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Executive Orders

EXECUTIVE ORDER NO. EWE-76-11

WHEREAS, the Louisiana Higher Education Assistance Commission is authorized by Section 3021 through Section 3030, inclusive, of Title 17 of the Louisiana Revised Statutes of 1950 to guarantee student loans on the basis of financial need; and

WHEREAS, an individual enrolled as a full-time student may be provided such financial assistance; and

WHEREAS, R.S. 17:3024.1 provides that the term, "full-time student," means a person enrolled or having applied for enrollment as a post-secondary student in a course of vocational, business or technical education at any publicly supported or Commission-approved privately governed school in this state; and

WHEREAS, said law in no way qualifies or limits this definition; and

WHEREAS, neither the intent of nor the purpose of R.S. 17:3024 (1)(b) and R.S. 17:3024.1(A) and (B), excludes a student attending a proprietary business school who is enrolled in at least a six-month course and who is employed while attending classes; and

WHEREAS, in the case of a student applicant in a proprietary school it is appropriate that the loan should be guaranteed and the loan application processed at any time during the Commission's fiscal year; and

WHEREAS, the Commission should guarantee the loan of any eligible student at any time during the fiscal year; and

WHEREAS, such loan may be for the full amount allowable under the above statutes regardless of the time of the year the student enters school; and

WHEREAS, a student applying to attend a proprietary business school shall be eligible for a loan guaranteed by the Commission if he is a high school graduate or the equivalent:

NOW, THEREFORE, I, Edwin W. Edwards, Governor of the State of Louisiana, by virtue of the authority vested in me under the laws of this State, in order to assist deserving students to obtain an education and the skills to better their lives, and provide them with the opportunities contemplated and provided for in R.S.

17:3021 through 3030, inclusive, of the Louisiana Revised Statutes, hereby authorize and direct the Louisiana Higher Education Assistance Commission to implement the purposes of this Executive Order as follows:

1. A "full-time student," with respect to a person enrolled in a proprietary business school, shall mean a student enrolled in at least a six-month course;
2. Such student shall not be disqualified because he may be employed while attending classes;
3. A loan shall be guaranteed and the loan application processed at any time during the Commission's fiscal year;
4. A loan may be for the full amount allowable under the applicable law regardless of the time of the year the student enters school;
5. Each student applying to attend a proprietary business school shall be eligible for a loan guaranteed by the Commission if he is a high school graduate or has the equivalent thereof.

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 16th day of July, 1976.

EDWIN EDWARDS
Governor of Louisiana

EXECUTIVE ORDER NO. EWE-76-12

This Executive Order amends Executive Order No. 49, dated August 23, 1973.

WHEREAS, the full potential of Louisiana as a filmmaking site is not being fully realized, and a program is needed to project an image of this state as a pleasant, economical and feasible place to produce motion pictures; and

WHEREAS, Louisiana's natural and man-made attributes must be sold to prospective filmmakers, and an aggressive program is needed to induce and facilitate filmmakers in accomplishing their work within our state; and

WHEREAS, the Department of Commerce and Industry is one of only two State agencies responsible

for bringing revenues into this state through the attraction of industry and the promotion of Louisiana's advantages and resources; and

WHEREAS, the program should operate under the authority of the Executive Director of the Department of Commerce and Industry and as a division of the Department of Commerce and Industry utilizing the existing advertising, promotion, and administrative services of the Department of Commerce and Industry; and

WHEREAS, the State of Louisiana should determinedly seek out its share of the millions expended annually on filmmaking in the Southern states;

NOW, THEREFORE, I, Edwin Edwards, Governor of Louisiana, by virtue of the authority vested in me under the laws of this State, do hereby create and establish the Louisiana Film Industry Commission, whose duty it shall be to handle the public relations aspects and serve in an advisory capacity to the Executive Director of the Department of Commerce and Industry and the staff of the Louisiana Film Commission who shall administer a program designed to develop, create, and execute plans, programs and events in connection with promoting Louisiana as a filmmaking location; to provide free location scouting, to provide information on available facilities, to offer assistance in obtaining permission to film, to provide complete background information on all cultural and historical aspects of Louisiana, and to maintain a cooperative working relationship with filmmakers coming into Louisiana.

The membership of the Louisiana Film Industry Commission shall be composed of the Governor of Louisiana, who shall serve as chairman; the Lieutenant Governor of Louisiana; the Executive Director, Department of Commerce and Industry; the Chairman of the Board of Commerce and Industry; the Executive Director of the Louisiana Tourist Development Commission; the Chairman of the Louisiana Tourist Development Commission; one member appointed by the Governor who can provide an entree to the film industry, probably a major film distributor; and such additional members as may be appointed, from time to time, by the Governor.

To carry out the provisions of this Order, the Louisiana Film Industry Commission under authority of the Executive Director of the Louisiana Department of Commerce and Industry shall establish and maintain a staff for the Louisiana Film Industry Commission composed of, but not limited to: the Director of the Louisiana Film Industry Commission, who shall be appointed by and serve at the pleasure of the Governor of Louisiana; a Stenographer Clerk III, who will be

appointed under the regulations of the Louisiana Department of Civil Service and serve in accord with those regulations; and the reigning "Miss Louisiana" or other appropriate designee of the Governor of Louisiana, who will be appointed by the Governor of Louisiana and serve until the expiration of her duly constituted term as Miss Louisiana or other time deemed appropriate by the Governor of Louisiana and who will act as a special envoy of the State of Louisiana with the film industry. The staff of the Louisiana Film Industry Commission shall operate as a division of the Louisiana Department of Commerce and Industry and report directly to the Executive Director of the Department of Commerce and Industry.

The Department of Commerce and Industry is authorized to continue operating the Louisiana Film Industry Commission as a division under the budget currently authorized for it under law and under the budget for 1975-76, pursuant to final action by the Louisiana Legislature, and to resubmit a projected budget for this division for 1976-77 and subsequent fiscal years.

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 July, A.D., 1976.

EDWIN EDWARDS

Governor of Louisiana

Emergency Rules

DECLARATION OF EMERGENCY

Board of Elementary and Secondary Education

The following emergency rules were adopted on July 22, 1976, by the State Board of Elementary and Secondary Education as an immediate response to a need in the special education schools for special education resource teachers and special education itinerant resource teachers, and a need in the local school systems for sufficient time to prepare for the 1976-77 school year.

Rule 6.00.70

Exceptional children shall be provided special education

services, upon recommendation of a competent authority team, either in self-contained special education classrooms or in special education resource rooms or through the services of an itinerant special education resource teacher.

Exceptional students receiving special educational services in special education resource rooms or from itinerant special education resource teachers shall be counted in the regular education average daily attendance records. Exceptional students assigned to self-contained special education classrooms shall be counted in the special education average daily attendance report.

Special education self-contained classroom teachers, resource teachers, and itinerant resource teachers shall be certified in special education. Self-contained classroom teachers shall be certified in special education. Self-contained classroom teachers shall be certified in the exceptionality of the children assembled in the class under the provisions of Act 368 of 1972. Resource and itinerant resource teachers shall, if possible, be certified in more than one area of exceptionality but shall be required to be certified in the exceptionality of the greatest number of children assigned in the caseload.

Resource and itinerant resource teachers shall be required to spend a complete school day on duty at school. Resource and itinerant resource teachers shall each have at least one period each day to consult with regular classroom teachers, observe students, plan work and activities for assigned students, and so forth. Itinerant resource teachers shall be allowed one additional period per day for travel.

In order to carry out their duties, resource and itinerant resource teachers shall have a flexible schedule but under no circumstances shall any such teacher work less than a full school day. Not less than fourteen nor more than twenty-seven students, recommended by a competent authority team, shall be assigned on a caseload basis to resource and itinerant resource teachers, except that itinerant resource teachers of severely sensorially handicapped students shall be permitted a reduced caseload of not less than five nor more than ten students.

Rule 6.00.70.a

1. During 1976-77, the implementation of this regulation shall be limited to two million dollars of the additional funds appropriated for special education teachers and aides.
2. Teachers shall be allotted to each local school system on the basis of the number of students enrolled in special education classes and programs,

exclusive of those in speech and hearing therapy, at the last reporting period.

3. Each system shall be allotted one teacher initially, with additional teachers allotted on the basis of special education enrollment as in item number 2 above.
4. The State Department of Education shall calculate the entitlement for each system and immediately notify all systems of the entitlement.
5. This limitation shall apply only to new resource/itinerant special education teachers.
6. For resource teachers of gifted and talented, the teacher shall be certified in the appropriate subject.

* * * *
Rule 3.01.51.f

The high school graduation requirements in Bulletin 741, amended page 2, paragraph 2, will now apply to all students who enter the eleventh grade in the fall of 1976 and who will graduate in the spring of 1978 and all subsequent classes. (The earlier effective date of the amended graduation requirements was to have been applied to the incoming freshmen of the 1976-77 school year.)

Earl Ingram
Director

DECLARATION OF EMERGENCY

Health and Human Resources Administration Division of Family Services

The Louisiana Health and Human Resources Administration, Division of Family Services (DFS), has exercised the emergency provision of the Administrative Procedures Act (R.S. 49:953B) to revise the eligibility criteria for day care services for children provided through vendor payments, effective August 3, 1976.

Title XX Social Services Program for Individuals and Families implemented on October 1, 1975, required more stringent day care staffing ratio standards for day care centers. This requirement resulted in financial hardship for day care centers participating in the vendor payment day care program. Louisiana Health and Human Resources Administration, Division of Family Services, finds it necessary to provide a more equitable

payment reimbursement to those day care providers participating in the vendor payment day care program. To effect the payment increase and remain within the budget appropriation of \$4,299,210, it is necessary to revise eligibility criteria for day care in order to continue serving those Title XX eligible children determined to be in most need of day care services.

The revised policy for day care eligibility shall be as follows.

To provide day care as a preventive measure when the child's family is unable to provide adequate care and supervision. This shall include only the following case situations.

1. Protective care situations in which a certified protective service case is active with a child protection center or DFS protective service unit, or there are indications of borderline neglect.
2. A parent or caretaker because of mental or physical illness or mental retardation is unable to care for child and no other caretaker is available or willing to provide care and supervision.
3. A referral recommending day care services is received from another agency such as Mental Health, Parish Health Unit (Early and Periodic Screening, Diagnosis, and Treatment Program), hospital, or physician because of developmental, emotional, or behavioral difficulties observed in the child; or these difficulties are observed by the DFS service worker and a service plan is developed in cooperation with an agency such as the above.

This revision does not affect present policy which makes provision of day care services available to AFDC (Aid to Families with Dependent Children) recipients engaged in a work or training program, and to the Title XX eligible parent or caretaker who is employed.

Those persons adversely affected by this revised eligibility criteria will be provided timely notice of the intended action.

William H. Stewart, M.D.
Commissioner

Rules

RULES

Office of the Governor
Division of Administration
Property Control Section

(Editor's Note: These regulations are being reproduced in booklet form for distribution to all State agencies. In that format they will include two sections which are not printed here, as per R.S. 49:954.1C. The omitted portions are Section IV, which consists of the Revised Statutes affecting State surplus property, and Section V, which is a listing of the inventory classification codes.)

Section I

State Property Inventory Regulations

1.0 Definitions

- 1.1 "Agency" means any State office, department, board, commission, institution, division, officer, or other person, or functional group, heretofore existing or hereafter created, which is authorized to exercise, or that does exercise any function of the government of the State, excluding, however, any governing body or officer of any local government or subdivision of the State or any parochial officer who exercises functions coterminous with the municipality in which he performs those functions.
- 1.2 "Commissioner" means the Commissioner of the Division of Administration.
- 1.3 "Division" means the Division of Administration.
- 1.4 "Property" means all tangible nonconsumable movable property owned by an agency with the exception of property specifically exempted by the Commissioner.
- 1.5 "State Property Control Director" means the individual in the State Property Control Section of the Division of Administration who has been designated by the Commissioner as the person responsible to the Commissioner for the administration of the State Property Inventory Regulations.

1.6 "Head of the agency" means the individual responsible for the administration and operations of the agency.

1.7 "Agency property manager" means the officer or employee designated by the head of the agency as property manager for the agency.

2.0 Appointment of Property Managers

2.1 The head of the agency shall designate one of its officers or employees as agency property manager. In cases where an agency owns a large amount of property situated in more than one location, the Commissioner may authorize the appointment of more than one agency property manager with an agency. This authorization shall be in writing and granted only upon the request of the head of the agency. The head of the agency shall notify the Commissioner, through the State Property Control Director, in writing of the appointment of each agency property manager, giving his name and domicile.

2.2 The head of the agency shall notify the State Property Control Director in writing prior to the date any agency property manager ceases to function in that position. The State Property Control Director shall conduct an examination of the property inventory records under the jurisdiction of the agency property manager. On the basis of the report of the examiners, the Commissioner shall approve the release of the agency property manager from responsibility and liability or shall make a written report of any defects in the records or damage to, or shortages of, property. In cases of damage to, or shortages of, property, the Commissioner shall take steps as are necessary to satisfy the claims of the State, as provided by R.S. 39:330.

3.0 Faithful Performance of Duty Bond

3.1 Each agency property manager shall file with the State Property Control Director a copy of the paid annual invoice to the insurer of the State's blanket policy for the faithful performance blanket position bond coverage. This coverage is for \$25,000 and serves as a guarantee or indemnity that the agency property manager will faithfully perform his duties under the provisions of these regulations. Where the Commissioner has approved the appointment of more than one property manager within an agency, each property manager shall be covered by the premium paid by the agency.

4.0 Responsibility for Property

4.1 Each agency property manager shall be the custodian of and shall be responsible for all the property within his agency until his release from responsibility is approved by the Commissioner. When any property is entrusted to any other officer or employee of the agency, the agency property manager shall secure a receipt for such property from the person receiving the property, and in such event the agency property manager shall be relieved of responsibility for the property but shall continue to maintain accountability for the property. Upon the return of the property to the agency property manager, he shall return the person's receipt, or issue acknowledgement of the return of the property, and resume responsibility.

4.2 Whenever an agency property manager has knowledge or reason to believe that any property of the agency is lost, stolen, damaged, or destroyed through vandalism, fire, windstorm, or other acts of God, he shall immediately notify the head of his agency. The head of the agency shall immediately notify the Commissioner, through the State Property Control Director, and follow up with a written report. The State Property Control Director shall make an investigation and take necessary action as provided for in R.S. 39:330.

4.3 The agency property manager, and each person to whom property is entrusted and receipted for as provided in these regulations, shall be liable for the payment of damages whenever his wrongful or negligent act or omission causes any loss, theft, disappearance, damage to, or destruction of, property of his agency for which he is responsible as provided herein, and such damages shall be recoverable in a civil suit therefor prosecuted on behalf of the State by the Attorney General.

4.4 The head of the agency shall allow the agency property manager(s) the necessary time and provide them with the necessary supplies and assistance for performance of their duties under these regulations, and the head of the agency shall be responsible for seeing that the provisions of these regulations are carried out.

5.0 Items of Property to be Inventoried

5.1 All items of movable property having an ac-

quisition cost of seventy-five dollars or more, and certain gifts and other property having an appraised value of seventy-five dollars or more must be placed on inventory. The term "movable" distinguishes this type of equipment from equipment attached as a permanent part of a building or structure. All acquisitions of qualified items must be tagged with a State of Louisiana identification tag and all pertinent information forwarded to the State Property Control Director within ten days after receipt of the items.

- 5.2 The head of the agency, at his discretion, may include such items as electronic calculators, chairs, desks, file cabinets, tables, and other property having an acquisition cost of less than seventy-five dollars in the inventory.
- 5.3 Gifts of movable property must be given an appraised fair market value and recorded in the inventory if the fair market value is seventy-five dollars or more.
- 5.4 Agencies manufacturing movable property for use within the agency must determine the estimated cost, based on the cost of labor and materials, and include such items in the inventory provided that cost is seventy-five dollars or more.
- 5.5 Agencies which are eligible to receive Federal surplus property must place on the inventory all items acquired from Federal surplus which would ordinarily be classified as movable property. (There are Federal regulations regarding the accountability of Federal surplus. If not familiar with these contact: Director, State Surplus Property Agency, Baton Rouge, Louisiana.)
- 5.6 Livestock acquired for breeding, dairy, and experimental purposes are classified as property and must be recorded in the inventory regardless of the value per animal. Animals acquired for slaughter need not be placed on inventory. When an agency acquires livestock by birth and determination is made that such animals will be used for breeding, dairy, or experimental purposes, the animals shall be included in the inventory, and noted as having been acquired by birth, and given an appraised fair market value. At each annual inventory, livestock acquired by birth and used for breeding, dairy, or experimental purposes will be reappraised and the fair market value adjusted on the

inventory. When an agency acquires livestock by birth and determination is made that such animals will be slaughtered for food, the animals shall not be included in the inventory.

6.0 Marking and Identifying Items of Property on Inventory

- 6.1 Each item which meets the definition of items of property to be inventoried (5.0) must be identified with the uniform State of Louisiana identification tag which shall bear a unique identification number.
- 6.2 Agencies shall submit their purchase order requisitions for State of Louisiana identification tags to the State Property Control Director. The tags are purchased in large quantities on State contract and shall be issued at actual cost.
- 6.3 The agency property manager shall be responsible for the tagging, location, and maintenance of property identification tags as prescribed in these regulations.
- 6.4 Livestock may be tagged in the ear with a metal tag, provided that tag number is set aside. If there is any type of identification mark or tag already on the animal, such as bangs, brucellosis, etc., then the last five numbers of such identification shall be entered as the tag number, provided the number has not been used before. Use the complete number if it is five digits or less.
- 6.5 If the item cannot have a State of Louisiana identification tag placed on it for physical reasons, the identification number should be set aside and the identification number written on the item with indelible ink (in case of items of cloth), or the number inscribed on the item with a small engraving tool. Authorization must be given in writing by the State Property Control Director for any item which does not have a State identification mark due to extenuating circumstances.

7.0 Inventory of Property

- 7.1 The agency property manager shall establish and maintain a property location index. This index may have up to four numbers and shall be used to keep track of the location of the property of the agency.

The agency property manager shall keep the property location index for the agency current and shall submit to the State Property Control Director an up-to-date index each time a change or modification is made in the property location index.

7.2 The agency property manager shall submit all pertinent information on items acquired by the agency and defined in these regulations as items to be inventoried. The means of submitting the information shall be the Louisiana Property Control transmittal form (Div. of A. form No. 002-7/76). This form shall be sent to the State Property Control Director each Friday listing the transactions of the agency for the week. The Louisiana Property Control transmittal form replaces the mark sense card system. The data submitted on the transmittal form will be forwarded to the Baton Rouge computer center by the State Property Control Director where it will be keypunched into the agency's inventory master file. It is very important that the information submitted on the transmittal form be submitted in the following form for acceptance.

7.2.1. Agency No. (Columns 1-3)
This three digit number shall be filled in with the number assigned to the agency by the State Property Control Section. This same number is the first three digits on all of the agency's State of Louisiana identification tags.

7.2.2. Agency Sub. (Columns 4-5)
This two digit number may be used by an agency for divisions, sections, areas, etc., upon written approval of the State Property Control Director. Leave the agency sub. blank if approved subagency numbers have not been assigned. If an agency is assigned "00" then "00" should be put in the columns. This number is the middle group of numbers or blank that occurs on all of the agency's State of Louisiana identification tags. (Do not fill in column 4 and leave column 5 blank.)

7.2.3. Tag Number (Columns 6-10)
The agency property manager shall record the tag number (last group of numbers appearing on the State of Louisiana identification tag) which is placed on the acquired item. (If the tag number has less than five digits, the column(s) to the left in this group must be left blank.)

7.2.4. Transaction: Acquisition (Tran. Acq.) (Column 11)

The agency property manager shall fill in the appropriate acquisition code for those items acquired as described in 5.0.

Code 0—Acquired new—This is for items acquired new by the agency regardless of the source of funds.

Code 1—Acquired by transfer—This is for items acquired by permanent transfer from State surplus property or other agencies.

Code 2—Acquired by birth—This is for livestock which, at birth, become State-owned property, as defined in 5.6.

Code 3—Acquired from Federal surplus—This is for items acquired or transferred to the agency from Federal surplus.

Code 4—Acquired by donation—This is for items acquired by the agency through donation regardless of the source (see 5.3).

Code 5—Agency manufacture—This is for items manufactured by the agency where the material and labor costs for an item exceed seventy-five dollars.

Code 6—Omitted from previous inventory—This is for items omitted from the previous inventory where the source of an item cannot be determined.

Code 7—Record adjustment—This is to be used to correct an existing record other than the acquisition code. (Note: column 44 (action code) must show a code 2 to correct the record.)

Code 8—Loaned in—This is to be used when items are in the possession of the agency on a temporary basis.

Code 9—Return of loan—This is for items which have been on loan and are now returned to the possession of the agency.

7.2.5. Transaction: Disposition (Tran. Disp.) (Column 12)

This is covered in the State Property Disposition Regulations (Section II).

7.2.6. Classification Code (Columns 13-19)
The agency property manager shall fill in the appropriate seven-digit number which describes the item to be inventoried. The descriptive items and their corresponding codes are found in Section V-Inventory Classification Codes. When an item has not been assigned an inventory classification code number, the agency property manager must contact the State Property Control Section for assignment of a new code number. All the seven-digit columns must be filled in on Classification Code.

7.2.7. Serial Number (Columns 20-23)
The agency property manager shall fill in the last four numbers of the manufacturer's serial number. Use only consecutive numbers omitting all alphabetical characters. If there is no serial number on the item, leave all four spaces blank. Do not leave blanks in between the numbers and if the numbers are less than four, the column(s) on the left must be left blank under this heading.

7.2.8. Property Location (Columns 24-27)
The agency property manager shall fill in the property location code from the property location index (7.1), which describes where the item is located within the agency. If the numbers are less than four, the column(s) on the left must be left blank.

7.2.9. Acquisition Date (Columns 28-31)
The agency property manager shall complete the month and year the item was acquired regardless of the source. If the month cannot be established, an estimate will be satisfactory. If the month is less than two digits, place a zero in the column to the left under the heading. (Example: May, 1976=0576.)

7.2.10. Acquisition Cost (Dollars Only) (Columns 32-37)
The agency property manager shall fill in the item's acquisition cost rounded off to the nearest dollar. Do not fill in cents or ".00" for cents. If the dollars are less than six digits, leave the column(s) to the left blank under this heading.

7.2.11. Tag Location (TAG LOC) (Column 38)
The agency property manager shall use the single-digit code number which most closely describes the location of the tag on the item.

Code 0—Under cover—This is when the tag is

placed under the housing of the item or when written permission has been granted by the State Property Control Director not to put a state identification mark on the item due to extenuating circumstances (6.5).

Code 1—Top—This is when the tag is placed on the item and faces the ceiling.

Code 2—Bottom—This is when the tag is placed on the item and faces the floor.

Code 3—Back—This is when the tag is visible only from behind the item.

Code 4—Left side—This is when the tag is placed on the item and is on the left side when facing the item.

Code 5—Right side—This is when the tag is placed on the item and is on the right side when facing the item.

Code 6—Door post—This is when the tag is placed on the door post such as the door post of a vehicle.

Code 7—Desk panel—This is when the tag is placed on the inside panel such as the upper, front part of the right inside panel.

Code 8—Leg—This is when the tag is placed on the leg of an item.

Code 9—Front—This is when the tag is placed on an item so it is visible when facing the front of the item.

7.2.12. Agency Use (Columns 39-43)
The agency property manager may use this five-digit heading for any intra-agency system and code desired. Some of the different systems in use are: purchase order numbers, requisition numbers, insurance schedules, or maintenance schedules. If using less than five digits, leave the column(s) on the left under this heading blank.

7.2.13. Action Code (ACT CD) (Column 44)
The agency property manager shall fill in the appropriate action code number for the action to be taken on the data for the item. Code 3—disposition (all types) is covered in the State Property Disposition Regulations (Section II).

Code 1—Acquisition (all types)—The agency property manager shall complete all the head-

ing(s) as described in 7.2–7.2.13. on the Louisiana Property Control transmittal form. This code must appear in column 44 for the information to be put on the agency’s inventory master file.

Code 2—Changes (to existing record)—The agency property manager shall fill in this code when it is desired to correct or make a change to an existing record on an item. Only columns 1-10, the appropriate code in column 11 or 12, plus the revised entry in the heading involved need to be completed.

8.0 Annual Inventory Requirements

8.1 The agency property manager shall conduct a complete physical inventory of the property owned by the agency each fiscal year and not more than twelve calendar months since the last physical inventory. The agency property manager is responsible for recording the true and actual results of the physical inventory.

8.2 The agency property manager shall notify the Commissioner through the State Property Control Director in writing thirty days prior to the date(s) inventory is to begin. Agencies inventoring on a rotating basis shall submit their schedule and shall notify the Commissioner through the State Property Control Director of any changes to be made in that schedule. The Commissioner, State Property Control Director, or their representatives may supervise or observe all or any part of any inventory.

8.3 Each agency property manager whose head of the agency elects to use Inventory Procedure I (8.6) shall utilize the second half of the notification of inventory request for printout, to also request an annual printout (BF-12) of the agency’s inventory master file. This request is the only means for an agency to receive an annual printout of their inventory master file.

8.4 The Commissioner shall cause periodic observations of inventories and examinations of records to be made and shall cause reports submitted to the State Property Control Section to be compared periodically with records of the agencies and with the physical property of the agencies for the purpose of testing the completeness and accuracy of inventories, records, and reports.

8.5 The head of the agency shall determine which

of the two methods of inventory shall be used by the agency property manager in the annual physical inventory of the agency’s property. The agency property manager shall be responsible for using the method determined by the head of the agency to be the best for the operations of his agency. Any procedure used other than the ones prescribed in these regulations (8.6 and 8.7) must have prior written approval of the State Property Control Director.

8.6 Inventory Procedure I.

8.6.1. The agency property manager shall, under the direction of the head of the agency, select the date(s) most convenient to the operations of the agency but not more than twelve months since the last annual physical inventory.

8.6.2. The agency property manager shall complete and submit to the State Property Control Director the notification of inventory/request for printout at least thirty days prior to the date(s) inventory is taken.

8.6.3. The agency property manager, under the direction of the head of the agency, shall designate the personnel who will conduct inventory by areas indicated in the agency’s property location index (7.1).

8.6.4. A copy of the property location index shall be provided to each of the persons participating in the physical inventory. It shall describe the areas and the property location code each is to inventory.

8.6.5. The agency property manager shall provide each person participating in the physical inventory a copy of the BF-12, agency inventory master file, for the area to be inventoried.

8.6.6. The persons participating in the inventory shall be instructed on the use of the inventory check code (on the right side of the BF-12) and shown the column in which to place the appropriate code. The agency property manager shall also instruct those persons on the method to be used to conspicuously mark and report to the agency property manager those items found without a property tag. The agency property manager shall make a determination that the item should or should not be tagged and submitted to the inventory master file based on these regulations.

- 8.6.7. The physical inventory shall be taken on the date(s) preselected. The agency property manager shall notify the State Property Control Director if, for some unforeseen reason, it is necessary to alter the date(s).
- 8.6.8. The agency property manager shall compile the true results of the physical inventory and shall submit a discrepancy report (if applicable) to the State Property Control Director, with a copy to the Legislative Auditor, containing all exceptions or discrepancies found in relating physical inventory results and the agency inventory master file.
- 8.6.9. The discrepancy report shall list each of the missing items, the data on the items, and an explanation of what is believed to have happened to the items not located. A copy of the police report shall be enclosed when theft has occurred. The Commissioner shall cause an investigation to be made upon receipt of a discrepancy report, according to 4.2 of the regulations.
- 8.6.10. The Commissioner, through the State Property Control Director, shall advise the head of the agency how to effect the appropriate disposition, using a BF-11 request to remove the missing items from the agency inventory master file after reconciliation.
- 8.6.11. The agency property manager shall submit the certification of annual property inventory to the State Property Control Director, with a copy to the Legislative Auditor, after the physical inventory and the agency inventory master file have been reconciled according to these regulations.
- 8.7 Inventory Procedure II
- 8.7.1. The agency property manager shall, under the direction of the head of the agency, select the date(s) most convenient to the operations of the agency, but not more than twelve months since the last annual physical inventory.
- 8.7.2. The agency property manager shall complete and submit to the State Property Control Director, the first part (notification) of the notification of inventory/request for printout at least thirty days prior to the date(s) inventory is to be taken.
- 8.7.3. The agency property manager, under the direction of the head of the agency, shall designate the personnel who will conduct inventory by areas indicated in the agency's property location index (7.1).
- 8.7.4. A copy of the property location index shall be provided to each of the persons participating in the physical inventory. It shall describe the areas and the property location code each is to inventory.
- 8.7.5. The agency property manager shall provide each of the persons participating in the inventory with the Inventory Procedure II forms and instruct each with their use and data entry.
- 8.7.6. The agency property manager shall also instruct those persons in the method to be used to conspicuously mark and report to the agency property manager those items found without a property tag. The agency property manager shall make a determination that the item should or should not be tagged and submitted to the inventory master file based on these regulations.
- 8.7.7. The physical inventory shall be taken on the date(s) selected. The State Property Control Director shall be notified by the agency property manager if, for some unforeseen reason, it is necessary to alter the date(s).
- 8.7.8. The agency property manager shall make a copy (for the agency's file) of each of the completed true results on the Inventory Procedure II forms and submit the originals to the State Property Control Director. The State Property Control Director shall submit the results to the Baton Rouge computer center where the tag numbers and location codes will be compared to the agency's inventory master file. A report will be generated and sent to the agency listing: (a) Those items on the agency inventory master file that were not found during the physical inventory, (b) those items that were submitted on the physical inventory forms for which there are no records on the agency inventory master file (by tag number and location).
- 8.7.9. The agency property manager shall submit a discrepancy report (if applicable) to the State Property Control Director, with a copy to the Legislative Auditor, containing all exceptions or discrepancies found in relating physical inventory results and the agency inventory master file.

8.7.10. The discrepancy report shall list each of the missing items, the data on the items, and an explanation of what is believed to have happened to the items not located. A copy of the police report shall be enclosed when theft has occurred. The Commissioner shall cause an investigation to be made upon receipt of a discrepancy report, according to 4.2 of these regulations.

8.7.11. The Commissioner, through the State Property Control Director, shall advise the head of the agency how to effect the appropriate disposition, using a BF-11 request to remove the missing items from the agency inventory master file after reconciliation.

8.7.12. The agency property manager shall submit a request for the agency annual printout (request for printout and the certification of annual property inventory) after the physical inventory and the agency inventory master file have been reconciled according to these regulations. A copy of the certification of annual property inventory shall be sent to the legislative auditor.

9.0 Card File Requirements

9.1 Each time an item is properly submitted into the agency inventory master file, a copy of the information submitted will be sent to the agency property manager on a file card: BF-13. These cards are in addition to the monthly records updated report. There will be an individual card for each item that is acquired.

9.2 The agency property manager shall maintain a current file card system utilizing the BF-13 file cards. The "location changes" section must be maintained by the agency property manager as location changes occur. The disposition section must be completed when the item's disposition has been approved by the State Property Control Director and the item is no longer in the physical possession of the agency. These cards must be maintained as a permanent record of each item of inventory for audit purposes and traceability.

10.0 Reports from State Property Control Section

10.1 The agency property manager submits the Louisiana Property Control transmittal form each week to the State Property Control Director listing the transactions for the week.

Each month two reports will be sent to the agency property manager: 10.1.1. and 10.1.2.

10.1.1. Records Submitted Report—This monthly report shows all the transactions submitted by the agency regardless of whether or not there were errors made on the input data submitted. If errors are made, the item in question will have five asterisks (*****) in the extreme right hand column under "Flag." Asterisks will also appear in the heading where the error was made. The items which are in error will not be accepted into the agency inventory master file. The data on the individual items must be resubmitted correctly on the Louisiana Property Control transmittal form to be accepted into the agency inventory master file.

10.2 Records Updated Report—This monthly report lists all the agency transactions for the past four weeks which were input correctly into the agency inventory master file. There are three exceptions when items will be listed on this report but will not go into the agency inventory master file (See 10.2.1, 10.2.2, 10.2.3). These exceptions will appear in the extreme right heading "Explanation." The data on the individual items must be resubmitted correctly on the Louisiana Property Control transmittal form to be accepted into the agency inventory master file.

10.2.1. Duplicate item—This is when the item being submitted was once on the file and was permanently removed, or the data being submitted is an exact duplicate of an item already on the master file.

10.2.2. Duplicate tag—This is when an item is submitted using a tag number which has already been used.

10.2.3. Missing record—This is when a change is requested on an item which is not on the agency inventory master file.

10.3 BF-13 file cards—These cards will be sent to the agency property manager as a by-product of the records updated report. One card will be issued for each acquisition. (See 9.0).

10.4 Agency inventory master file report (BF-12)—This report contains all the current and updated items on the agency inventory master file and is received upon request from

the agency property manager to the State Property Control Director, before using Inventory Procedure I and after using Inventory Procedure II. If many transactions have occurred during a period of time, a special request may be submitted for this report other than annually (See 8.6.5).

10.5 Special reports—The agency property manager may request one or more of the special reports as deemed necessary to meet these regulations: printout by property location, printout by tag number, printout by classification code, and a special printout of selected classification code(s).

10.6 Inventory classification codes—The State Property Control Section sends an updated copy of Section IV of this manual to all agency property managers of record once each year.

11.0 Agency Reporting Requirements: Summary

11.1 Reports from head of agency.

11.1.1. New agency or agency reorganization—notification of new property manager and domicile (2.1).

11.1.2. Request for more than one agency property manager (2.1).

11.1.3. Notification when agency property manager ceases to function/replaced (2.2).

11.1.4. Notification when property is not located or destroyed, etc. (4.2).

11.2 Reports From Agency Property Manager.

11.2.1. Receipt for annual premium for faithful performance of duty bond (3.1).

11.2.2. Requisitions for State of Louisiana identification tags (6.2).

11.2.3. Authorization not to tag an item (6.5).

11.2.4. Copy of current agency property location index (7.1).

11.2.5. Louisiana Property Control transmittal—weekly (7.2).

11.2.6. Request for Louisiana Property Control transmittal forms (7.2).

11.2.7. Request for agency code number or subagency numbers (7.2.1. and 7.2.2.).

11.2.8. Request for new classification code number (7.2.6.).

11.2.9. Thirty days notice prior to annual inventory (8.2).

11.2.10. Request for BF-12 using Inventory Procedure I (8.6.2.).

11.2.11. Discrepancy report using Inventory Procedure I (8.6.8.).

11.2.12. Certification of annual property inventory using Inventory Procedure I (8.6.11.).

11.2.13. Request for Inventory Procedure II forms (8.7).

11.2.14. Discrepancy report using Inventory Procedure II (8.7.9.).

11.2.15. Certification of annual property inventory using Inventory Procedure II (8.7.12.).

11.2.16. Request for BF-12 using Inventory Procedure II (8.7.12.).

12.0 Acquisition by Transfer From State Property Control Section

12.1 Surplus property from State agencies is normally retained for the inspection of State agencies at least forty-five days before it is sold at public bid or scrapped.

12.2 The purpose for displaying surplus and idle items at the State Property Control Section is for transferring those items to an agency where a need exists, thereby reducing expenditures for additional items.

12.3 The agency property manager or his designated representative shall select the item which their agency needs. A value less than the fair market price shall have been established for each item in the possession of the State Property Control Section and the agency shall be billed for that value when the item has been received by the receiving agency. Payment to the State Property Control Section shall be within thirty days.

12.4 The agency property manager shall use the Louisiana Property Control transmittal form to

input acquisitions by transfer from the State Property Control Section into the agency inventory master file.

13.0 Responsibility of the Budget Office

13.1 The Division of Administration Budget Section shall provide the State Property Control Section with the name and budget number of each new agency, each abolished agency, and consolidation or other change of status of an agency. The status change of an agency shall also include those agencies that operate with revolving funds as nonbudget units. This information shall be provided on a timely basis so that the inventory of State-owned property can be kept accountable.

14.0 Regulations and Orders by the Commissioner

14.1 The Commissioner shall have power and authority to make necessary and reasonable regulations and orders to carry out the provisions of these regulations when it serves the best interest of the State, in addition to specific authorization contained in this section.

Section II

State Property Disposition Regulations

1.0 Definitions

1.1 "Agency" means any State office, department, board, commission, institution, division, officer, or other person, or functional group, heretofore existing or hereafter created, which is authorized to exercise, or that does exercise any function of the government of the State, excluding, however, any governing body or officer of any local government or subdivision of the State or any parochial officer who exercises functions coterminous with the municipality in which he performs those functions.

1.2 "Commissioner" means the Commissioner of the Division of Administration.

1.3 "Division" means the Division of Administration.

1.4 "Property" means all tangible nonconsumable movable property owned by an agency with the exception of property specifically exempted by the Commissioner.

1.5 "State Property Control Director" means the

individual in the State Property Control Section of the Division of Administration who has been designated by the Commissioner as the person responsible to the Commissioner for the administration of the State Property Disposition Regulations.

1.6 "Head of the agency" means the individual responsible for the administration and operations of the agency.

1.7 "Agency property manager" means the officer or employee designated by the head of the agency as property manager for the agency.

1.8 "Surplus property" means any movable State property which is deemed to be of no further use to an agency.

2.0 Inventory Disposition Authority

2.1 No property of any agency shall be sold to any person or legal entity or otherwise alienated, or be transferred, assigned or entrusted to any other agency or to any officer or employee or any other agency without the written permission of the Commissioner through an approved State Property Control transaction form—BF-11.

2.2 An approved State Property Control transaction form BF-11 shall be used as the authority to sell, transfer, scrap, dismantle, loan out, or otherwise remove an item from the agency inventory master file of State agencies.

2.3 The State Property Control transaction form BF-11 must be approved by the State Property Control Director prior to any transfer or disposition of State-owned property. In no case shall property be destroyed prior to the approval of the Commissioner.

2.4 No agency property manager or head of the agency shall authorize the transfer of any items of surplus property to the State Property Control Section without a prior approved BF-11 for each item and a scheduled delivery date from the State Property Control Section. Items which arrive with unapproved BF-11s at the State Property Control Section for disposition will be returned to the shipping agency for proper compliance to these regulations.

2.5 Whenever an agency property manager has

knowledge or reason to believe that any property of the agency is lost, stolen, damaged, or destroyed through vandalism, fire, windstorm, or other acts of God, he shall immediately notify the head of the agency. The head of the agency shall immediately notify the Commissioner, through the State Property Control Director, and follow up with a written report. The State Property Control Director shall make an investigation and take necessary action as provided for in R.S. 39:330.

- 2.6 The Commissioner, through the State Property Control Director, shall advise the head of the agency how to effect the appropriate disposition, using the State property transaction form BF-11 to remove missing items from the agency inventory master file.
- 2.7 The Commissioner shall exercise control of all surplus property and may assign such property for use in other agencies or political subdivisions when it serves the best interest of the State.
- 2.8 These regulations shall govern condemnation and disposition of State property when it is determined that certain items of property are of no use to any agency or the State.
- 3.0 State Property Transaction Form BF-11 (Revision of 07/76)**
- 3.1 This BF-11 is the means of an agency receiving written approval for the disposition of any and all items of State property from an agency. Use only the BF-11 revised 07/76.
- 3.2 The BF-11 is the request from an agency property manager and is not, in any case, to be considered an approval for any action until a copy is received by the agency property manager with Section II—Approval, completed and signed as approved.
- 3.3 Section I—Report and Evaluation
 - 3.3.1. The reporting agency shall be typed in with the complete title and mailing address.
 - 3.3.2. The agency property manager shall complete (check) one of the boxes indicating his recommendation for disposal of the item.
 - 3.3.3. The common name of the article and the manufacturer, if known, shall be completed. Do

not use the BF-11 for more than one item unless prior written approval has been given by the State Property Control Director. If received, quantity may be completed.

- 3.3.4. When the item is a motor vehicle, a motor vehicle condition report form DA 121 (Rev. 6-76) must accompany the BF-11.
 - 3.3.4.1. The certificate of title must be endorsed and notarized and attached to the BF-11 request. The registration certificate (pink slip) shall also be attached to the BF-11 request.
 - 3.3.4.2. Summary—The agency property manager shall enclose with the BF-11 request for transferring vehicles and trailers to the State Property Control Section:
 - a. Motor vehicle condition report DA 121 (Revised 6-76).
 - b. Certificate of title (endorsed and notarized).
 - c. Registration certificate (pink slip).
 - 3.3.5. The complete serial number and make and model number of the item should be filled in on the BF-11 form when it is known.
 - 3.3.6. The following headings on the information form shall be completed utilizing the agency inventory master file in accordance to the regulations in Section I-7.2.1. through 7.2.11. Do not complete columns 11, 12, 39-43, 44, or 45-50 when submitting the data on a BF-11. These headings must be left blank for use by the State Property Control Section.
 - 3.3.7. The description of the physical location of the item shall be explicit.
 - 3.3.8. The section on reimbursement request should be checked if applicable. Note: specific Federal documentation should be attached to the BF-11 showing the specific item was purchased with participating Federal funds and the percentage, before State Property Control may release the reimbursement to the agency. Normally, State agencies are not eligible for any reimbursement for surplus property proceeds.
 - 3.3.9. This section should be signed by the agency property manager with the name and title typed.
- 3.4 Section II—Approval

3.4.1. The disposition stated in this section is binding upon the agency property manager. If it is different than that requested by the agency property manager, the BF-11 will be returned to him, disapproved, and the item shall be resubmitted in the manner prescribed by the State Property Control Director under the remarks section.

3.5 Section III

3.5.1. This section is completed when the item is received at the State Property Control Warehouse.

3.6 Section IV

3.6.1. This section is completed by the State Property Control Section when the item is transferred to another agency. The receipt of the receiving agency is completed by that agency when the item is physically received at that agency.

3.7 The section for the Division of Administration use only is for recordkeeping purposes of the State Property Control Section.

4.0 Agency Inventory Item Removal

4.1 The agency property manager shall use the disposition headings of the Louisiana Property Control transmittal form to remove any item from the agency inventory master file after the item has been approved on a BF-11 by the State Property Control Director.

4.2 Any item to be removed from the agency inventory master file must meet both the following criteria (4.2.1. and 4.2.2.).

4.2.1. The disposition shall have been approved on a State Property Control transaction form BF-11 by the State Property Control Director.

4.2.2 The item to be removed from the agency inventory master file shall no longer be in the physical possession of the agency.

4.3 Disposition use of the Louisiana Property Control transmittal form—Div. of A. form 022-7/76

4.3.1. Agency No. (Columns 1-3)
This three-digit number shall be filled in with the number assigned to the agency by the State Property Control Section. This same number is

the first three digits on all of the agency's State of Louisiana identification tags.

4.3.2. Agency Sub. (Columns 4-5) This two-digit number may be used when it appears as the middle group of numbers on the State of Louisiana identification tag. If it is blank, leave the columns blank. Do not fill in column 4 and leave column 5 blank. If one number, place it in column 5.

4.3.3. Tag Number (Columns 6-10)
The agency property manager shall record the tag number (last group of numbers appearing on the State of Louisiana identification tag) which is on the item that has been disposed. If the tag number has less than five digits, the column(s) to the left in this heading must be left blank.

4.3.4. An example of how to complete the numbers on the State of Louisiana identification tag is shown in Section I, 7.2.3., of this manual.

4.3.5. Transaction: Disposition (Tran. Disp.) (Column 12)
The agency property manager shall fill in the appropriate disposition approved by the State Property Control Director on the BF-11 as described in Section II, 3.0. The following code number should be selected which best describes the approved action requested.

Code 0—Sold—Currently, this code is to be used only by the State Property Control Section.

Code 1—Transfer out—This code is to be used when an item is transferred to the State Property Control Warehouse or another agency after approval is received using a BF-11 and the item has been physically removed from the agency.

Code 2—Traded in—This code is to be used when prior special written approval has been granted by the State Property Control Director and a BF-11 has been received approved and the item has been traded in.

Code 3—Scrapped—This code is to be used when prior permission has been received on a BF-11 for the agency to scrap the item at their location and the item has been removed. If an item is believed to be scrap but is transferred to State Property Control Warehouse, then code 1—transfer out should be used.

Code 4—Dismantled for parts—This code is to be used when prior permission has been received using a BF-11 and the item has been dismantled.

Code 5—Loaned out—This code is to be used when prior permission has been received on a BF-11 and the item has been physically removed.

Code 6—Slaughtered for food—This code is to be used when prior permission has been received using a BF-11 and the animal has been slaughtered. This applies only to animals on inventory master file. See Section I, 5.6.

Code 7—Not located—This code is to be used when prior permission has been received on a BF-11 and after the regulations in either Section I, 4.2, Section I, 8.6.8—8.6.10, or Section I, 8.7.9—8.7.11 have been complied with and satisfied.

Code 8—Not for agency use—This code is not to be used at this time.

Code 9—Loan return—This code is to be used when an item is returned to another agency from which it was borrowed temporarily and prior permission was received using a BF-11.

4.3.6. **Action Code (ACT CD) (Column 44)**
The agency property manager shall fill in code 3 to remove any item from the agency inventory master file. The agency property manager shall be responsible for having in his possession an approved BF-11 for the disposition requested and for ascertaining that the item is no longer in the physical possession of the agency.

4.3.7. **Approved BF-11 Number**
This heading must be filled in by the agency property manager with the approved BF-11 number (each number is unique) when taking disposition action on any item which would remove the item from the agency inventory master file. If the BF-11 number is less than six digits, leave the columns to the left under this heading blank.

4.3.7.1. The State Property Control Director shall cause an immediate investigation into any case where an item is removed from the agency inventory master file without written approval using a BF-11. When the investigation results do not satisfy the requirements of these regulations the

case shall be turned over to the Legislative Auditor and/or the Attorney General.

4.3.8. The only headings which must be filled in by the agency property manager for disposition of an item from the agency inventory master file are: agency number, sub, tag numbers (columns 1-10), transaction: disposition (column 12), action code (code 3 must be in column 44), and the approved BF-11 number.

5.0 **Surplus Property Disposition**

5.1 The agency property manager shall submit, within the week it becomes known, each idle or surplus item within his agency for disposition request utilizing a State Property transaction form BF-11.

5.2 These regulations of the Commissioner shall govern the condemnation and disposition of State property when it is determined that certain items of property are of no use to the agency or to the State.

5.3 Property transferred to the State Property Control Section of the Division of Administration may be assigned for use in other agencies or political subdivisions when the Commissioner deems it to be in the best interest of the State.

5.4 The Commissioner shall, after allowing a reasonable amount of time for examination by other agencies, sell State surplus property at public bid when it is determined to be in the best interest of the State.

5.5 The State Property Control Director shall deposit the proceeds from the transfer or sale, at public bid, in the State Property Control Section revolving fund. There are a few instances where an agency may receive partial reimbursement for surplus property.

5.5.1. **Originating purchase from participating Federal funds**—The agency transferring the item shall be reimbursed ninety percent of the percentage of Federal funds used for the original purchase. A copy of supporting Federal documentation must be enclosed with the BF-11 request for transfer to the Property Control Section. Example: if an item was purchased with 75/25 Federal funds and was sold at surplus public bid for \$100.00 the amount reimbursed would be 90% of \$75.00, or \$67.50. Note: The use by