchie-Delta Law Enforcement Planning District" and such agency is the sixth unnumbered agency listed in the section and which agency is referred to in Article IV of Executive Order No. 57 as a recognized planning agency; and

WHEREAS, the name of law enforcement planning district should be changed to reflect the creation and establishment of the Red River Delta Law Enforcement Planning Council, Inc.

NOW, THEREFORE, I, Edwin W. Edwards, Governor of the State of Louisiana, do hereby amend and

supercede specified provisions of Executive Order No. 57 issued on the 29th day of January, A.D., 1974, by providing the following:

In Article III relative to Law Enforcement Planning Districts delete the following:

* * *
Kisatchie-Delta Law Enforcement Planning District—
Avoyelles, Catahoula, Concordia, Grant, La-
Salle, Rapides, Winn and Vernon Parishes;

and insert in lieu thereof the following:

* * *
Red River Delta Law Enforcement Planning Dis-
trict—Avoyelles, Catahoula, Concordia, Grant,
LaSalle, Rapides, Winn and Vernon Parishes;
* * *

FURTHERMORE, the Red River Delta Law Enforcement Planning Council, Inc. is hereby fully recognized as the established planning agency for the Red River Delta Law Enforcement Planning District as provided in this executive order, and expressly replaces and supercedes the Kisatchie-Delta Economic Development District Council, Inc. for the former Kisatchie-Delta Law Enforcement Planning District provided for by the sixth unnumbered agency in Section A on Delineation of Article IV, relative to Law Enforcement Planning Agencies, of Executive Order No. 30 issued on the 30th day of February, A.D., 1973.

IN WITNESS WHEREOF, I have here-
unto 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 24th day of
March, 1976.

EDWIN EDWARDS

Governor of Louisiana

Emergency Rules

DECLARATION OF EMERGENCY

Dairy Stabilization Board

(Editor's Note: The following rule was adopted on
March 17, 1976.)

In accordance with the provisions of R.S. 49:953, the Louisiana Dairy Stabilization Board hereby finds that an imminent peril to the public health, safety, and welfare requires the adoption of an emergency rule upon fewer than fifteen days notice and that it is necessary to proceed without prior notice or hearing for the following reasons:

WHEREAS, the Louisiana dairy industry contributes more than 250 million dollars per year to the economy of this State and

WHEREAS, the Louisiana dairy industry furnishes a livelihood for approximately 35,000 families of the State, and,

WHEREAS, the Division of Health of the Louisiana Health and Human Resources Administration has issued a permit to an out-of-state dairy products processor and, as a result, thousands of gallons of processed milk from the State of Mississippi are being sold daily in the City of New Orleans, and

WHEREAS, the Division of Health now has multiple applications from processing plants from surrounding states including the states of Texas, Arkansas, and Mississippi, and

WHEREAS, we have been reliably informed that the Division of Health plans to automatically grant these permits on certifications from the various out-of-state Boards of Health without Louisiana Health inspectors ascertaining that these plants do, in fact, meet the rigid sanitation standards as Louisiana plants must meet, and

WHEREAS, the mass flow of processed milk from other states into Louisiana will rob the Louisiana dairy farmers and Louisiana processors of their traditional markets and destroy a great and valuable industry of this State to the detriment of all our citizens, and

WHEREAS, the Louisiana Dairy Stabilization Board feels that Louisiana dairy farmers and Louisiana dairy products processors should be given every opportunity to protect and preserve the markets that they have developed in this State, and

WHEREAS, Act 31 of 1974 empowers this Board to take such steps as are required in order to enable licensees to meet legal competition;

NOW, THEREFORE BE IT RESOLVED THAT the Dairy Stabilization Board establish an experimental system of dock pricing and back-door delivery for a period of one hundred and twenty days commencing at

12:01 a.m., Tuesday, March 23, 1976, or for such shorter period of time as the Board may hereafter determine, the prices to be established by the individual processors and further that the Chairman appoint a committee immediately to report back to the Board before March 22, on the proper method to administer this system.

BE IT FURTHER RESOLVED THAT the Dairy Stabilization Board formally request of Governor Edwin W. Edwards and the Louisiana Legislature that Act 31 of 1974 be amended to provide that the Dairy Stabilization Board determine dairy products costs as provided for in the Act and that the Dairy Stabilization Board no longer fix wholesale prices of dairy products but that the processors and distributors be prohibited from selling dairy products below the established costs.

Done on this 17th day of March, 1976, at Baton Rouge, Louisiana.

Jesse H. Cutrer, Jr.
Director

DECLARATION OF EMERGENCY

Livestock Sanitary Board

The Livestock Sanitary Board on March 12, 1976, took emergency action, as provided for in R.S. 49:953B, to amend its rules relative to testing horses offered for sale at Louisiana auction markets for equine infectious anemia, and to impose a fee of not more than \$3.00 for administering such tests.

The text of the amended rule follows:

Regulation 3—Governing the Operation of Livestock Auction Markets

Section 13. Equine Requirements

- A. All horses offered for sale at Louisiana auction markets must be accompanied by record of negative test for equine infectious anemia (Coggins test) conducted by an approved laboratory within six months of date of sale.

Exceptions:

- a. Horses consigned for immediate slaughter and re-consigned from auction market on VS 1-27 to an approved slaughtering establishment.

- b. Horses consigned for slaughter and purchased by individual must have blood sample drawn by an accredited veterinarian and submitted to an approved laboratory. Horses may then move to purchaser's premises under quarantine until results of Coggins test are received. If animal is found to be positive, it must be properly identified and will remain under quarantine until sold for immediate slaughter. Owner may request confirmation test of positive animal(s) at time of identification and blood sample will be collected by a State veterinarian and forwarded to an approved laboratory for confirmation.

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

DECLARATION OF EMERGENCY

Wildlife and Fisheries Commission

The Louisiana and Wildlife and Fisheries Commission on March 23, 1976, took emergency action as authorized by R.S. 49:953B to extend for thirty days the oyster harvesting season in a certain area east of the Mississippi River and in Bay Junop in Terrebonne Parish. The text of the Commission's resolution follows:

Whereas, Act 616, adopted during the Regular Session of the 1974 Legislature, authorized the Louisiana Wildlife and Fisheries Commission to regulate the size limit and area closures after January 1 of each year on State-controlled oyster seed grounds, and

Whereas, Commission biologists checked the oyster seed grounds east of the Mississippi River, as well as Bay Junop in Terrebonne Parish, and found the outer reefs to have from 15,000 to 20,000 sacks of large oysters which could be harvested by the oyster fishermen rather than to have these oysters lost to predators and/or high salinity.

Now, therefore, be it resolved that the Louisiana Wildlife and Fisheries Commission does hereby authorize and empower the Director to extend the oyster season in a certain area located east of the Mississippi River until May 15, 1976, with said extension being thirty days after the previously established closing date. The oyster seed grounds excluded from this season is that area west of a line that runs as follows:

Beginning at a point of land known as California Point. Thence N 18° W, 15,000' to a point known as Pelican Point. Thence N. 38° E, 6,000' to a point of

land known as Telegraph Point. Thence N 50° W, 6,000' to a point of land (this point being located S 58° E, 3,500' from U.S.C. & G.S. Triangulation Station Iron). Thence N 20° E, 4,500' to a point of land, this point being located N 70° E, 4,000' from U.S.C. & G.S. Triangulation Station Iron). Thence N 11° W, 13,000' to the most easterly point of land on Stone Island. Thence N 32° E, 21,000' to a point of land known as Mozambique Point.

Be it further resolved that the aforementioned extension of oyster season shall also apply to the Bay Junop oyster seed grounds in Terrebonne Parish.

Now, therefore, be it further resolved that only three-inch or larger oysters can be harvested and those harvested smaller in size shall be culled back into the reefs. The extended season after April 15, 1976, can be closed on a twenty-four hour notice by the Director of the Commission for biological purposes or for reasons of difficulty to enforce the three-inch law or oyster fishermen harvesting in closed areas.

J. Burton Angelle
Director

Rules

RULES

Department of Corrections

(Editor's Note: The following rules were adopted on April 5, 1976.)

Department Regulation No. 10-11

Records of Adult Offenders and Ex-Offenders

1. Purpose. To establish a formal policy regarding access to records of offenders and ex-offenders.
2. To Whom This Regulation Applies. This regulation is applicable to all persons employed by the Department of Corrections.
3. Department's Access to Information and Records of Other Agencies:
 - A. R.S. 15:840.0 provides that during the course

of any investigation which the department is authorized by law to conduct, or which is necessary for the rehabilitation of persons in the custody of the department, the department shall have access to information and records under the control of any state or local agency which is reasonably related to the rehabilitation of the individual.

B. All information obtained on an offender shall be confidential and shall not be disclosed to anyone except in accordance with this regulation.

4. General. Before the release of any information in department records, it is necessary to first determine whether the individual or agency has a right to know the information and also whether they have a need to know. The following paragraphs of this regulation spell out who has a right to know the information contained in department files and the extent of that right. In determining whether an individual or agency has a need to know the information requested, the request should be examined to see if the request is legitimately and properly related to the individual's or agency's responsibilities and whether the information will be used for the purpose intended.

Examples:

1. A secretary working for the Department of Corrections has a right to know information contained in department files [see 6(a)(7) below], however, if she wishes to examine these records for personal reasons, she would not have a legitimate need to know, because her requested access is not related to the purpose of her employment.
2. A state senator has a right to read department records relating to the discharge of his duties as a state official [see 6(c)(2), below]. If, however, he made the request in his role as a private attorney, he would not have a legitimate need to know under this section.
5. Form of Requests. Requests for information may be made verbally except where otherwise noted. However, any request for the ongoing furnishings of records or the furnishing of large masses of records to a particular agency or individual must be submitted in writing to the Director for approval. The requesting individual or agency must certify that they will not release the information to any other individual or agency.

6. Release of Non-medical Information and Records:

A. Information on a particular individual may be released without special authorization to the following:

- (1) Board of Parole;
- (2) Board of Pardons;
- (3) Governor;
- (4) Sentencing Judge;
- (5) District Attorneys;

* (6) Publically funded law enforcement agencies;

(7) Personnel of the Department of Corrections, including legal representatives and student workers;

(8) Court officers with subpoenas specifying the information desired.

B. Fingerprints, photographs, and information pertaining to arrests and disposition of criminal charges may be released to local, state, or federal criminal justice agencies* without special authorization.

C. Upon approval by the Director or his designated representative, information may be read, but not copied, by the following, under certain conditions as set forth in R.S. 15:574.12:

(1) Social service agencies assisting in the treatment of the offender or ex-offender;

(2) Appropriate governmental agencies or officials.

(3) Approved researchers.

D. The Director or his designated representative may also, under certain conditions, approve the selective reading of information to private citizens or organizations aiding in rehabilitation or directly involved in hiring of the offender or ex-offender.

E. Statistical information and information of a general nature (age, physical characteristics, offense, date of conviction, length of sentence and discharge date) requested on a specifically named offender or ex-offender may be released to the general public, including members of the press at any time.

7. Release of Medical Records (R.S. 44:7)

A. Medical charts, records, reports, documents, and other memoranda prepared by physicians, surgeons, psychiatrists, nurses, and employees of the department may be released to the following when they are legitimately and properly interested in the disease or in the condition of the patient, without consent of the patient:

- (1) Board of Parole;
- (2) Board of Pardons;
- (3) Governor;
- (4) Personnel of the Department of Corrections, including legal representatives and student workers;
- (5) Doctors;
- (6) Hospitals, clinics and nursing homes;
- (7) Courts, whenever the past or present condition is at issue or relevant in any judicial proceeding.

B. Medical records, except psychiatric reports, shall be available to anyone having a legitimate interest, provided the patient or, in case of his death, his legal heir or next of kin has consented in writing to their release.

8. Subpoenaed Records (R.S. 15:574.12).

A. Whenever any record covered by this section is subpoenaed (except in the case of medical records for which a release has been obtained), the pertinent records shall be submitted to the appropriate court for a ruling as to whether the information should be made available to the person who caused the subpoena to be issued.

B. The court shall examine the information in private and shall withhold the information should it find;

- (1) That the information is not relevant to the proceedings, or
- (2) That the information was derived from communications which were obviously made in the confidence that they would not be disclosed, or
- (3) That confidentiality is essential to future useful relations between the source and the recorder of the information.

9. Fees. All persons or organizations, except state or federal agencies or officials, requesting copies of records, shall be charged fifty cents for each page copied.

10. Penalties Failure to abide by this regulation may result in dismissal from the Department of Correc-

tions or in refusal to comply with future requests for information.

*Includes all state police, Sheriff Offices, Police Departments, Departments of Correction, the U.S. Attorney and Attorneys General, and the Federal Bureau of Investigation. Any other agency wishing to qualify under these sections must request in writing that the department make a finding of their eligibility for access.

C. Paul Phelps
Director

RULES

Board of Elementary and Secondary Education

(Editor's Note: The following rules were adopted on March 25, 1976.)

(1) A new edition of Bulletin 741, Handbook for School Administrators wherein are contained requirements for high school graduation as follows:

English 3 units

Must be any three of the four courses, English I, II, III, IV. (A course in basic reading will be available as an elective course to enable students who need it to take the three English units required.)

Health and Physical Education 2 units

Each required unit must include 30 hours of health instruction.

Mathematics 2 units

Science 2 units

Social Studies 2 units

Two units in social studies shall be required. One unit must be in American History (including six weeks of instruction in Americanism vs. Communism); and one unit must be civics or an equivalent course in citizenship education as approved by the State Department of Education.

Total Required 11 units

Electives	9 units
Total required for graduation	20 units

These requirements are effective as per the following:

Regulations in Bulletin 741 will become effective with the beginning of the 1976-77 school year, except that the graduation requirements will become effective with the incoming freshmen of the 1976-77 school year. Students enrolled in high school prior to the effective date of the graduation requirements shall be permitted to graduate in accordance with the requirements in effect at the time of their enrollment.

Other sections of the new version of Bulletin 741 shall be published in future editions of the Register. These policies shall be listed under 3.01.50 of the Policy and Procedure Manual.

(2) 3.01.84 Guidelines for the Adoption of Textbooks

1. A textbook is a tool which should enable a teacher to achieve the objectives of a course of study.
2. Textbooks should not contain material that promotes, as opposed to objectively presenting, a partisan or sectarian viewpoint.
3. Textbooks should objectively present concepts of citizenship, democracy, authority, freedom of expression, and free enterprise.
4. Violence, civil disorder, and social strife should be treated as to cause and consequences.
5. Blatant sensationalism is sufficient cause to disapprove a textbook.
6. Textbooks shall not contain language or illustrations which are obscene.
7. Recognizing the First Amendment rights of every citizen of the United States, textbooks shall clearly recognize that cultural, religious, social, ethnic, and sexual differences can be utilized to promote successful learning.
8. Textbooks shall not promote discrimination on the basis of sex.
9. Textbooks should promote concepts in harmony with the work ethic of our society.

10. Textbooks should do nothing to undermine the sanctity of the home or the individual right to privacy.

11. The content of history texts shall reflect true scholarship evidencing familiarity with primary sources.

12. It is the function of textbooks to promote the proper use of the English language.

(3) 3.01.81 Time schedule for Textbook Adoptions (Five Year Cycle of Adoptions)

The Textbook and Media Advisory Council may review the cycle every year in order that any needed changes can be made and recommended to the Board.

The adoption schedule is as follows:

- | | |
|---------|---|
| 1976-77 | Aerospace Education
Reading, grade K-8
Elementary & High School Science
Health, Safety Education & First Aid
Driver Education
Physical Education
Health—Elementary & High School |
| 1977-78 | High School Mathematics
Elementary Mathematics
Special Education
Handwriting
Trade & Industrial Arts
Guidance
Art—Elementary & High School |
| 1978-79 | Foreign Language—Elementary & High School
Music—Elementary & High School
Distributive Education
Home Economics
Agriculture
Career Education—Elementary & High School
Music—Instrumental & Vocal
Business Education |
| 1979-80 | Social Studies—Elementary & High School
Louisiana Studies
Black Studies
Dictionaries
Drug Abuse Education |
| 1980-81 | English Literature, grade 7-12
Language & Composition |

Literature
Spelling—Elementary & High School
English—9-12
Journalism
Speech

- (4) Deletion of Policy and Procedure Manual Rule number: 3.01.82.

Textbook Labels, as follows: Rule No. 7 of the rules and regulations for state owned (free) textbooks is amended to change the word "pasted" to the word "printed" in that sentence referring to the ownership label. The labels recommended by the National Association of State Textbook Directors are officially adopted. (1083:9:12-9-66)

- (5) The fixing of the following limit on the adoption of textbooks:

Textbooks shall be limited to a maximum of eight books per skill area of discipline. Justification must be given the Board for those adoptions exceeding this number.

Earl Ingram
Director

RULES

Health and Human Resources Administration

Division of Family Services

(Editor's Note: These regulations were adopted in order to comply with Act 551 of the 1975 Regular Session of the Louisiana Legislature. They have been in effect as an emergency measure since April 1, 1976, and become permanent rules with this publication.)

The Louisiana Health and Human Resources Administration, Division of Family Services, has adopted in the Louisiana Medical Assistance Program a policy for payment of chiropractor services.

Payment will be made to chiropractors for their services under the following conditions:

1. Payment will be made to chiropractors who are licensed by the State and who are certified by the Licensing and Certification Section for participation in Medicare (Title XVIII).

2. Payment will be made only for chiropractic treatment by means of manual manipulation of the spine (to correct a subluxation demonstrated by X-ray to exist) which the chiropractor is legally authorized to perform by the State. (Current Procedural Terminology Code 9485.) The restriction of payment for services to treatment by manual manipulation precludes payment for diagnostic X-rays taken by chiropractors.
3. Payment will be made for up to three chiropractic visits per calendar year. There is no provision for any additional visits.

All persons eligible for the medical assistance program are eligible for payment in their behalf to chiropractors for services, and these persons may be identified by a medical eligibility card which they receive monthly.

William H. Stewart, M.D.
Commissioner

RULE

Health and Human Resources Administration Division of Family Services

The Louisiana Health and Human Resources Administration, Division of Family Services in accordance with the Administrative Procedures Act of 1974 is deleting from its manual of policies and procedures the regulation that provides when an AFDC (Aid to Families With Dependent Children) recipient receives a foster care payment for a child in his care, the portion of the foster care payment for shelter and services to this child is counted as cash income. Effective May 1, 1976, and no later than the date of next redetermination of eligibility for AFDC, thereafter no part of a foster care payment will be counted as income in determining the amount of the AFDC grant.

William H. Stewart, M.D.
Commissioner

RULES

Health and Human Resources Administration Division of Youth Services

Amendments to the State Plan for Child Support Enforcement and Establishment of Paternity

(Editor's Note: Sections 2.11-1 and 3.5-1 of the

State Plan for Child Support Enforcement and Establishment of Paternity under Title IV-D of the Social Security Act were adopted by the Health and Human Resources Administration, Division of Youth Services, in compliance with Federal regulations as promulgated in the Federal Register, Vol. 40, No. 217, Monday, November 10, 1975, p. 52376. In addition, Section 2.6-1 was amended. The State Plan, as amended, may be reviewed at the offices of the Division of Youth Services from 8:30 a.m. through 4:00 p.m., Monday through Friday.)

() No.

(X) Yes. Until December 31, 1975, with respect to those recipients of assistance who continue to be eligible for assistance in the absence of an assignment in accordance with 45 CFR 232.11(a)(4), the provisions of 45 CFR 302.31, 302.32, 302.51 and 302.52 (as implemented by sections 2.1, 2.4 and 2.5 of this plan) will be applied as if there were an assignment in effect pursuant to 45 CFR 232.11.

* * * *

2.6 Individuals Not Otherwise Eligible for Paternity and Child Support Services

1. The child support collection or paternity determination services established under this plan are made available to any individual not otherwise eligible for such services upon application filed by such individual with the IV-D agency.

2. An application fee is charged each individual who applies for services under this section.

(X) No

() Yes, the fee is established in accordance with 45 CFR 302.33 and detailed in Attachment 2.6A.

3. An application fee is charged and any actual costs, in excess of the application fee, incurred in the determination of paternity and collection of child support in a particular case, are deducted from the amount of such recovery.

(X) No

() Yes; the individual for whom child support collection services are provided will be informed of this. In some cases the IV-D agency may pro rate deductions over a period of months to recover the large initial costs of establishing paternity or collecting child support.

* * * *

2.11 Child Support Activities with Respect to Recipients who have not Assigned Support Rights

The law of the State on August 1, 1975, met the requirements of 45 CFR 232.11(a)(1).

3.5 Safeguarding Information

The State provides safeguards pursuant to State statute imposing legal sanctions which restrict the use of disclosure of information concerning applicants and recipients to purposes directly connected with:

1. the administration of this plan, the State plans or programs under Title IV-A, IV-B, IV-C, I, X, XIV, and XVI, (AABD), XIX, or XX, or Title XVI (SSI) of the Act;

2. any investigation, prosecution, or criminal or civil proceeding conducted in connection with the administration of any such plans or programs; and

3. the administration of any other Federal or federally assisted program which provides assistance, in cash or in-kind, or services, directly to individuals on the basis of need.

Under this provision, disclosure to any committee or legislative body (Federal, State, or local) of any information that identifies by name or address any such applicant or recipient is prohibited.

Attachment 35A sets forth the legal basis in the State statute and the criteria for the types of information to be safeguarded.

William H. Stewart, M.D.
Commissioner

RULES

Board of Parole

Rules and Regulations

Determining Conduct of the Board of Parole and Related Agencies in the Granting, Releasing, and Supervising of Parolees

(Editor's Note: The following rules were adopted on March 31, 1976.)

I. Composition of Board

The Board of Parole is composed of five members appointed by the Governor. Four members are appointed to staggered terms of six years, and the fifth member, who acts as chairman, is appointed to a four year term which runs concurrent with the Governor.

II. Board Headquarters

The domicile of the Board of Parole is in the Parish of East Baton Rouge, City of Baton Rouge, Louisiana.

III. Meeting of the Board

A. Procedure:

1. Business will be conducted by use of Robert's Rules of Order.
2. Three members shall constitute a quorum.
3. Those docketed for a parole hearing may be represented by counsel, relatives or friends. The Board will direct questions to and/or request statements from these representatives.
4. The Board may extend invitations to individuals to sit as observers.
5. The vote of each member shall be recorded by name and date in the case record.

B. Schedule of Meetings

The Board of Parole has scheduled meetings in the following order:

1. First Monday, business meetings.
2. First Tuesday of each month, Jackson Barracks, A.M. maintenance force from Jackson Barracks and Special Treatment Unit. Orleans Parish Prison, P.M. maintenance force from Orleans Parish Prison.
3. First Wednesday of each month, Louisiana Correctional and Industrial School, Dequincy, Louisiana.
4. Second Monday of each month, East Baton Rouge Parish Prison for Parish Jail cases and maintenance force for LSP.
5. Second Tuesday of each month, Louisiana Correctional Institute for Women and Louisiana State Police Barracks for maintenance force.
6. Second Wednesday of each month, Caddo Correctional Institute for jail cases and maintenance force at Ouachita Parish Jail. Alternate months.
7. Third Monday, business meeting.
8. Third Tuesday, Wednesday, and Thursday of each month, Louisiana State Penitentiary, Angola, Louisiana for cases on parole docket.
9. Fourth Tuesday of each month, Louisiana State Penitentiary, Angola, Louisiana for revocation hearings and work release.
10. Fourth Wednesday of each month, Dixon Correctional Institute Jackson, Louisiana, for parole cases docketed.
11. Fourth Thursday, Louisiana State Penitentiary, Angola, Louisiana, to complete the docket for the month, if necessary.
12. Mondays and Fridays of every week, Parole Board conferences, appointments, business and file review in the office.
13. Those eligible for parole who are confined to Parish Prisons will be given hearings as the schedule permits. Dates for such hearings will be arranged on a month by month basis.

Scheduled meetings may be changed by majority vote of the Board, providing such changes are made in time to notify all concerned.

IV. Parole Consideration

Automatic Dockets

- A. All persons confined by the Department of Corrections and not excluded from parole by law, will be automatically docketed for a parole hearing at one third of sentence. The Probation and Parole Staff will prepare a post-sentence pre-parole investigation. These investigations will be returnable thirty days prior to regular monthly meetings preceding the eligibility date whenever possible.

Special Parole

- B. First offenders with a sentence of less than five years, that do not come under the exclusions in the law, may be given a hearing at any regularly scheduled meeting.

The sentencing court must be notified by the Chairman of the Board of Parole at least ten days prior to an early parole hearing date.

The Board will request comments from the judge and district attorney of the parish of conviction concerning any proposed early parole applications.

The Parole Board will require a post-sentence pre-parole report before an early parole hearing.

- C. The authority for determining the applicant's offender class and maximum sentence will be the official prison record constructed by the Custodian of Records at the Louisiana State Penitentiary. The Board will accept changes in the offender class when checked and verified.

Parish Jails and Prisons

- D. For applicants for parole incarcerated in parish jails and prisons, an official copy of the judgment and sentences handed down by the court will be required. Also, a letter by the warden or jailer attesting to applicant's conduct must be attached.

Work Release

- E. A work release parole hearing may be given to an inmate when he is recommended to the Parole Board for work release. The final decision for parole will be made by a vote of the Parole Board, with or without a final hearing, at or near the conclusion of the work release program.

Recind Vote

- F. The Board of Parole has the authority to rescind its decision to grant parole at anytime before the certificate of parole is officially issued to the inmate. If a decision to grant is rescinded by the Parole Board, the inmate will be given another parole hearing on the next docket. Decisions to grant parole usually will be made thirty days prior to parole eligibility date.

V. Categories ineligible for parole consideration

- A. No parole shall be granted to any prisoner serving a life sentence.
- B. No prisoner may be paroled while there is pending against him any indictment or bill of information for any crimes suspected of having been committed by him while a prisoner.

Upon conviction, the following are also excluded from parole by law:

1. Second Degree Murder—for 40 years (R.S. 14:30.1) Effective date: September 12, 1975.
2. Armed Robbery (R.S. 14:64) Effective date: December 13, 1966, 11:30 a.m. Emergency legislation.

Note: parole was not allowed by Act 475 of 1962, (effective date August 1, 1962) however, it was subject to major exceptions.

3. Illegal Carrying of Weapons (3rd and subsequent convictions (R.S. 14:95) Effective date: September 12, 1975.
4. Taking Contraband to or from Correctional Institutions under the Control of the Board of Corrections (R.S. 14:402) Effective Date: July 30, 1958.

5. Taking of Contraband to State-owned Hospitals (R.S. 14:402.1) Effective Date: August 1, 1962.

6. Simple Burglary of a Pharmacy (R.S. 14:62.1) Effective Date: July 31, 1974.

NOTE: A conspiracy or attempt to commit any of the above, except second degree murder, is without the benefit of parole (R.S. 14:26 and R.S. 14:27). July 29, 1942.

VI. Protesting and Opposing a Parole

The number of people opposing the granting of a parole will not be limited, but the number appearing before the Board at one time will be determined by the Board at that time.

VII. Processing the Release of Parolees

- A. All paroles granted will be contingent on the existence and/or development of an approved employment and an acceptable residence. If these conditions do not exist or cannot be developed, the parolee shall not be released from the institution of incarceration.
- B. In establishing the fact by field investigation that approved employment and acceptable residence exist, the Board of Parole will coordinate its action with the Division of Probation and Parole, Department of Corrections.
- C. It is within the discretion of the Board of Parole to grant paroles to (1) students, (2) persons who have an independent source of income, (3) invalid persons with bona fide care, public or private and (4) persons who are engaged in business on their own account. These could be considered approved employment plans within the meaning of the rules and regulations.
- D. Once employment and residence requirements have been established by the Division of Probation and Parole, the Board of Parole will issue, under the signature of the Chairman or Acting Chairman, a Parole Certificate authorizing the release of the inmate.
- E. Acceptance of this specific parole plan with all stated conditions of conduct will be mandatory on the part of the inmate before

his release can be effected. A person may refuse parole, if he so desires.

VIII. Parole Supervision

Field supervision of parolees will be the responsibility of the Chief Probation and Parole Officer, Division of Probation and Parole, Department of Corrections.

IX. Parole Revocation

A. New Felony Conviction

1. Parole status will be automatically revoked whenever a parolee has been convicted of and sentence has been passed for a new felony.
2. A new felony conviction committed by a person on parole from Louisiana, in another State, will be considered by the Parole Board as probable cause for revocation of parole.

B. Technical Violations

1. No parolee, who has not been convicted of an additional felony offense, shall be returned to the Louisiana State Penitentiary for revocation unless written authorization or a warrant to return him has been issued by the Board of Parole. He will have a hearing within thirty days after his return to the institution unless he should waive such a hearing in writing, or request in writing that his hearing be continued.
2. Parole status may be revoked by the Board of Parole at a revocation hearing only after probable cause has been found at a preliminary hearing held by the Parole Hearing Officer, the Court, or a Magistrate and is supported by a written report by the officers of the Division of Probation and Parole, except absconders who have waived extradition or have been extradited, and those who are revoked by law.

C. Absconders

Extradition or waiver of extradition shall be considered as probable cause on absconders apprehended out of state.

D. Due Process

1. The Division of Probation and Parole will give written notice of the alleged violations to the parolee prior to the revocation hearing as provided by *Morrissey v. Brewer* and *Gagnon v. Scarpelli*, Decision of the U.S. Supreme Court.
2. The alleged parole violator may be represented by counsel.
3. At the revocation hearing the Board will disclose to the parolee the evidence against him.
4. The parolee will be given the opportunity to be heard in person and to present witnesses and documentary evidence.
5. The parolee will be given the right to confront and cross examine adverse witnesses, unless the hearing officer specifically finds good cause for not allowing confrontation.
6. A written statement will be issued by the Board as to the reasons for revoking parole, and the evidence relied upon to make the decision.

X. Parole Revocation: Police Power

- A. The Board of Parole may issue a warrant for the return of any paroled prisoner to the Louisiana State Penitentiary and/or the jail or prison from which he was paroled, at any time information has been found that the parolee may have violated the conditions of parole.
- B. Arrest and Detention—Arrest Without a Warrant

If a Probation and Parole Officer has reason to believe that a parolee has violated his parole and that an emergency exists, so that awaiting action by the Parole Board would create an undue risk to the public or parolee, such Probation and Parole Officer may arrest a parolee without a warrant or may authorize any peace officer to do so. Such parolee may be detained in a local jail or detention facility, pending action by the Parole Board. The

arresting officer shall promptly notify Headquarters and make written request for a warrant.

C. Detainers

A Parole Officer may place a hold or detainer on a parolee arrested on new charges. For the sake of clarification of detainer policy, the Board considers as a risk those persons arrested on such new charges. After placing such hold or detainer, the Parole Officer must proceed in the same manner as under Section X.B. No bond is permissible. R.S. 15:574.4.

D. Fugitive from Justice

A prisoner for whose return a warrant has been issued, and whose whereabouts is unknown, shall, after the issuance of the order, be deemed a fugitive from justice.

XI. Paroles Contingent on "Out-of-State Plans"

- A. Parole to out-of-state plans will be considered when the State in question issues a written statement expressing its willingness to accept the parolee under specific employment and residential conditions.
- B. When it is the opinion of the Board of Parole that it is in the best interest of both society and the individual in question, a parole may be granted, contingent on the conditions of existing detainers and notices that are held by local authorities of this and other states or Federal authorities.
- C. Before any parolee can be considered to a plan in another state, it is mandatory that he sign an "Agreement to Return."

XII. Authority of the Board of Parole

The Board of Parole is concerned with those activities connected with decision making, whereas the Division of Probation and Parole is concerned with the administrative work and the supervision of parolees.

- A. The Board of Parole has the authority to release persons convicted of a felony and sentenced to a correctional institution, parish prisons and jails, who are eligible under the law.

- B. A parolee returned to incarceration for a parole violation that does not include a new sentence for a felony offense, will be required to serve the remainder of the sentence, subject to applicable commutation statutes or good-time credits. Any such prisoner may be considered for re-parole, at a date set by the Board of Parole.
- C. A prisoner returned to incarceration as a parole violator who has received a new sentence for a felony offense on parole shall serve out the entire sentence under which he was paroled, subject to applicable commutation statutes, unless the Court imposing the new sentence shall have otherwise directed. This prisoner shall begin serving his new sentence and be eligible for a parole hearing at the completion of one-third of the maximum sentence.
- D. The Board of Parole accepts the official prison record as issued by the Custodian of Prison Records in determining when sentences are concurrent or consecutive.
- E. The Board of Parole will require valid copies of judgments and sentences as handed down by the Court and/or Courts.
- F. The Board will keep a record of its acts and will inform each institution of its decisions.
- G. The Board will make an annual report to the Director of Corrections for inclusion in his/her report to the Governor, with respect to its activities during the fiscal year.
- H. The Board will adopt such rules, not inconsistent with law, as it deems necessary and proper, with respect to the eligibility of prisoners for parole, the conduct of parole hearings and the conditions imposed upon parolees.

XIII. Specific Conditions under which Parole is Granted

- A. The Parole Board has adopted the regulation that each prisoner must sign an agreement to abide by the following specific parole conditions prior to his release:
 - 1. That I will report immediately to the Division of Probation and Parole Office, Department of Corrections, which is listed on the face of this certificate.

- 2. That I will remain within the limits fixed by the Certificate of Parole. If I have good cause to leave these limits, I will obtain written permission from the Parole Officer and the approval of the Division of Probation and Parole before doing so.
- 3. That I will, between the first and fifth day of each month, until my final release, and also on the final day of my parole, make a full and truthful written report upon the form provided for that purpose and that I will take or mail my report to my Parole Officer. I will report to the Probation and Parole Officer when directed to do so.
- 4. That I will avoid injurious or vicious habits and places of disreputable or harmful character.
- 5. That I will not associate with persons known to be engaged in criminal activities or with persons known to have been convicted of a felony.
- 6. That I will in all respects conduct myself honorable, work diligently at a lawful occupation, and support my dependents, if any, to the best of my ability.
- 7. That I will promptly and truthfully answer all inquiries directed to me by the Division of Probation and Parole or Parole Officer.
- 8. That I will live and remain at liberty and refrain from engaging in any type of criminal conduct.
- 9. I agree to live and work at the places stated in my parole plan and will not change residence or employment until after I have permission to do so from the Parole Officer.
- 10. I shall not have in my possession or control any firearm or other dangerous weapon.
- 11. I will submit myself to available medical or psychiatric examination or treatment or both when ordered to do so by the Parole Officer.

12. That I hereby do waive extradition to the State of Louisiana from any jurisdiction in or outside the United States where I may be found and also agree that I will not contest any effort by any jurisdiction to return me to the State of Louisiana.
13. I understand that should my parole be revoked for any reason, I will lose all previously earned good time up to 180 days as required by Act 200 of 1974.
14. If I am arrested while on parole, the Board has the authority to place a detainer against me which will in effect prevent me from making bail pending disposition of my new charges.

B. Any special conditions may be imposed by the Board of Parole.

XIV. Suspension of Supervision Parole

The reporting conditions of a parolee may be suspended for such time as the parolee shall satisfy the Board of Parole that supervision is not necessary, after a minimum of two years has been served on parole. However, he will continue to be subject to revocation if he violates any of the conditions of parole, with the exception of monthly parole report, before the expiration of his maximum sentence. The Parole Board may order him back under maximum supervision at anytime.

XV. Confidential Nature of Parole Files

All information in the files of the Parole Board will be handled in accordance with the Provisions of R.S. 15:574:12.

XVI. Changes or Revisions

As changes occur, dated pages will be replaced to indicate such changes or revisions.

Sybil Fullerton
Chairman

RULES

Department of Public Safety

Rules for the Issuance of a Driver's License Following a Change of Name or Sex

I. Place of application, fees and forms to be used.

Application for a driver's license with a change of name and/or sex may be made at any Driver's License Division office in Louisiana or through the mail by writing to: Department of Public Safety, Driver's License Division, Post Office Box 1271, Baton Rouge, Louisiana 70821, Attention: Change of Sex and/or Name.

The applicant must complete those forms normally used by the Department of Public Safety in applying for either a new driver's license or a renewal of one's driver's license, as the case may be.

The fee for the issuance of the new license with the change of sex and/or name shall be the same as those fees charged for the issuance of new licenses or the renewal of an old license.

II. Certification of change of name and/or sex.

A. In the case of a change of sex, the applicant must present:

1. A medical statement signed by a physician stating that the applicant has undergone an operation for a sex change, that the operation was successful, and that a sex change has been made. The current sex status must be shown.
2. A corrected copy of a birth certificate showing the change of sex and/or name.
3. A court judgment specifying that there has been a change of sex and what the previous sex was and what the current sex is. Also, there must be an affidavit from the individual and that this change is with no intent to defraud the public.

B. In the case of a name change, the applicant must present a judgment showing that a legal name change has occurred. Further, it is necessary that a birth certificate showing the corrected name also to be presented.

III. Exceptions.

A. A person requesting a change of name on his or her driver's license whereby his or her name has been changed by marriage is excepted from the foregoing rules and regulations.

- B. Where applicable under the law, a notarial adoption may be used to accomplish a name change.

Donald J. Thibodeaux
Director

RULES

Department of Public Safety

Sign Requirements for Used Vehicle Dealerships

Under the authority granted by R.S. 32:727, paragraph A, the following rules are adopted to define "an established place of business" (R.S. 32:719) (b) (3) as it pertains to used vehicle dealers:

1. An established place of business shall have a permanently affixed sign which clearly denotes that used cars or other used vehicles are offered for sale at the location to which the sign is affixed.
2. The sign referred to in Rule No. 1 must be clearly visible from the street or roadway in front of the establishment.
3. The overall dimensions of the sign shall be at least four feet by two and one-half feet or contain a minimum of ten square feet.
4. The letters and numerals on the sign which state the business name and type of business shall be a minimum of five inches in height.
5. The trade name on the sign shall be the same trade name used to secure a used vehicle dealer's license, or used when applying for a used vehicle dealer's license.

Donald J. Thibodeaux
Director

RULES

Louisiana Department of Public Works

Amendment to Section 2.6.0.0. of the Regulation and Standards for Water Well Construction

The following rule amending Section 2.6.0.0. of the Rules and Standards for Water Well Construction was

adopted March 9, 1976, by Louisiana Department of Public Works to be effective April 20, 1976.

Section 2.6.0.0. Cementing or Grouting

Chapter 8 of the Sanitary Code, State of Louisiana, requires that the annular space between the casing of a water well and the bore hole be tightly filled with a cement slurry or an impervious fill material. The method and materials employed generally depend upon (1) local geohydrologic conditions and (2) the type of well construction. The primary reasons for cementing or "grouting" are:

1. To protect the water supply from surface contamination,
2. To increase the life of the well by protecting the casing against exterior corrosion, and,
3. To prevent movement of water of an unsatisfactory quality from one aquifer to another.

Section 2.6.1.0. Regulations for Cementing or Grouting

To prevent the entry of contaminants into a well and borehole at and near the surface and to prevent the movement of water of objectionable quality into an aquifer that contains potable water, cement slurry or fill shall be placed in the annular space in a continuous operation using a "circulation" method that permits the cement slurry or grouting material to move upward in the annular space to the surface. If the material is placed using a "tremie" or "grouting" pipe placed in the annular space, sufficient space is required to assure that the material or slurry completely surrounds the casing or pipe. If conductor casing or pipe is used, it shall be the same height above the ground as the well casing, and the annular space between the well casing and conductor pipe shall be made watertight at the surface.

Section 2.6.2.0. Procedures for Cementing or Grouting

A. No sands containing salt water and/or water of objectionable quality between ground surface and the production sand. If these conditions prevail, the upper fifty feet of the annular space shall be filled with cement slurry or a highly viscous fill material. If conductor casing is installed, it shall be set to a depth of not less than fifty feet and cemented in place.

B. One or more sands between surface and the production sand contain salt water and/or water of objectionable quality. If these conditions prevail, the annular space between the well casing and the hole shall be filled with cement slurry, at the minimum, to a depth of not less than twenty feet below the deepest sand

containing salt water or water of objectionable quality. If conductor casing is used, the casing or pipe shall be set and cemented, at the minimum, to a depth of twenty feet below the deepest sand containing salt water or water of objectionable quality.

Roy Aguiard
Director

Notices of Intent

NOTICE OF INTENT

Governor's Consumer Protection Division

The President of the Consumer Protection Advisory Board hereby gives notice of intention to consider and give approval of the following rule and regulation proposed for adoption by the Director of the Governor's Consumer Protection Division at its public meeting on May 6, 1976, at 10:00 a.m. in the Mineral Board Auditorium, State Land and Natural Resources Building, Fourth and North Street, Baton Rouge, Louisiana 70804.

Any interested person may submit, orally or in writing, his views, arguments, data, or reasons in support of or in opposition to this intended approval of the Director's adoption of this rule by personally appearing at the above public meeting at the above designated time, day and place and submitting same.

Rules and Regulations

Title 3: Unfair Methods of Competition and Unfair or Deceptive Acts or Practices in Trade or Commerce

Chapter II—Unfair and Deceptive Acts or Practices

Section 5007. Deceptive Pricing

A. Definitions—For the purpose of this rule the following definitions shall apply:

- (1) "To advertise" as used herein means to inform consumers and to represent by any means such as, but not limited to, oral statements, shelf tags, preticketing, display cards, handbills, and advertisements in newspapers, magazines, or on radio or television.

- (2) "Trade area" as used herein means the area in which the seller does business and to which the seller disseminates advertising of his goods and/or services.
 - (3) "Advertiser" means any person or firm which advertises prices to consumers.
 - (4) "Merchandise" means all wares and commodities, including services, such as are ordinarily the objects of trade and commerce.
- B. It shall be an unfair and deceptive act or practice for any seller to do any of the following:

- (1) Represent in any manner that by purchasing any of the seller's merchandise, consumers are afforded savings amounting to the difference between the stated selling price and any other price used for comparison with that selling price, unless the comparative price used represents the price at which the merchandise is usually and customarily offered for sale in a legitimate manner and/or sold at retail in the trade area involved and/or is the price at which such merchandise has been usually and regularly offered for sale in a legitimate manner and/or sold at retail in the recent regular course of a seller's business.
- (2) Represent that any price is "special," "discount," "sale," "reduced to," or anything except the usual and customary price at which the good or service sells, unless the reduction is in fact from the seller's preceding price or from the bona fide price at which the article was offered for sale for a reasonably substantial period of time.
- (3) Using the words "list price," "suggested retail price," "retail price," "ret. price," "regular price," "reg. price," or words of similar import to refer to the price of any merchandise, when such price is fictitiously inflated or deceptively higher than the price or prices at which such merchandise is usually and customarily offered for sale in a legitimate manner and/or sold in the trade area; or otherwise misrepresenting the usual and customary retail selling price or prices of such merchandise in the trade area.
- (4) Using the words "regular," "reg.," "retail," "ret.," or words of similar import to refer to the price of any merchandise which is in excess of the price at which such merchandise has been

usually and regularly offered for sale in a legitimate manner and/or sold by retail outlets in the trade area in the regular course of business; or otherwise misrepresenting the usual and customary retail selling price of such merchandise.

- (5) a. Failing to keep on file, subject to review by the Governor's Consumer Protection Division or the Attorney General's Office or the Office of the District Attorney in the appropriate judicial district, or any of their employees or duly commissioned agents, the evidence, proof, market survey, or basis supporting the fact that any price compared to a stated selling price is, in truth, the usual and customary price of the person, store, business, or owner, agent, or employee thereof representing the price comparison; or is the usual and customary price at which merchandise has been regularly offered for sale in a legitimate manner and/or sold by comparable retail outlets in the trade area served by the advertiser.
 - b. Printed documents furnished by the manufacturer or non-retail distributor indicating suggested retail prices may serve as initial evidence, proof, or basis supporting a comparative price within the requirements of this section. If such printed documents furnished by the manufacturer or non-retail distributor indicating suggested retail prices are not acceptable to the Governor's Consumer Protection Division or the Attorney General's Office or the Office of the District Attorney in the appropriate judicial district or any of their employees or duly commissioned agents, then the burden of proof shall be on such agencies and their employees or commissioned agents to disprove such documents.
- (6) Section 5007 shall not act to bar a legitimate and bona fide introductory offer wherein a reduction in price is used for an article that will within the near future have a higher price. For example, it shall not be illegal under Section 5007 to offer a new item for sale for a price of \$75 in order to introduce it to the market and to so state the price as being the reduction from a regular price of \$100 when within the near future the regular selling price of the item will be \$100.

- (7) Representing, either expressly or impliedly,

lowered prices as a result of some unusual circumstances such as, but not limited to, fire, flood, going out of business, clearance, exceptional purchase, manufacturer's close out, special purchase, unless such unusual circumstance or circumstances are in fact true and the prices are actually lower than the seller's usual prices.

- C. Whoever engages in deceptive advertising violates R.S. 51:1405 (A), prohibiting, inter alia, unfair and deceptive trade practices; provided further that this rule shall not operate as an exclusive definition of prohibited conduct in the area of trade and commerce to which it applies or in any other area of trade and commerce, nor shall it operate as a defense to other activities otherwise deemed to be an unfair method of competition or an unfair or deceptive act or practice in trade and commerce by the State of Louisiana, the Federal Trade Commission, or by the courts of the State of Louisiana or of the United States.
- D. If any part of this rule is ever legally declared to be invalid for any reason, the remainder of the rule shall continue in full force and effect, and to this end, this rule is declared to be severable.
- E. All rules and regulations or parts thereof in conflict herewith are hereby repealed.

Charles W. Tapp
Director

NOTICE OF INTENT

Governor's Consumer Protection Division

The Director of the Governor's Consumer Protection Division hereby gives notice of his intention to hold a public hearing for the purpose of inquiring into the facts surrounding and ascertaining the truth concerning the following trade and commercial practices.

- 1) Operating practices and policies of private employment agencies relating to the consuming public, including but not limited to: advertisements of jobs, direct or indirect referrals, standards for dismissals, and other contractual provisions; and
- 2) The effectiveness of State laws/administrative rules regulating private employment agencies.

Any interested person may appear and present testimony and other related evidence concerning the

hereinabove mentioned subjects by personally appearing at the public hearing to be held on May 26 and 27, 1976, beginning at 9:00 a.m., in the Mineral Board auditorium, State Land and Natural Resources Building, Fourth at North Street, Baton Rouge, Louisiana 70804, convened pursuant to R.S. 51:1401 et seq. and Consumer Protection Rules Title 3:40-50.

Charles W. Tapp
Director

NOTICE OF INTENT

Board of Elementary and Secondary Education

Notice is hereby given that the State Board of Elementary and Secondary Education intends to take up at its May 27, 1976 meeting the consideration of proposals stated below: (public notification made herein indicates no final approval).

- a. Adoption of a new edition of Bulletin 1191, Pupil Transportation Handbook stating Board policies on school transportation.
- b. The adoption of a 1976-77 Elementary and Secondary Education Act, Title IV Annual Program Plan. (Code of Federal Regulations, Title 45, Section 100c.1.)
- c. Amendment of older versions of Bulletin 741, Handbook for School Administrators, allowing college credit to count for high school units. The State Board of Elementary and Secondary Education will accept written comments until 5:00 p.m., May 5, 1975, at the following address:

Board of Elementary and Secondary
Education
P.O. Box 44064
Baton Rouge, Louisiana 70804

The public is made aware of the consideration of the above rule changes in compliance with R.S. 49:951, et seq.

All interested parties will be afforded reasonable opportunity to submit data, views, comments, or arguments at the regular April Board meeting.

Earl Ingram
Director

NOTICE OF INTENT

**Health and Human Resources Administration
Division of Management
Office of Licensing and Certification Section**

The Louisiana Health and Human Resources Administration, Division of Management, Licensing and Certification Section, proposes to adopt as of May 20, 1976, to be effective July 1, 1976, the following procedures for licensing alcoholism and drug abuse programs and facilities:

**Licensing Procedures of Alcoholism and
Drug Abuse Programs**

The primary authority to license facilities which offer treatment, rehabilitation, education, and prevention services for the alcoholic and for the drug dependent person is established by the provisions of Act 364, State of Louisiana 1975, comprising R.S. 40:1057.1 through R.S. 40:1057.9. (See Appendix A). In addition, the authority for the licensing of alcoholism and drug abuse facilities is established in part by the provisions of Act 90, State of Louisiana 1961, as amended; and in part by Act 15 and Act 22, Title 22, Section 215.3, State of Louisiana 1974.

A. Licensing Procedures

1. Licensing Optional

a. The provisions of Act 364 of 1975, Section 1057.2 is documented to provide optional licensing of comprehensive care centers or any component centers thereof which are designed to offer a broad range of services to individuals who have problems associated with alcohol abuse and alcoholism, and drug abuse and drug dependency.

b. It is recommended that the governing body of each respective alcoholism or drug abuse program, for both public agencies and non-governmental agencies, vote whether or not to apply for the licensing of its program or any component thereof.

2. Application Procedure

a. For initial licensing, applicant must complete form of application supplied by the State Licensing Authority. Each completed form of application for licensing should be mailed or delivered to the Licensing and Certification Section, Division of Management, Room 1013, Natural Resources Building, P.O. Box 3767, Baton Rouge, Louisiana 70821.