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Executive Orders

EXECUTIVE ORDER NO. EWE-77-6

WHEREAS, the State of Louisiana has a significant number of minority vendors whose products and/or services are needed and the State stands to benefit if these entrepreneurs are matched with agencies in State government; and

WHEREAS, maximum utilization of minority vendors must be coordinated in order to insure the most benefit and utmost return of the tax dollars of this state and its people; and

WHEREAS, the need exists to establish a central office to coordinate programmatic activities within State government and assume responsibility and control of minority enterprises; and

WHEREAS, the duplication of efforts in monitoring, development, planning, and management of minority enterprise programs is not in the best interest of the people of this state because of excessive cost of operation within the State government; and

WHEREAS, an improved plan of government is being effected that will assist the Governor in improving the quality of life for all segments of the State's population; and

WHEREAS, the magnitude and scope of economic activities of the State places the Governor in a position requiring close liaison between State agencies and minority entrepreneurs; and

WHEREAS, economic development strategies of the immediate future will place a tremendous requirement for cooperation between all governmental entities and minority business persons; and

WHEREAS, in order to maximize the potential which exists between the State government and minority entrepreneurs, a State Office of Minority Business Enterprise should be established.

NOW, THEREFORE, I, EDWIN EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested in me by the Constitution and the laws of the State of Louisiana, do order as follows:

A. 1. The establishment of the Louisiana Office of Minority Business Enterprise, hereinafter called

the "LOMBE," in the Governor's Office of Federal Affairs and Special Projects.

2. That the LOMBE shall be headed by an Executive Director who shall be appointed by the Governor and who shall serve as an executive assistant to the Governor.

3. That the Director shall have the authority to appoint such other personnel as may be necessary to carry out the objectives of this order.

B. The LOMBE, acting through its Executive Director, is fully empowered and directed to:

1. Coordinate the plans, programs, and operations of the State government, as consistent with the law, which may affect or may contribute to the establishment, preservation, and strengthening of minority business enterprises.

2. Promote the full use of the State's resources, along with those of local government, business and trade associations, universities, foundations, professional organizations, and volunteer and other groups towards the growth of minority business enterprises, and facilitate the coordination of the efforts of these groups with those of State departments and agencies.

3. Establish a center for the development, collection, summarization, and dissemination of information that will be helpful to persons and organizations throughout Louisiana in undertaking or promoting the establishment and successful operation of minority business enterprises.

4. Provide financial assistance within constraints of law and appropriations and, according to his discretion, to public and private organizations so that they may render technical and management assistance to minority business enterprises, such as, but not limited to, projects designed to overcome the special problems of minority businesses or otherwise to further the purposes of this order.

C. The Executive Director, as he deems necessary or appropriate to enable him to fulfill better the responsibilities vested in him, may:

1. Develop comprehensive plans and specific program goals with the participation of State departments and agencies as appropriate for the

minority business enterprise program; establish regular performance monitoring and reporting systems to assure that goals are achieved; and evaluate the impact of State support in achieving the objectives established by this order.

2. Request a review of all proposed State training and technical assistance activities in direct support of the minority business enterprise program to assure consistency with program goals and to avoid duplication.
 3. Convene, for purposes of coordination, meetings of the heads of such departments and agencies, or their designees, whose programs and activities may affect or contribute to the purposes of this order.
 4. Convene business leaders, educators, and other representatives of the private sector who are engaged in assisting the development of minority business enterprises or who could contribute to their development, for the purpose of proposing, evaluating, and coordinating governmental and private activities in furtherance of the objectives of this order.
 5. Confer with and advise local officials.
 6. Provide the managerial and organizational framework through which joint or collaborative undertakings with State departments and agencies or private organizations can be planned or implemented.
 7. Recommend appropriate legislative and executive action to promote minority business enterprises.
- D. All State agencies are hereby empowered, authorized, and directed to make available to the LOMBE such reasonable assistance as the LOMBE may request in carrying out the intent and purpose of this order.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this the 22nd day of April, A.D., 1977.

EDWIN EDWARDS
Governor of Louisiana

EXECUTIVE ORDER NO. EWE-77-7

WHEREAS, Rockefeller Wildlife Refuge and Game Preserve has a significant effect on natural conservation in the State of Louisiana; and

WHEREAS, this refuge has been nationally recognized as instrumental in the research of wildlife, game, and fishery management; and

WHEREAS, the Rockefeller Refuge has earned a reputation throughout the country as a hunters' and sportsmen's paradise in providing controlled resources in a balanced surrounding; and

WHEREAS, the management of this area requires close liaison with the people of the nearby parishes of Cameron and Vermilion because of the profound effects it has on the area economy and the demonstrated interest and concern of the citizens of the area.

NOW, THEREFORE, I, EDWIN EDWARDS, Governor of the State of Louisiana, do hereby create and establish "The Governor's Advisory Board on the Rockefeller Wildlife Refuge and Game Preserve" in the Department of Wildlife and Fisheries.

The Board shall consist of eleven members, appointed by the Governor, who shall serve for terms of four years; provided, however, that initially three members shall serve for one, two, and three years respectively, and two members shall serve for four years. Vacancies shall be filled for the remainder of the unexpired term of office. The Governor shall designate the member who shall serve as chairman. The Board may elect such other officers as it deems necessary and advisable. The Board shall meet on the call of the Chairman and shall meet at least four times a year. The Board is authorized to hold public hearings on operations and needs of the refuge with adequate prior public notice and shall periodically report to and make written recommendations thereon to the Governor and the Secretary of the Department on findings that will enhance and improve the intents and purposes of the refuge and its effective and economical operation and maintenance.

The Board shall advise and make its recommendations, in writing, to the Governor and the Secretary of the Department of Wildlife and Fisheries on the conservation, management, and production of wildlife, game, and fish in the areas designated as Rockefeller Wildlife and Game Preserve, on the regulations and controls set on the taking of such animal life, on the setting of limits and seasons, on experimentation and research of the fauna of the refuge, and on the professional staffing,

personnel, and enforcement needs for the proper care and supervision of the refuge.

Members of the Board shall not be paid a per diem, but are authorized to be reimbursed for actual and travel expenses in the official discharge of their duties insofar as funds are made available by the Legislature for this purpose.

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 26th day of April, A.D., 1977.

EDWIN EDWARDS
Governor of Louisiana

Rules

RULES

Department of Agriculture Bureau of Entomology and Plant Industry Structural Pest Control Commission

Amendment to Structural Pest Control Rules and Regulations

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

Change Section I.B 16 to read as follows:

16. "Direct Supervision" of a registered employee shall mean that the application is made by a registered employee acting under the instructions and control of a licensee who is responsible for the actions of that person and who is available if and when needed, even though such licensed operator is not physically present at the time and place of application. The Commission may, under special conditions, by rule require the physical presence of the licensed supervisor.

To Section III. add:

B. Record Keeping

The licensee shall keep and maintain for two years records containing information on kinds, amounts, uses, dates, and places of application of all uses of restricted use pesticides. The licensee must make these records available to officials of the Louisiana Department of Agriculture for inspection at a reasonable time.

To Section VI. add:

- A. No licensee or employee may use any pesticide in a manner inconsistent with the label or labeling.
- B. The application of a restricted use pesticide may be made only by the licensee, or if the label and labeling permit, by a registered employee under the direct supervision of the licensee.
- C. The violation cited in R.S. 40:1266(B) as grounds for revocation or suspension of a license and/or registration certificate shall be grounds for denial of a license under the authority granted the Structural Pest Control Commission to establish rules and regulations governing the issuance of licenses and registration certificates under R.S. 40:1265(B).
- D. In addition to the violations listed in R.S. 40:1266(B) as grounds for revocation or suspension of a license and/or registration certificate, any conviction of a violation or assessment of a civil penalty under the Federal Insecticide, Fungicide, and Rodenticide Act will be grounds for revocation or suspension of that license and/or registration certificate.

Change Section IX.D to read:

- D. The termite control operator shall make at least one inspection before the expiration date of the term of the contract.

What is D. shall be E. and E. shall be F.

The above amendments to the Structural Pest Control Rules and Regulations are adopted in accordance with the provisions of Chapter 5, Title 40, Sections 1261-1274 of Revised Statutes of 1950, as

amended by Act 512 of 1976, and shall become effective on and after May 20, 1977.

Gilbert L. Dozier, Chairman
Structural Pest Control Commission

RULES

**Department of Agriculture
Livestock Sanitary Board**

Regulation 1—Health Requirements Governing Admission of Livestock and Poultry.

Section 2—Cattle

- 2. Brucellosis.
 - (4) Exposed cattle moving into the State will be "S" branded and identified and will be accompanied by V.S. Form 1-27.

* * * *

Section 3—Swine Requirements.

- 2. Hog Cholera Requirements.

- (1) Delete
Exceptions:
 - a.) Delete
 - b.) Delete
- (2) Delete
Exceptions:
 - a.) Delete
 - b.) Delete

* * * *

- 5. Pseudorabies Requirements.

- (1) Swine moving into Louisiana must originate from herds not known to be infected with pseudorabies and are negative to the SN (serum neutralization) test for pseudorabies within thirty days of movement, or;
- (2) Swine moving into Louisiana must originate from herds not known to be infected with pseudorabies and where twenty percent of the herd or ten head, whichever is greater, of sows that have farrowed one or more litters have been tested negative for pseudorabies within ninety days of movement.

- (3) Feeder and/or breeder swine moving on direct

shipment into Louisiana or through a feeder pig sale, livestock auction market, or other concentration point must be accompanied by a health certificate from premise of origin and a statement that the herd of origin meets the requirements of Section 2 (above). Feeder and/or breeder swine not originating from tested herds must be tested negative within thirty days of movement.

* * * *

Section 6—Horses, Mules, and Asses.

- 2. Equine Infectious Anemia.
 - (a) Horses moving into the State of Louisiana for any purpose other than immediate slaughter or research must be accompanied by record of negative test for equine infectious anemia (Coggins test) conducted within the past twelve months. The test must be conducted at an approved laboratory and the case number must appear on the health certificate.

* * * *

Regulation 2—Governing the Admittance of Livestock to Fairs, Livestock Shows, Breeders' Association Sales, Rodeos and Racetracks.

Section 1—General Requirements.

- 2. Exception:
Horses not congregated over night are exempt from being accompanied by a health certificate, but must meet the requirements as stipulated in Section 5, Equine Requirements, Part 5.

* * * *

Section 3—Swine Requirements.

- 3. Hog Cholera.
 - (A) Delete
- 6. Pseudorabies Requirements.
 - (1) Swine moving into Louisiana must originate from herds not known to be infected with pseudorabies and are negative to the SN (serum neutralization) test for pseudorabies within thirty days of movement, or
 - (2) Swine moving into Louisiana must originate

from herds not known to be infected with pseudorabies and where twenty percent of the herd or ten head, whichever is greater, of sows that have farrowed one or more litters have been tested negative for pseudorabies within ninety days of movement.

- (3) Feeder and/or breeder swine moving on direct shipment into Louisiana or through a feeder pig sale, livestock auction market or other concentration point must be accompanied by a health certificate from premise of origin and a statement that the herd of origin meets the requirements of Section 2 (above). Feeder and/or breeder swine not originating from tested herds must be tested negative within thirty days of movement.

* * * *

Section 5. Equine Requirements.

- 4. Horses moving into the State of Louisiana to fairs, livestock shows, breeders' association sales, rodeos, and racetracks must be accompanied by record of negative test for equine infectious anemia (Coggins test) conducted within the past twelve months. The test must be conducted at an approved laboratory and the name of the laboratory and the case number must appear on the health certificate.
- 5. Horses moving within the State to fairs, livestock shows, breeders' association sales, rodeos, and racetracks or other concentration points must be accompanied by record of negative test for equine infectious anemia (Coggins test) conducted within the past twelve months. The test must be conducted at an approved laboratory and the name of the laboratory and the case number must appear on the official record.

Horses reacting to the Coggins test within the State will be identified by regulatory personnel by picture, brand, or tattoo. Positive horses will be rebled upon request, by State employed veterinarians and samples submitted to the laboratory for reconfirmation.

* * * *

Regulation 3—Governing the Operation of Livestock Auction Markets.

Section 6—Duties of an Auction Veterinarian and/or State-Federal Personnel.

- I. The auction veterinarian and/or State-Federal per-

sonnel will determine the age of all cattle tested for brucellosis and sold through livestock auctions and auction market personnel will indicate by paint mark on the hip, as follows:

* * * *

Section 8—Sanitary Requirements.

- A. Delete
- B. After the occurrence of an infectious or contagious disease in a livestock auction market, it must be cleaned and disinfected in an approved manner with an approved disinfectant before livestock will be permitted to enter the establishment for any purpose.
- C. Delete

Section 9—General Livestock Health Requirements.

- B. All brucellosis reactor cattle shall be branded with the letter "B" on the left jaw and all brucellosis exposed cattle shall be identified with a three inch hot brand on the left jaw with the letter "S" and all reactor and exposed cattle shall be separated from other cattle, placed in separate quarantine pens or stalls identified by quarantine sign, and shall be sold to an approved slaughter establishment for immediate slaughter only. Exposed cattle may be sold to State-Federal approved quarantined feed lots.
- D. Livestock purchased for immediate slaughter only and thereby exempted from one or more health requirements of this regulation, cannot be diverted for any purpose. Any person who violates this provision is subject to prosecution. (R.S. 3:2096)

Section 10—Cattle Requirements.

- A. Brucellosis.
 - 2. All cattle that are offered for sale through Louisiana livestock auction markets must be identified by a white, official backtag; those animals two years of age and older shall have this white, official backtag placed immediately behind the shoulder of the animal. The market shall furnish and make immediately available to the Livestock Sanitary Board's official representative, a copy of each check-in slip showing the name and address of each consignor and the official backtag numbers applied to the consignor's livestock.

7. Cattle originating from brucellosis quarantined herds shall be identified by ear tag and branded with a three inch hot "S" brand on the left jaw and accompanied by a properly executed VS Form 1-27. The branding and the issuance of VS Form 1-27 will be completed on the farm of origin prior to movement. The VS Form 1-27 will be delivered to authorized representatives at the auction market. In cases where it is impractical to have the exposed cattle branded on the farm of origin the State Veterinarian can authorize the movement of the cattle to the livestock market and the branding be accomplished at this point.

- a. Cattle from nonqualified herds from non-certified areas may be moved to Louisiana markets on a permit. These animals will be "S" branded after arrival at a Louisiana auction market.
- b. Cattle from nonqualified herds from non-certified areas and from brucellosis quarantined herds must be sold to approved slaughtering establishments or to an approved quarantined feed lot.

Exceptions:

- (1) Steers and spayed heifers over six months of age.
- (2) Calves six months of age and under from negative cows may move under permit within ten days after a negative brucellosis test of the dam.
- (3) Calves under six months of age that are nursed by brucellosis reactor or exposed cows may move from the quarantined premises under permit provided they have weaned for not less than thirty days immediately preceding movement.

8.

- a. Shall be identified with a three inch hot brand on the left jaw with the letter "S" and sold directly to a recognized slaughter establishment for immediate slaughter or to a State-Federal approved quarantined feed lot and shall be accompanied by Form 1-27.

Exceptions:

- (2) Calves six months of age and under from negative cows may move under permit within

ten days after a negative brucellosis test of the dam.

Calves under six months of age that are nursed by brucellosis reactor or exposed cows may move from the quarantined premises under permit provided they have been weaned for not less than thirty days immediately preceding movement.

Section 11—Swine Requirements.

A. Hog Cholera Requirements.

- 1. Delete
- 7. Delete

B. Pseudorabies Requirements.

- 1. Swine moving into Louisiana must originate from herds not known to be infected with pseudorabies and are negative to the SN (serum neutralization) test for pseudorabies within thirty days of movement, or
- 2. Swine moving into Louisiana must originate from herds not known to be infected with pseudorabies and where twenty percent of the herd or ten head, whichever is greater, of sows that have farrowed one or more litters have been tested negative for pseudorabies within ninety days of movement.
- 3. Feeder and/or breeder swine moving on direct shipment into Louisiana or through a feeder pig sale, livestock auction market or other concentration point must be accompanied by a health certificate from premise of origin and a statement that the herd of origin meets the requirements of Section 2 (above). Feeder and/or breeder swine not originating from tested herds must be tested negative within thirty days of movement.

* * * *

Section 13—Equine Requirements.

- A. All out-of-state horses offered for sale at Louisiana auction markets must be accompanied by record of negative test for equine infectious anemia (Coggins test) conducted within the past twelve months. The test must be conducted at an approved laboratory and the name of the laboratory and the case number must appear on the health certificate.

All Louisiana 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 twelve months of date of sale.

than thirty days immediately preceding movement.

* * * *

Exceptions:

- a. Horses consigned for immediate slaughter and re-consigned from auction market on VS 1-27 to an approved slaughtering establishment. Such animals shall be branded with the letter "S" on the left shoulder prior to leaving the auction market.

* * * *

Regulation 4—Governing the Sale of Livestock in Louisiana by Livestock Dealers.

Section 2—Cattle Requirements.

1. Brucellosis.

(D) All untested cattle twenty months of age and over for dairy breeds and twenty-four months of age and over for beef breeds as evidenced by the presence of the first pair of permanent incisor teeth, purchased from herds known not to be infected with brucellosis must be tested within twenty-four hours of purchase by an accredited veterinarian. Failure to test within twenty-four hours of assembly will result in all cattle assembled to be considered exposed if brucellosis reactors are found in any of the cattle. In instances where brucellosis reactors are found and the animals have not been assembled for more than twenty-four hours, only the cattle originating from the same herd must be identified as exposed cattle by a three inch hot brand on the left jaw with the letter "S". The reactor and exposed cattle shall be separated from all other cattle and placed in quarantine pens identified as such by conspicuously placed signs.

a.

- 3. Calves six months of age and under from negative cows may move under permit within ten days after a negative brucellosis test of the dam.
- 4. Calves under six months of age that are nursed by brucellosis reactor or exposed cows may move from the quarantined premises under permit provided they have been weaned for not less

Section 4—Equine Requirements.

- A. All out-of-state horses offered for sale for movement in Louisiana by livestock dealers must be accompanied by record of negative test for equine infectious anemia (Coggins test) conducted within the past twelve months. The test must be conducted at an approved laboratory and the name of the laboratory and the case number must appear on the health certificate.
- B. All Louisiana horses offered for sale for movement in Louisiana must be accompanied by record of negative test for equine infectious anemia (Coggins test) conducted at an approved laboratory within twelve months of date of sale, and name of the laboratory and the case number must appear on the official record.

Section 5—Penalty

(Section 4 added, therefore, this section number had to be changed.)

* * * *

Regulation 6—Governing the Sale and Use of Brucella Abortus Antigen.

- 4. Veterinarians conducting brucellosis card agglutination tests, either on a private basis or under the State-Federal Brucellosis Eradication Program, must submit all blood samples and all used cards to the State-Federal Brucellosis Testing Laboratory for confirmation. The samples shall be accompanied by the proper State-Federal forms.

* * * *

Regulation 8—Governing the Sale and Use of Brucella Abortus Vaccine.

- 4. Brucella Abortus vaccine shall be handled as directed on the manufacturers label, and all animals vaccinated shall be given the full 5 cc dose to insure the injection of adequate numbers of live Strain nineteen organisms to produce serviceable protection against brucellosis. Adult female animals shall be given 0.2 ml. administered subcutaneously.
- 5. Dairy type calves from two to six months (60 to 179 days) of age and beef type calves from two to

ten months (60 to 299) days of age are eligible to be vaccinated with Brucella Abortus vaccine.

7. Adult Vaccination is prohibited

Exceptions:

Vaccination of adult female cattle (over 179 days for dairy type cattle and over 299 days for beef type cattle) may be performed on an individual herd plan by State or Federal veterinarians with the approval of the State Veterinarian provided the owner signs the official agreement to comply with the following provisions:

- (a) Test of entire herd and removal of reactors with vaccination completed within ten days following test and removal.
- (b) Identification of all animals vaccinated with a two inch hot "AV" brand on the right jaw and double ear tags using official metal identification ear tag in the right ear and large permanent type in the left ear.
- (c) Animals so vaccinated restricted to authorized premises or moved under permit on VS Form 1-27 to quarantined feed lot, approved slaughtering establishments or sale through approved livestock auction markets for slaughter only.

Exceptions:

- 1. Steers and spayed heifers over six months of age.
 - 2. Calves six months of age and under from negative cows may move under permit within ten days after a negative brucellosis test of the dam.
 - 3. Calves under six months of age that are nursed by brucellosis reactor or exposed cows may move from the quarantined premises under permit provided they have been weaned for not less than thirty days immediately preceding movement.
- (d) Testing of herds with immediate removal of reactors which commences no later than six months following initial adult female vaccination. Testing shall continue at regular intervals until herd is eligible for release from quarantine with a maximum interval of six months between tests.
 - (e) An adult vaccinated herd shall at the end of twenty-four months following the first vaccina-

tion of adults be subject to all Uniform Methods and Rules requirements which apply to a nonadult vaccinated herd.

* * * *

Regulation 16—Governing the Movement of Cattle From Brucellosis Quarantined Herds.

Section 2—Brucellosis Quarantined Herds.

- A. All eligible animals from brucellosis quarantined herds will be "S" branded and identified prior to movement from the quarantined premises. An agent of the Louisiana Livestock Sanitary Board will brand and identify animals prior to movement. In cases where it is impractical to have the exposed cattle branded on the farm of origin the State Veterinarian can authorize the movement of the cattle to the livestock market and the branding be accomplished at this point.
- B. All movements from brucellosis quarantined herds must be accompanied by a VS Form 1-27 listing the individual identification of each animal to be moved. The VS Form 1-27 will be delivered to an authorized representative at destination. These permits will be issued by an agent of the Louisiana Livestock Sanitary Board.
- C. All intrastate and interstate movements from brucellosis quarantined herds are restricted to an approved slaughtering establishment for immediate slaughter, or directly to an approved quarantined feed lot, or to an approved livestock auction market for sale to an approved slaughtering establishment or quarantined feed lot. (Brucellosis reactors must be sold for slaughter only, either directly to an approved slaughtering establishment or through an approved auction market for sale to such establishment.)

Exceptions:

- 1. Steers and spayed heifers over six months of age.
- 2. Calves six months of age and under from negative cows may move under permit within ten days after a negative brucellosis test of the dam.
- 3. Calves under six months of age that are nursed by brucellosis reactor or exposed cows may move from the quarantined premises under permit provided they have been weaned for not less than thirty days immediately preceding movement.

* * * *

by the State Board of Elementary and Secondary Education on April 28, 1977.)

Regulation 17—Defining Brucellosis Infected, Exposed, Negative, and Delinquent Herds.

Section 1—Definition of Terms.

A. Infected Herd.

1. A herd will be considered infected if an official brucellosis blood test of the herd reveals one or more reactors. The herd will be tested at thirty day intervals and continue to be classified as infected and under quarantine until it has passed one complete negative test not less than thirty days following the date the last reactor was removed from the herd and the premises, and in addition a second negative herd test no less than ninety days from date of first negative herd test.

D. Delinquent Herd.

1. Any infected herd not tested within a period of one hundred twenty days is considered delinquent and in the event not tested within one hundred eighty days or legal action instituted may be considered delinquent and cause for the parish to lose its modified certified status.

* * * *

Regulation 18—Governing Area Brucellosis Certification and Recertification.

Section 1—Modified Brucellosis Area Certification and Recertification.

- D. Infected herds will be tested at intervals of thirty days. These herds are considered delinquent after one hundred eighty days if they have not been tested, which could result in the parish losing its modified certified status.

Forrest E. Henderson, D.V.M.
State Veterinarian
Livestock Sanitary Board

RULES

Board of Elementary and Secondary Education

(Editor's Note: The following rules were adopted

Rule 4.01.40
Standards for Approval of Louisiana
Montessori Schools

A. Procedure for Louisiana Montessori Teacher Certification

Louisiana Montessori teachers will be certified and issued Louisiana Montessori teaching certificates by the Louisiana State Department of Education according to the following procedures:

1. The Louisiana Montessori Association, or its successors, shall submit to the State Department of Education a list of prospective recipients of Louisiana Montessori teaching certificates along with the recommended type of certificate to be issued.

- a. Accompanying the aforementioned list, the Louisiana Montessori Association shall submit a copy of a Montessori diploma indicating completion of a Montessori course of study from one of the following: (1) American Montessori Society, (2) Association Montessori Internationale, or (3) St. Nicholas Training Course of London, or any other training institute approved by the Louisiana Montessori Association.

- b. An official college transcript indicating a bachelor's degree must accompany applications for Type A certificates.

- c. A letter from the administrative head of a Montessori school to the Louisiana Montessori Association verifying at least one year successful teaching experience is needed for those seeking Type A or B certificates.

2. Types of Louisiana Montessori teaching certificates issued:

- a. Type A Montessori Teaching Certificate—A Type A Montessori teacher shall have completed training from one of the following (1) American Montessori Society, (2) Association Montessori Internationale, or (3) St. Nicholas Training Course of London, or any other training

institute approved by the Louisiana Montessori Association, plus a bachelor's degree from a regionally accredited college or university and one year successful teaching experience in a Montessori school.

- b. **Type B Montessori Teaching Certificate**—A Type B Montessori teacher shall have completed training from one of the following: (1) American Montessori Society, (2) Association Montessori Internationale, or (3) St. Nicholas Training Course of London, or any other training institute approved by the Louisiana Montessori Association, plus one year successful teaching experience in a Montessori school.
- c. **Type C Montessori Teaching Certificate**—A Type C Montessori teacher shall have completed training from one of the following: (1) American Montessori Society, (2) Association Montessori Internationale, or (3) St. Nicholas Training Course of London, or any other training institute approved by the Louisiana Montessori Association.

- 3. All teacher aides who have earned a bachelor's degree must have an official college transcript on file in the school's office to be available upon request of the visiting committee.

B. Procedures for Approval of Montessori Schools

Any Montessori school seeking review by the Louisiana Department of Education and approved by the State Board of Elementary and Secondary Education must follow these procedures:

- 1. Application for approval shall be submitted on a Montessori Annual School Report Form prescribed by the State Department of Education.
- 2. One copy of the form shall be sent to the Louisiana Montessori Association; one copy submitted to the State Department of Education, Bureau of Elementary Education, and one copy kept on file in the school office.
- 3. A letter requesting an initial approval visit should be sent to the Louisiana Montessori Association and the State Department of Education, Bureau of Elementary Education.

- 4. The form will be analyzed by both the Louisiana Montessori Association and the State Department of Education.

- 5. After ascertaining that the school has met standards according to the written report, a visiting committee consisting of a minimum of five members, at least four Montessori teachers selected by the Louisiana Montessori Association and one State Department of Education staff member will be assigned to make an initial approval visit.

Montessori teachers shall serve without compensation or expense from the State Department of Education.

- 6. After visitation by the committee, the school will be notified in writing of the recommendation made by the committee to the State Department of Education for further recommendation to the State Board of Elementary and Secondary Education for assignment of a classification category.

- 7. A school denied approval by the State Board of Elementary and Secondary Education shall be entitled to an appeal.

- 8. No hearing shall be granted unless a written appeal is received by the State Board of Elementary and Secondary Education within thirty days of the date of denial.

- 9. For continued State approval, Montessori schools shall submit a Montessori Annual School Report to the Louisiana Montessori Association and the State Department of Education, Bureau of Elementary Education for analysis and recommendation to the State Board of Elementary and Secondary Education for a classification category.

Classification Category of Montessori Schools

Approved—School meets standards of State Board of Elementary and Secondary Education established for Montessori schools.

Provisional Approval—School has one or more of the following deviations from standards:

- a. lack of at least one Type A Montessori certified teacher provided that the school has a Type B certified Montessori teacher earning at least six semester hours per year towards a bachelor's degree.

- b. inadequate amount of proper Montessori instructional materials and equipment.

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

- a. school does not have at least a Type B certified Montessori teacher earning six semester hours toward a bachelor's degree.
- b. lack of a certified Montessori teacher with a bachelor's degree in each class.
- c. lack of teacher or teacher aide with a bachelor's degree in each class.
- d. inadequate provision of indoor and/or outdoor space per child.

Unapproved—Any school that has not previously attained an approved classification and fails to comply with State Board of Elementary and Secondary Education standards.

A probational approved school that has not corrected the stated deficiencies within the time fixed by the State Board of Elementary and Secondary Education as defined by Act 274 of the 1975 Regular Session of the Legislature.

C. Instructional Staff

- 1. Each school shall have at least one Type B certified Montessori teacher earning at least six semester hours toward a bachelor's degree.
- 2. Each class shall have at least one certified Montessori teacher.
- 3. Each class shall have a teacher or teacher aide possessing a bachelor's degree.

D. Physical Plant and Facilities

- 1. The physical plant must comply with State and local fire and health regulations and with applicable building codes. It shall be free of health and safety hazards.
- 2. The school shall be attractive, cheerful, orderly, clean, and in good repair to evoke in the children a positive response to beauty and to life and to satisfy their need for order.
- 3. Indoor requirements:
 - a. Low child accessible shelving in neutral or light colors for placement of materials with adequate space for placement without crowding. Instructional materials of

the same general classification should be placed together.

- b. Walls in light or neutral colors to adequately emphasize the materials.
 - c. Lightweight, movable, child-size furniture (tables, chairs).
 - d. Special place for each child's personal belongings and school work.
 - e. Flooring of a type that can be kept clean and safe.
 - f. Rugs and mats available and accessible to the children and shall have orderly storage.
 - g. Adequate lighting (one hundred sixty watts fluorescent for every one hundred square feet of floor space is recommended).
 - h. Thirty square feet of working space per child or thirty-five square feet per child of total usable facilities to allow each child to move freely without interrupting the activities of others.
 - i. The environment shall be prepared, arranged, and equipped to structure the child's free movement and responsibility.
 - j. Child accessible toilet and hand washing facilities adequate to the number of children.
4. Outdoor Requirements:
- a. Seventy-five square feet of outdoor space for each child in the group at any one time.
 - b. Outdoor space shall be easily accessible, safe, and protected, and shall be fenced.
 - c. Outdoor equipment shall be safe and provide adequate opportunities for a variety of large muscle activities.
 - d. The outdoor area shall be pleasant and attractive with some gardening opportunities available.

E. Instructional Program and Materials

1. Freedom with responsibility leading to independent self-direction shall be a basic consideration of the schools instructional program.
2. The school shall be attractive, cheerful, orderly, clean and in good repair to evoke in the children a positive response to beauty and to life, and to satisfy their need for order.
3. The schools instructional program shall incorporate the following types of activities:
 - a. Language activities
 - b. Math activities
 - c. Cultural activities (geography, history, life science, art, music, dance, dramatics, construction, second language)
 - d. Sensorial activities that sharpen the senses in preparation for accurate observation of the physical world
 - e. Practical life activities that cultivate ability to care for self and environment.
4. School must be equipped with Montessori materials in all basic areas which is maintained in good condition.
5. Instructional materials shall be self-teaching so that children can learn from them by self-discovery and voluntary repetition rather than by rote memorization of what someone tells them about the materials.
6. Children shall work independently once the materials are introduced.
7. The materials shall require active participation of the children so that the major part of their learning comes from concrete sensorial experience.
8. Materials shall reflect reality and nature so that children can organize their perceptions of the world accurately.
9. Instructional materials shall be open-ended so that it is possible for the children to learn more than one concept from each piece.

10. The materials shall isolate only one factor of difference to emphasize the particular attribute or concept.
11. The art materials shall be basically structured to allow children to freely create their own ideas after the teacher has initially demonstrated their use.
12. The Montessori materials shall be introduced sequentially.
13. The materials shall be attractive and of the best quality affordable to provide stimulation for new exploration or imagination.
14. They shall be clean, orderly, and in good repair.

F. Scheduling

1. The academic school year shall be one hundred eighty days.
2. The class shall meet five days a week for approximately three hours a day or more to provide the necessary learning continuity.
3. All Montessori schools which contain students above age six shall have a minimum of five and one-half hours of instructional time each day exclusive of recess, lunch, and planning periods.

G. Admission Policies and Enrollment

1. All admissions in a Montessori school shall be open to all persons of all races, creeds, or colors.
2. Early enrollment shall be encouraged, starting between the ages of two and one-half to three and one-half years or earlier to take advantage of early sensitive periods of learning.
3. The classrooms shall have, if possible, a mixed age group spanning at least three years so that the children will have a variety of models to learn from.
4. Attendance through kindergarten age shall be encouraged for maximum benefit of the program.

H. Parent Interaction

1. The parents shall be allowed to observe the children at work.

* * * *

The State Board of Elementary and Secondary Education also adopted on April 28, 1977, Rule 3.01.02, Elementary and Secondary Education Act, (ESEA) Title IV Annual Program Plan for Fiscal Year 1977-78, with the deletion of Section 111.2.1 A and B. The Department of the State Register, in accordance with R.S. 49:954.1C, has exercised its privilege to omit from the Louisiana Register the text of the Annual Program Plan. The public may inspect these rules at the Board's office, Room 104, Education Building, 646 North Fourth Street, Baton Rouge, Louisiana.

Earl Ingram, Director
Board of Elementary and
Secondary Education

RULE

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

In accordance with the provisions of R.S. 40:29 the following fee schedule has been adopted to provide for payments for tests, procedures, functions, or operations performed by laboratories operated by the Office of Health Services and Environmental Quality on a state-wide, regional, or parish basis whether in connection with a parish health unit or independently operated by the Office of Health Services and Environmental Quality as a State laboratory. These fees shall not be charged to the Office of Health Services and Environmental Quality or to any patient at a parish health unit. Neither shall any fee be charged for the diagnosis of tuberculosis or venereal disease, nor in any instance where the State Health Officer shall declare an epidemic nor where exemption from payment is otherwise provided by the State Sanitary Code. State hospitals or institutions are exempt from the charges in this fee schedule when the Secretary shall require the Office of Health Services and Environmental Quality or parish health unit laboratories to act for such institutions in case of emergency.

This fee schedule shall govern the charges for all procedures performed by the State, regional, or parish public health laboratories or specimens, cultures, or procedures submitted by any physician, hospital, clinic, nurse, veterinarian, or any other individual who is not treating a patient of the Office of Health Services and

Environmental Quality or a parish health unit in an official capacity. In the event that any test, procedure, function, or operation is performed by any public health laboratory operated by the Office of Health Services and Environmental Quality at the request of a State or private hospital, the fee for that procedure shall be billed to said hospital and collected in accordance with the rules and regulations established for the collection of fees.

Smears for Acid Fast Bacilli	\$ 5.00
Cultures and Identification of Mycobacteria	15.00
Identification of Mycobacteria	10.00
Sensitivity studies on Mycobacteria	5.00
Cultures for Streptococci (not including sensitivity tests)	4.00
Cultures for Staphylococcus (not including sensitivity tests)	4.00
Fluorescent Antibody Test for Group A Beta Hemolytic Streptococcus	25.00
Cultures for C. Diphtheriae	25.00
Fluorescent Antibody Test for Bordatella Pertussis	25.00
Cultures for Salmonella and Shigella	15.00
Cultures of Salmonella or Shigella for Typing (typing only)	6.00
Cultures for Neisseria Meningitidis	15.00
Bacterial Identification of Cultures (identification only)	10.00
Cultures for E. Coli Typing (typing only)	6.00
Smears for N. Gonorrhoea	Exempted by State Law
Cultures for N. Gonorrhoea	Exempted by State Law
Blood Agglutination for Brucella Abortus, B. Proteus Ox 19, P. Tularensis and Leptospirosis	15.00
Blood Smears for Malaria	5.00
IFA for Toxoplasmosis	15.00
IHA for Toxoplasmosis	10.00
Bloods for PKU (Guthrie Test)	3.00
VDRL	5.00
Fluorescent Treponemal Absorption Test	15.00
Complement Fixation for Fungi	15.00
Viral Complement Fixation Tests	15.00
Rickettsial Complement Fixation Tests	15.00
Cultures for Haemophilus Influenza	15.00
HAI for Rubella	8.00
HAI for Arbovirus	8.00
Virus Isolations (Sucking Mice)	7.00
Feces for Ova, Larvae, Cysts, and Parasites	5.00
Brain Smears for Rabies	15.00
Mouse Inoculation Test for Rabies	10.00
Dairy Products for Standard Plate Count	8.00

Dairy Products for Coliform Count	6.00
Dairy Products for Oval Tube Test	6.00
Dairy Products for Antibiotics	5.00
Milk for Wisconsin Mastitis Test	5.00
Direct Microscopic Somatic Cell Count (Milk)	8.00
Waters for Membrane Filter Test	5.00
Waters for MPN Count and Fecal Coliform	15.00
Waters for Standard Plate Count	8.00
Waters from Oyster Growing Areas for MPN and Fecal Coli	15.00
Foods for Food Poisoning	25.00
Foods for Salmonella and Shigella	15.00
Foods Examined for Total Coliforms, Fecal Coliforms and Standard Plate Count	20.00
Environmental Swabs for Standard Plate Count	10.00
Test for Sanitization of Equipment (Plastic jugs) Coliform and Standard Plate Count	15.00
Cultures for Fungi (identification is separate charge)	10.00
Identification of Cultures for Fungi	10.00
Cytology (Pap) Smears for Cancer	6.00
Pap Smear with Maturation Index	10.00

Tests of Waters

Routine Analysis of Waters:		
pH		
Color		
Turbidity		
Total Solids		
Loss of Ignition		
Manganese		
Hardness		
Iron		
Free CO ₂		
Alkalinity		
36.75		
Chlorides		5.00
Fluorides		5.00
Potassium		
Sodium		
8.40		
Oil and Grease		31.50
Dissolved Oxygen		10.00
Dissolved Oxygen		
Biochemical Oxygen Demand		
25.00		
Chemical Oxygen Demand		18.00

Metals:	
Phosphates	5.25
Sulfates	5.25
Nitrates	5.25
Phenols	18.90
Arsenic	10.50
Barium	10.50
Cadmium	8.40
Chromium	8.40
Copper	8.40
Lead	8.40
Mercury	10.50
Selenium	10.50
Silver	10.00
Nickel	10.50
Zinc	10.00

Tests of Milk and Dairy Products

Net Weight		
Organoleptic Examination		
Filth and Foreign Material		
10.50		
Lactometer		
Nonfat Solids		
Total Solids		
20.00		
Fat		8.40
Added Water		10.50
Phosphatase		8.40
Hypochlorites		5.25
Salt and Curd		10.50
Moisture		10.50
Total Solids by Drying		10.00

Tests of Foods and Drugs

Meats:	
Net Weight	2.10
Added Color	15.75
Sulfite Preservative	
Qualitative	5.25
Quantitative	15.75
Cereal	
Qualitative	5.25
Quantitative	15.75
Dried Skim Milk	
Qualitative	5.25
Quantitative	15.75
Fat	
Screening Test	10.50
Quantitative	26.25

Protein			Net Weight	5.25
Quantitative	26.25		Organoleptic Examination	
			Filth and Foreign Material	
Added Water			Macro	4.20
Quantitative	35.00		Micro	7.35
			Alcohol Content	
Moisture			Distillation	15.75
Quantitative	21.00		G.C.	31.50
			Hemoglobin Electrophoresis (sickle cell)	20.00
			Confirmatory Tests for PKU	21.00
Tests of Sugar Products				
Net Weight or Contents			Tests of Seafoods	
Organoleptic Examination	} _____	10.50	Net Weight	
Filth and Foreign Material			Drained Weight	5.25
			pH	3.15
Brix		5.25	Metals:	
Saccharin			Arsenic	10.50
Screening Test		5.25	Barium	10.50
Chromatography		15.75	Cadmium	8.40
			Chromium	8.40
Direct and Invert Polarization	} _____	40.00	Copper	8.40
Reducing Sugars			Lead	8.40
Sucrose			Mercury	10.50
Total Solids			Selenium	10.50
Added Color		15.75	Silver	10.00
			Nickel	10.50
Miscellaneous Tests			Zinc	10.00
Caustic Alkalinity		2.10	Phosphates	5.25
Aspirin		15.75	Sulfates	5.25
pH		5.00	Nitrates	5.25
			Phenols	18.90

Tests for Pesticides, Herbicides, and PCB's in Waters, Foods (Raw and Finished), Milk and Dairy Products, and Seafoods

	<u>Waters</u>	<u>Foods</u>	<u>Milk and Dairy Products</u>	<u>Seafoods</u>
Chlorinated Hydrocarbons	30.00	40.00	40.00	40.00
Organo-phosphates	30.00	40.00	40.00	40.00
Chlorophenoxy Acids (2, 4-D; 2, 4, 5, TP)	40.00	40.00	40.00	40.00
PCB's (Polychlorinated biphenyls)	40.00	40.00	40.00	40.00
Tests for pesticides by specific methodology				50.00

William H. Stewart, M.D., Secretary
Department of Health and Human Resources

RULE

**Department of Health and Human Resources
Office of Management and Finance
Licensing and Certification Section**

**Amendment to the Standards for
Intermediate Care Facilities**

Each ICF Class I facility must maintain policies and procedures to assure that each resident's health care is under the continuous supervision of a physician who sees the resident as needed, and in no case less often than every sixty days.

William H. Stewart, M.D., Secretary
Department of Health and Human Resources

RULE

**Department of Health and Human Resources
Office of the Secretary**

Each State hospital or institution shall charge one dollar per page in advance to anyone interested in obtaining a copy of medical reports, records, charts, documents, or other memoranda prepared by the hospital or institution staff. The remittance must accompany a written request for the material plus a written release from the patient or his legally authorized representative.

With respect to subpoenas duces tecum issued in accordance with LSA C.C.P. 1354 and R.S. 13:3661, the original records shall remain in the hospital or institution and shall not be produced at the trial or hearing, however, in all such cases, the office or employee shall produce an exact certified copy of the subpoenaed hospital, medical or institutional document. The office required to produce such documents shall charge one dollar per page for any subpoenaed or legally requested document to cover the costs of compilation, copying, and certification. Such cost or fee shall not be charged in a suit filed in forma pauperis but all copies requested prior to actual filing of suit shall be subject to the charge of one dollar per page.

All inspection, examination, and copying of records, reports, charts, memoranda, and other documents in accordance with LSA C.C.P. Articles 1460 et seq., shall take place at the hospital or institution where the records are located. In those instances where the hospital is requested to make copies of any of these records or documents, there shall be a charge of one dollar per page

in advance to cover the costs of compilation, copying, and certification.

William H. Stewart, M.D., Secretary
Department of Health and Human Resources

RULES

Department of Natural Resources

**Rules and Regulations to Implement
Act 180 of 1976 (R.S. 41:1131)**

An applicant seeking a permit to reclaim or recover land lost through erosion or for bulkheading and protection shall use the appropriate State Permit Form provided by the Secretary of the Department of Natural Resources. The following rules and regulations shall prevail:

A. Permits to Reclaim or Recover Land Lost Through Erosion

1. Applications must be made to the Secretary of the Department of Natural Resources, in triplicate, and each copy must be accompanied by the certified deed of present ownership and a certified map or plat of survey prepared by a professional land surveyor qualified and currently registered by the Board of Registration for Professional Engineers and Land Surveyors in accordance with R.S. 37:681 et seq. Applicant shall attach deed, plat of survey, or other evidence supporting his claim as to the extent of erosion.

2. The certified plat or map must show the exact location or alignment of the mean high and low water elevations, all referenced to mean sea level or mean low gulf as of date of application and show extent of land claimed to be lost through erosion, with reference to documents supporting the claim. If the area claimed to be lost through erosion exceeds one acre, the total acreage, rounded to the nearest one hundredth shall be indicated. The section, township, and range shall be noted and the name of the body of water on which a permit is sought. If offshore, area and block number must be provided. Unless permission is first obtained from the Secretary of the Department of Natural Resources for noncompliance with any supplemental requirements, the plat must supply the Louisiana Grid Coordinates of all corners and angle points, and the area in square feet if less than one full acre.

3. Names of adjoining land owners shall not be shown on the plat unless contained in applicant's

property description filed for public record, as reflected by the attached deed of ownership.

4. An application for a permit must be accompanied by a letter of intent which shall contain the following information:

- a. Extent of the eroded area to be reclaimed.
- b. Description of proposed physical work to be performed (including all lateral dimensions and surface elevations), and materials to be used.
- c. Detailed drawings of construction including vicinity map, plot plan, and cross section or profile.

5. Within sixty days of completion of the project, the riparian owner shall submit to the Secretary of the Department of Natural Resources, proof of the extent of the land area actually reclaimed, if any, by plat, in the same manner provided in Numbers 1, 2, and 3 above, for showing the eroded area and verifying the information required by Number 4, which map or plat shall be employed for fixing the definitive boundary between the reclaimed land area and the water bottoms.

6. No definitive boundary shall be fixed nor shall title be vested unless and until proof is made that the reclaimed land is raised to a minimum height of six inches above mean high water and is stabilized along the newly-created bank or shore by masonry, concrete mats, riprap, sheet piling, bulkheads, or similar constructions to reasonably insure permanence as required by law.

B. Permits to Construct or Maintain Bulkheads and Flood Protection Structures

1. Permits may be granted for construction or maintenance of bulkheads generally parallel to the bank or shore on any inland navigable water body, which do not involve reclamation or recovery of land, if on the basis of evidence furnished the Secretary of the Department of Natural Resources, such bulkheading will aid in preventing erosion. Permits may be granted for bulkheads which will facilitate or aid in reclamation of eroded lands, or maintain the same, but only upon compliance with those regulations set forth in Section A.

2. Permits may be granted to provide and maintain adequate foundation or flood protection for presently existing structures in proximity to any eroded bank.

3. An application for a permit contemplated in Sections B(1) and B(2) must be made to the Secretary of the Department of Natural Resources, on forms provided, in triplicate, and each copy accompanied by a certified deed of ownership and a detailed description of the proposed physical work, bulkhead, foundation, or

flood protection structure, with a sketch of the same, indicating dimensions, the body of water adjacent to or in which the construction will be placed, and the distance from the mean high and low water elevations that the structure will be placed over, or in, said water body.

4. Within sixty days of completion of any project proposed under Section B(3), the riparian owner/applicant shall submit an affidavit to the Secretary of the Department of Natural Resources on a form provided, attesting to the extent of the proposed construction completed and the final location of the structure or bulkhead as contemplated in his application.

C. Regulations Governing All Permits Issued Under Act 180 of 1976

1. No permit contemplated under Sections A or B above shall be construed to vest any proprietary rights or title in any private owner except as to lands actually reclaimed and maintained, pursuant to Act 180 of 1976. Eroded lands contiguous to the coast of the Gulf of Mexico as defined in the Decree of the United States Supreme Court dated July 16, 1975, in United States vs. Louisiana, No. 9 Original, may be reclaimed under Section A, out to the coastline.

2. No permit shall be issued under Sections A or B nor shall any work commence until the application has been first approved by the governing authority of the parish wherein the property is located, Office of Public Works, the Louisiana Wildlife and Fisheries Department, the State Mineral Board, the Attorney General's Office, and such other parochial or State agencies which may have jurisdiction over such matters. Coordination and dissemination among the several agencies will be performed by the Secretary of the Department of Natural Resources.

3. All permits issued pursuant to these provisions shall be effective for a period not to exceed two years from the date of issuance and shall thereupon expire. All work remaining or any additional work may be completed only by new application.

4. If proposed project covers an area under State mineral lease, the applicant will furnish the Secretary of the Department of Natural Resources a copy of the letter of notification (with signed, certified, return receipt attached) which has been sent to the mineral lessees. A permit will be issued subject to and encumbered with any right-of-way or servitude, or any mineral, geothermal, geopressure or any other lease acquired or granted by the State for a lawful purpose while the reclaimed land was an eroded area. Nothing in these