

CONTENTS

I. EXECUTIVE ORDERS	
DCT 80-7 — Prohibition of power boat navigation on False River	249
DCT 80-8 — Creation of Governor's Rural Development Council.....	249
DCT 80-9 — Creation of State Occupational Information Coordinating Committee	249
DCT 80-10 — Creation of Office of Telecommunications Management	250
DCT 80-11 — Prohibition of False River power boat navigation lifted	251
II. EMERGENCY RULES	
Education Department:	
Board of Elementary and Secondary Education — Employment of school psychologists	251
Natural Resources Department:	
Office of Conservation — Section 185.22 (b) of Statewide Order 29-0-1.....	252
III. RULES	
Agriculture Department:	
State Market Commission — Loans and loan guarantees	252
Education Department:	
Board of Elementary and Secondary Education — Training Activities of Education Personnel, Migrant Education State Plan, revision of ordering cycles for textbooks, Tri Party Agreement	257
Board of Trustees for State Colleges and Universities — Revenue producing summer camps	257
Pre-enrollment Applications and letters of intent	257
Governor's Office:	
Division of Administration — Central Purchasing, rules and regulations for bids	258
Louisiana Commission on Law Enforcement and Administration of Criminal Justice — 1981 policy	270
Tax Commission — Revision of Assessment of Real and Personal Property.....	272
Health and Human Resources Department:	
Board of Examiners for Nursing Home Administrators — Revised rules and regulations	276
Office of Family Security — Medicaid payments for abortions	276
Patient transfer procedure.....	276
Home leave days covered by Title XIX.....	278
Payment to long term care facilities.....	278
Office of Hospitals — Unclaimed bodies	279
Office of Human Development — Adoption of the Title XX Comprehensive Annual Services Program Plan	279
Insurance Department:	
Division of Property and Casualty Insurance — Interlocal risk management agencies	280
Prevention of use of confidential information.....	283
Public Safety Department:	
Office of Motor Vehicles — Special license plates.....	283
Revenue and Taxation Department:	
Tax credits and tax warrants	285
Transportation and Development Department:	
Variable load suspension axle	286
IV. NOTICE OF INTENT	
Agriculture Department:	
Office of Agricultural and Environmental Sciences — Pesticide wastes and waste pesticide container disposal	286
Structural Pest Control Commission — Revision of rules and regulations	286
Education Department:	
Board of Elementary and Secondary Education — Agenda for the July meeting.....	286
Board of Regents — Amendments to the Academic Affairs Policy.....	287
Southern University Board of Supervisors — Increased charges for tuition, room, board, student insurance, and laboratory school fees	287
Governor's Office:	
Office of Elderly Affairs — State allotment.....	287
Facility Planning and Control — 1978 Edition of the Louisiana Capital Improvement Projects Procedure Manual for Design and Construction.....	287
Health and Human Resources Department:	
Board of Examiners of Psychologists — Use of specialty titles and renewal of lapsed licenses	288
Office of Family Security — Levels of administrative sanctions.....	288
Office of Health Services and Environmental Quality — Legitimation	288
Office of the Secretary — Revision of policy on Treatment of Resident income in State Intermediate Care Facilities for the Mentally Retarded.....	289
Natural Resources Department:	
Office of Conservation — Operation of Conservation Specialists, Inc., Waste Disposal Number 1 Well and Waste Disposal Number 2 Well	289
Office of Environmental Affairs — Application for Phase I Interim Authorization of the Hazardous Waste Management Program.....	289
Presentation of Environmental Protection Agency's new hazardous waste regulations.....	289

Environmental Control Commission — Revision of Air Quality State Implementation Plan	290
Claims for The Fishermen's Gear Compensation Fund	290
Transportation and Development Department:	
Size, weight, load policy for vehicles on Louisiana highways revised	290
Treasury Department:	
State Bond Commission — Mortgage Finance Authorities, revised guidelines	290
Board of Trustees of the State Employees Group Benefits Program — Premium rate increase	290
Wildlife and Fisheries Department:	
Wildlife and Fisheries Commission — 1980-81 waterfowl season dates and bag limits	291
V. POTPOURRI	
Louisiana Democratic Party — Constitution and by-laws	291
VI. ERRATUM	
Natural Resources Department:	
Office of Conservation	296
Transportation and Development Department	297
Office of Aviation and Public Transportation	297

Executive Orders

EXECUTIVE ORDER DCT 80-7

WHEREAS, due to natural and incidental man-made catastrophes and disaster which have resulted and will continue to result from the torrential rains, highwater levels and flooding of certain areas of the State of Louisiana, causing, or threatening to cause widespread and severe damage and injury, including loss of life or property; and

WHEREAS, persons and property in and near False River in Pointe Coupee Parish may be victimized or threatened by such catastrophes and disasters; and

WHEREAS, the seriousness of the current emergency has been publicly announced by the Police Jury of Pointe Coupee Parish, Louisiana with the request that specific emergency action be taken; and

WHEREAS, when such conditions exist and valid requests are made to him, it is necessary and appropriate, under the constitution and laws of this state, for the Governor to take such action as he considers necessary and appropriate to protect lives and property to the end that existing hazards and dangers will be decreased and hopefully eliminated; and

WHEREAS, power boat navigation on False River during this time of crisis can only serve to cause damage and injury and to maintain the level of or to increase existing hazards and danger to life and property; and

WHEREAS, the Chief Executive of Louisiana is required to act in the public interest in times of emergency, catastrophe, and disaster,

NOW, THEREFORE, by virtue of the powers vested in me to preserve law and order and to curtail and reduce the injury and damage to persons and property resulting from catastrophe and disaster, I, DAVID C. TREEN, acting under the authority granted to me and the duties imposed upon me by Article 4, Section 5(A) and (J) of the Louisiana Constitution of 1974, Act 636 of 1974 as amended by Section 1 of Act 645 of 1975 (The Louisiana Disaster Act of 1974), do hereby, and for an indefinite period not to exceed 30 days from this date, order and proclaim that power boat navigation on False River be and the same is hereby prohibited.

IN WITNESS WHEREOF, I have hereunto set my hand officialy 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 17th day of May, A.D., 1980.

David C. Treen
Governor of Louisiana

EXECUTIVE ORDER DCT 80-8

WHEREAS, the State of Louisiana recognizes the importance of its rural areas to the state's economic, social and cultural well-being; and

WHEREAS, these rural areas are suffering population decline, economic stagnation and increased demand for government services; and

WHEREAS, state, federal, and local governments and agencies are vitally interested in maintaining and developing rural areas of Louisiana;

NOW, THEREFORE, I, DAVID C. TREEN, Governor of the State of Louisiana, by virtue of the power vested in me by the constitution and the laws of this state, do hereby create a Gov-

ernor's Rural Development Council which will allow public officials, government agencies and private agencies to assemble and develop coordinated programs for rural development.

BE IT FURTHER RESOLVED, that the Governor's Rural Development Council shall propose means to coordinate state, federal and local governmental resources with private resources to develop rural areas of Louisiana. The activities of the Council shall include but not be limited to:

Research on rural conditions and problems and governmental actions to alleviate these conditions;

Development of intergovernmental programs for the development of rural areas that will allow for the more efficient use of public resources;

Provide advice to the Governor and the Legislature on the need for and suggested composition of a state rural development policy;

Formation of subcommittees composed of Council members and other appropriate public and private interests to impact on specific rural development problems.

BE IT FURTHER RESOLVED, that said Council shall be composed of six members to be appointed by the Governor one from each of the following organizations: 1) the Louisiana Association of Planning and Development Districts, 2) the Louisiana Farm Bureau, 3) the Louisiana Municipal Association, 4) the Police Jury Association of Louisiana, 5) the Louisiana Ozarks Regional Commission, 6) a representative of commercial agribusiness.

The Louisiana Commissioner of Agriculture; the Secretary of the Louisiana Departments of Commerce, Health and Human Resources, Natural Resources, Transportation and Development, Urban and Community Affairs, and Wildlife and Fisheries; the Director of the Louisiana Cooperative Extension Service and the Executive Director of the Louisiana State Planning Office will serve as ex-officio members representing state agencies.

The State Executive Director, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture; State Director, Farmers Home Administration, U.S. Department of Agriculture; the State Conservationist, Soil Conservation Service, U.S. Department of Agriculture; the Louisiana Economic Development Representative, Economic Development Administration, U.S. Department of Commerce; the District Engineer, New Orleans District, U.S. Army Corps of Engineers; and the Regional Director, Federal Region VI, U.S. Department of Housing and Urban Development will serve as ex-officio members representing federal agencies.

The Louisiana Congressional Delegation is requested to designate a representative to this Council.

The Louisiana Senate and the Louisiana House of Representatives are each requested to designate a representative to this Council.

BE IT FURTHER RESOLVED, that the Governor's Rural Development Council shall elect a chairman from among its members and meet at the discretion of its members but not less often than once each quarter.

IN WITNESS WHEREOF, I have hereunto set my hand officialy 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 27th day of May, A.D., 1980.

David C. Treen
Governor of Louisiana

EXECUTIVE ORDER DCT 80-9

WHEREAS, by Public Law 94-482 Congress established the National Occupational Information Coordinating Committee for the purposes of improving coordination among vocational educa-

tion, vocational rehabilitation, and manpower training programs, and to develop a source of information which will facilitate the accurate analysis and prediction of occupational supply and demand; and

WHEREAS, the Congressional Act mandates each state receiving funds under the Comprehensive Employment and Training Act of 1973 (CETA) to participate in this occupational information program, and to form a State Occupational Information Coordinating Committee, and to create a coordinated system of employment information; and

WHEREAS, in order to provide more realistic employment opportunities and to generate information necessary to achieve the related but distinct objectives of vocational, educational, and rehabilitative programs, there should be developed uniform definitions of employment terminology, standards for estimating jobs, standards for estimating the labor force, and standard occupational classifications; and

WHEREAS, all of the above are national goals which can best be accomplished by full cooperation and coordination of efforts between the Federal government and the governments of the participating states; and

WHEREAS, this Administration is aware of the urgent need to manage public vocational programs in the most efficient manner and to provide a system of common information so as to contribute to the development of our state's economy; and

WHEREAS, the Congress has appropriated funds to initiate a coordinated occupational information system; and

WHEREAS, by participation in this program the State of Louisiana will realize many benefits, including improved governmental response to the needs of employers and job seekers, more effective management, more reliable occupational information for the use and benefit of public entities and private enterprise alike, more clearly identified employment opportunities, and improved reporting on the labor market.

NOW, THEREFORE, I, DAVID C. TREEN, Governor of the State of Louisiana, by the power and authority vested in me by the Constitution and the laws of the State, do hereby create and establish in the Department of Labor the State Occupational Information Coordinating Committee. Fiscal responsibility shall be vested in the State Department of Labor which embraces the Office of Employment Security. The Committee shall be an interagency public body composed of the Assistant Secretary of the Office of Employment Security, Department of Labor; the Assistant Secretary of the Office of Rehabilitation Services, Department of Health and Human Resources; the Director of the State Employment and Training Council; and a representative of the Vocational-Technical Education Committee of the State Board of Elementary and Secondary Education (The State Board of Vocational Education).

The Committee shall:

1) Create an occupational information system for the State of Louisiana. This system, shall be housed in the Department of Labor, shall serve the State's programs in vocational education, vocational rehabilitation, manpower training, and economic development.

2) Execute an interagency agreement for the purpose of coordinating a program of occupational information.

3) Develop a delivery system which will provide occupational and educational information to be used for career choice and job search purposes.

4) Develop information on labor demand and supply, using uniform employment definitions, standard estimation and projection procedures, and standard occupational classifications.

5) Upon request, provide State agencies, members of the Legislature, or private citizens with accurate, pertinent information.

6) Submit an annual plan of operation to the Louisiana Department of Labor and the National Occupational Information Coordinating Committee.

BE IT FURTHER PROVIDED, that only the four statutory members as established by the Congressional Act, who are the administrators of the State Manpower Services, Vocational Education, Vocational Rehabilitation, and Employment Security Programs, or their delegated representatives, may decide any matter concerning the expenditure of funds.

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 27th day of May, A.D., 1980.

David C. Treen
Governor of Louisiana

EXECUTIVE ORDER DCT 80-10

WHEREAS, the State of Louisiana's telecommunications services represents a multimillion dollar annual expenditure; and

WHEREAS, modern day telecommunications services is one of the most effective tools of management; and

WHEREAS, consolidated management of the state's telecommunications systems can result in a significant cost savings to state government; and

WHEREAS, consolidated purchase lease and/or a procurement of telecommunication equipment, circuits, lines and instruments can assure that a uniform and high quality of telecommunication service can be provided to all of state government; and

WHEREAS, consolidated billing for service can allow the state to take advantage of the use of high volume, low cost, intra and inter state private line telecommunication circuits and switching systems; and

WHEREAS, emerging new technologies in telecommunication services must be investigated and integrated into the state telecommunication system when applicable,

NOW, THEREFORE, I, DAVID C. TREEN, Governor of the State of Louisiana, by virtue of the authority vested in me under the Constitution and laws of this State, specifically Louisiana Revised Statutes, Title 39, do hereby establish and affirm the duties and responsibilities of the Office of Telecommunications Management, a subdivision of the Division of Administration, as herein after prescribed.

The Office shall establish, manage and operate, through either state ownership or commercial leasing, telecommunication systems and services as they affect management and operation of state government. Telecommunications system or service as defined in this order, shall mean the equipment, personnel, policies and means necessary to provide:

- 1) Central telephone systems and telephone networks,
- 2) Teleprocessing and data transmission networks,
- 3) Teletype and facsimile networks,
- 4) Satellite services,
- 5) Radio paging services,
- 6) Mobile telephone service,
- 7) Intercom and electro-mechanical paging system,
- 8) Any and all systems based on emerging and future telecommunication technologies, and
- 9) Any other telecommunication service or activity mandated to the agency by statute, rule, regulation or order.

State agencies as referred to in this order are those state agencies defined in Louisiana Revised Statutes, Title 39.

The Office shall act as the sole centralized customer for the acquisition, billing and record keeping of all leased telecommunication systems or services provided to state agencies.

The Office, under the authority of the Centrex Revolving Fund, shall charge respective user agencies for their proportionate cost of the installation, maintenance and operation of the telecommunications systems and services, including the operation of the Office.

Emergency Rules

The Office shall develop coordinated telecommunications systems or services within and among all state agencies, departments and institutions, and require, where appropriate cooperative utilization of telecommunication equipment and services by aggregating users.

The Office shall review, coordinate, approve or disapprove all requests by state agencies for the procurement, through purchase or contract for lease, of telecommunications systems or services including telecommunication proposals, studies and telecommunication consultation contracts.

The Office shall establish and define telecommunications systems and services specifications and designs so as to assure compatibility of telecommunication systems and services within state government.

The Office shall provide a continuous comprehensive analysis and inventory of telecommunications costs, facilities, systems and personnel within state government.

The Office shall promote, coordinate and/or assist in the design and engineering of emergency telecommunications systems, including but not limited to "911" service, emergency medical services and other emergency telecommunications services.

The Office shall advise and provide consultation to agencies and institutions of telecommunications management planning and related matters and provide training to users within state government in telecommunications technology and system use.

The Office shall develop policies, procedures and long range plans, consistent with the protection of citizens' rights to privacy and access to information, for the acquisition and use of telecommunications systems, and to base such policies or current information about state telecommunications activities in relation to the full range of emerging technologies.

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 2nd day of June, A.D., 1980.

David C. Treen
Governor of Louisiana

EXECUTIVE ORDER DCT 80-11

WHEREAS, Executive Order No. 80-7, issued the 17th day of May, 1980, ordered and proclaimed power boat navigation on False River to be prohibited; and

WHEREAS, such Executive Order was issued because power boat navigation on False River at that time could have caused damage and injury to life and property; and

WHEREAS, the threat of danger has passed and such emergency condition no longer exists,

NOW, THEREFORE, by the powers vested in me, and acting under the authority granted to me and the duties imposed upon me by Article 4, Section 5 (A) and (J) of the Louisiana Constitution of 1974, and Act 636 of 1974, as amended by Section 1 of Act 645 of 1975 (The Louisiana Disaster Act of 1974), I, DAVID C. TREEN, Governor of the State of Louisiana, do hereby cancel and rescind Executive Order No. 80-7, ending the prohibition of power boat navigation on False River.

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 6th day of June, A.D., 1980.

David C. Treen
Governor of Louisiana

DECLARATION OF EMERGENCY

Board of Elementary and Secondary Education

The State Board of Elementary and Secondary Education, at its meeting on May 22, 1980, exercised those powers conferred by the emergency provisions of the Administrative Procedures Act R.S. 49:953B in order to protect the welfare of the handicapped children of the State of Louisiana.

The Board adopted a policy change regarding employment of school psychologists as presented by the State Department of Education. This policy change was adopted for temporary implementation to expire as of January 1, 1981, in order that persons meeting these adopted requirements could perform evaluations this summer. Otherwise evaluations could be delayed because of limited personnel. This change would permit evaluations to be conducted quicker to better serve the needs of the handicapped children of the State of Louisiana.

Policy Change Regarding Employment of School Psychologists

A school psychologist or school psychological assistant certified under the provisions of the Board of Elementary and Secondary Education established in Bulletin 746 and who meets the following criteria shall be considered as meeting the requirements in Section 432 (d) of the regulations implementing Act 754 for an educational consultant on each multidisciplinary team.

1. At least three semester hours in psycho-educational assessment, educational diagnosis, or academic assessment which includes the administration, scoring and interpretation of academic achievement tests.

2. At least three semester hours in the remediation of reading or learning problems, task analysis, curriculum development, or diagnostic-prescriptive instruction.

3. Three semester hours in course work covering behavioral intervention strategies in the classroom.

4. At least one year of experience conducting psycho-educational evaluations and providing recommendations for educational interventions. This experience requirement may be satisfied by either:

a. Supervised internship or externship experience of one school year (minimum nine months or one thousand clock hours) or the equivalent, the successful completion of which is verified by the university or the individual's transcripts, or;

b. One year of successful experience as a school psychologist in a public or private school setting providing services which included psycho-educational assessment and recommendations for educational interventions, such duties being a regular aspect of the school psychologists job description. This experience shall be documented by the job description and verified in writing by the individual's immediate supervisor for the required year.

c. A combination of documented university practicum or internship experience and at least six months work experience, the combination of which covers at least a full school year, and which is verified as in (a) and (b) above.

When a psychologist as described above is used on the multidisciplinary team for a child, that student's teacher (or if on secondary level counselor or chosen "lead teacher") shall be a full member of that evaluation team and must be present at the evaluation staffing and sign the report as a full member of the multidiscipline team.

These criteria shall be in effect until new certification requirements for school psychologists are revised in accordance with the intent of this policy. Persons who qualify under the provisions of this policy shall retain their qualified status subject to certification renewal requirements to be specified in the new certification re-

quirements for school psychologists.

Rationale: The intent of P.L. 94-142 and Act 754 with respect to evaluations conducted by multidisciplinary appraisal teams is to ensure appropriate and valid evaluations for placement and instructional decisions for suspected handicapped children.

Certain evaluation areas (e.g., hearing) clearly fall within the professional expertise of one discipline (e.g., audiological evaluations). Other evaluations may be conducted by trained professionals in more than one discipline, and educational evaluations are of this type.

Educational consultants and qualified school psychologists may both be trained to administer, interpret and make recommendations on the basis of educational and "psycho-educational" instruments.

Formal training programs in school psychology include considerable course work and practicum experience in educational assessment and intervention. The accreditation standards of the National Council for Accreditation of Teacher Education (NCATE) and the National Association of School Psychologists (NASP) require that school psychology training programs include in their curriculum content areas such as:

- a. Instructional and remedial techniques
- b. Psycho-educational assessment
- c. Consultation
- d. One thousand hours of internship experience
- e. Behavioral interventions.

Efforts are currently under way to begin formal school psychology training programs in Louisiana which will meet NCATE accreditation requirements and which will train school psychologists to provide a broad range of psychological services in the schools, for more than the traditional role of only a "tester". Although many school psychologists in Louisiana do not have the necessary training and experience to conduct psycho-educational evaluations and make recommendations for educational interventions, others do have these skills either as a result of additional graduate study in education in Louisiana or as a result of receiving their training in formal school psychology programs in other states.

It would be to our advantage, in terms of service needs, manpower needs, and cost-efficiency, to fully utilize the training and experience of our personnel. It is also our belief that the adoption of this recommended policy would encourage psychologists currently employed in Louisiana to obtain the training advocated in this recommendation as such training will be recommended in the revised certification requirements for school psychologists which will be presented for your adoption by the end of this calendar year.

James V. Soileau
Executive Director

DECLARATION OF EMERGENCY

Department of Natural Resources Office of Conservation

Pursuant to the provisions of R.S. 49:953B, the Commissioner of Conservation has adopted Section 185.22(b) of Statewide Order 29-0-1 relative to in situ processing activities in connection with surface mining activities under the Louisiana Surface Mining Program.

This rule is being adopted on an emergency basis due to the Surface Mining Control and Reclamation Act of 1976. Failure to adopt Section 185.22(b) could imperil approval by the Department of the Interior of final authority for the State of Louisiana over surface coal mining operations within the State and an imminent peril to public welfare requires this emergency action.

This rule is designed to clarify the existing Section 185.22(b) as it presently appears in Statewide Order 29-0-1 and as it applies to in situ processing activities.

This section shall be effective on or after June 20, 1980.

Rule

Section 185.22(b)

An application for a permit for operations covered by this Section shall be made according to all requirements of 30 CFR Subchapter G applicable to underground mining activities, which are, for the specific and limited purposes of this Section, hereby adopted and made a part hereof. In addition, the mining and reclamation operations plan for operations involving in situ processing activities shall contain information establishing how those operations will be conducted in compliance with the requirements of Part 228, including:

1. Delineation of proposed holes and wells and production zone approval of the Office;
2. Specification of drill holes and casings proposed to be used;
3. A plan for treatment, confinement or disposal of all acid-forming, toxic-forming or radioactive gases, solids, or liquids constituting a fire, health, safety or environmental hazard caused by the mining and recovery process; and
4. Plans for monitoring surface and ground water and air quality, as required by the Office.

R. T. Sutton
Commissioner of Conservation

Rules

RULE

Department of Agriculture State Market Commission

Procedures for Authorization and Administration of

State Market Commission Loans and Loan Guarantees

1.0 Eligibility.

1.1 Any person, firm, corporation, partnership, or association engaged in the marketing, processing, and/or storage of Louisiana farm products shall be eligible for a State Market Commission loan or loan guaranty, upon proper application and approval therefore, as set forth herein.

1.2 "Farm products" means any agronomic, horticultural, silvicultural, or aquacultural crop; any commercially raised livestock or raw product derived therefrom; or any final derivative resulting from a combination or breakdown of raw farm products.

1.3 Costs associated with the purchase, construction, or necessary improvement of any agricultural plant shall be eligible for a State Market Commission loan.

1.4 The State Market Commission shall give priority to persons, firms, corporations, partnerships, and associations which utilize Louisiana agricultural products to the maximum extent possible.

1.5 The State Market Commission shall also give preference to those persons, firms, partnerships, corporations, and associations which, at the time of the loan application, provide, or expect to provide upon completion of a facility, new or expanded job opportunities for the Louisiana work force.

2.0 Time for filing applications.

2.1 Applications may be filed at any time throughout the year and may be personally delivered to the State Market Commission office in Baton Rouge or forwarded through the United States Mail.

2.2 An application will be considered filed only upon provision of all information required in Rule 3.0.

2.3 A complete application, consisting of all information required in Rule 3.0, must be physically on hand in the State Market Commission office at least twenty working days prior to the State Market Commission meeting at which the application will be consi-

dered by the Commission.

3.0 Contents of Application.

3.1 Every applicant for a Market Commission loan, whether for a direct or participation loan, or for a loan guaranty, shall submit the following information to the State Market Commission:

- (a) Names and addresses of all principals.
- (b) A statement of the nature and amount of the interest held by each principal.
- (c) Sworn statement of the relationship, if any, of any of the principals with any state official and/or with any employee of the State Department of Agriculture.
- (d) Location and legal description of the property to be offered as security.
- (e) Evidence that title is or can be vested in the name of the applicant.
- (f) Personal financial statements of every principal of the firm, corporation, partnership, or association, prepared in accordance with generally accepted accounting principles. In the case of corporations and cooperative associations, every member of the Board of Directors, by whatever name known, must provide personal financial statements.
- (g) Credit analyses of the principals, to be provided by an independent source, such as a bank or other lending institution.
- (h) A property appraisal, prepared in accordance with Rule 4.0 hereof, of all movable and immovable property to be offered as security.
- (i) Listing of all equipment and furnishings, both movable and immovable by destination, with amortization tables as appropriate, if equipment and furnishings will be offered as part of the security.
- (j) Evidence of rejection, with written reasons therefor, from at least two private lending institutions in the area or at least two public lending institutions other than the State Market Commission.
- (k) Evidence of satisfactory interim financing.
- (l) A three-year projected cash flow statement.
- (m) An evaluation of the professional management capability of the individual(s) primarily responsible for the operation of the facility, to be provided by an independent, reputable source not involved in the firm, partnership, corporation, or association.
- (n) An explanation of how the marketing facility for which the loan is sought will benefit the community in which the facility is to be located.
- (o) Written authorization for the State Market Commission to perform any credit check(s) which the Commission may, in its discretion, deem advisable.

3.2 Every applicant for a loan for new construction shall provide, in addition to the information required by Rule 3.1, the following information:

- (a) Blueprints and construction specifications, if available at date of application. In the absence of blueprints and construction specifications, the applicant shall provide a written description of the planned construction at the time of application, to be followed by blueprints and construction specifications as set forth herein. It is not the intent of the Market Commission to require unnecessary expenditure of the applicant's funds; however, in the event that blueprints and construction specifications cannot be provided at the time of application, any applicant receiving approval for a loan shall be required to provide, within 90 days after approval of the loan, either (1) copies of blueprints and construction specifications, or (2) a written statement of the reasons for delay in provision of such blueprints and construction specifications. Reasons acceptable to the Market Commission shall include, but not be limited to, failure of the architect to timely provide all drawings and specifications.
- (b) A statement of the number of jobs to be made available upon completion of the facility.
- (c) Evidence of adequate operating funds for a period of at least one year following completion of the facility.

(d) A projected construction schedule, with anticipated completion date.

3.3 Every applicant for a loan for the purchase or expansion of existing facilities shall provide, in addition to the information required by Rule 3.1, the following information:

- (a) Profit and loss statements for the three years immediately preceding date of the application.
- (b) Balance sheets for the three years immediately preceding date of the application.
- (c) Statement demonstrating the marketability of the product or process for which the funds are sought.
- (d) Such additional market data as will enable the State Market Commission to determine the advisability of loan approval.
- (e) A statement of the number of jobs existing at the time of the application and the number of additional jobs to be created as a result of the proposed purchase and/or expansion of the facility.
- (f) Blueprints of the existing facility, if purchase is contemplated, and, in the case of proposed expansions, blueprints of the existing and proposed facility. The applicant shall provide a detailed statement of reasons when prints cannot be provided. In the event that blueprints and specifications cannot be provided at the time of the application, any applicant receiving approval for a Market Commission loan will be required to provide blueprints and construction specifications within 90 days after approval of the loan. The Market Commission may, however, at its discretion, waive the requirement for provision of blueprints and construction specifications for simple additions, but shall waive such requirement only in open session with adequate explanation for its actions.

3.4 Any applicant for a loan guarantee shall provide, in addition to the information required by Rule 3.1, a letter of commitment from a lending institution setting forth the terms and conditions upon which the loan sought to be guaranteed will be made.

4.0 Appraisal.

4.1 The State Market Commission shall develop and maintain for public examination at any time a listing of approved appraisers and a file of the credentials of such approved appraisers.

4.2 In order to have his or her name included on the State Market Commission Listing of Approved Appraisers, an applicant shall submit the following information:

- (a) A personal financial statement, prepared in accordance with generally accepted accounting principles.
- (b) At least three written statements of his or her competence as an appraiser from organizations such as banks or other financial institutions, real estate boards or licensed real estate brokers, mortgage loan institutions, and so forth.
- (c) A written statement of his or her areas of expertise in appraising property.
- (d) A written statement of his or her years of experience as an appraiser.
- (e) Evidence of inclusion on the approved appraising listing of any state or federally chartered banks, or such public agencies as the Small Business Administration, the Farmers Home Administration, the Production Credit Association, the Federal Housing Authority, or other similar institution.
- (f) A written statement containing any additional information which the applicant thinks would be beneficial to the Market Commission's determination of qualifications.

4.3 Applicants for inclusion on the State Market Commission Listing of Approved Appraisers shall pay a fee of twenty-five dollars at the time of filing request for inclusion on the list, which fee shall be deposited in the General Fund of the State of Louisiana and shall be non-refundable to the applicant regardless of the decision of the Market Commission with respect to the listing.

4.4 Any applicant for listing on the State Market Commission Listing of Approved Appraisers who is denied a listing may appeal the decision of the State Market Commission under the general appeals procedures of the State Department of Agriculture.

4.5 Pending development of a comprehensive Listing of Approved Appraisers, the Market Commission may approve appraisers on an individual basis, but the Market Commission shall not approve appraisers in the absence of all information required under Rule 4.2 after November 1, 1980.

4.6 Applicants for inclusion on the State Market Commission Listing of Approved Appraisers may make application at any time throughout the calendar year, and the names of approved applicants shall be added to the listing immediately upon approval action by the Market Commission.

4.7 All applicants for a Market Commission direct or participation loan, or loan guaranty, must submit, as a part of the application package, an appraisal performed by an appraiser selected as follows from the State Market Commission Listing of Approved Appraisers:

(a) The applicant may review the file of credentials of approved appraisers, except for personal financial statements, and shall select from the Listing of Approved Appraisers three appraisers who are acceptable to the applicant.

(b) The applicant shall notify the Market Commission in writing the names of the three appraisers selected by the applicant.

(c) The Market Commission staff shall select one appraiser from the list of three appraisers submitted by the applicant and shall notify the applicant in writing of the appraiser selected by the staff to perform the appraisal.

(d) The applicant and the State Market Commission staff shall meet with the appraiser selected and negotiate a fee satisfactory to the applicant and the appraiser.

(e) The agreement for performance of the appraisal shall be in writing for the protection of all parties, the agreement to be prepared by the State Market Commission staff unless the applicant wishes to secure private legal counsel.

(f) Failure to agree upon a fee shall result in selection of another appraiser. In such circumstance, the applicant shall be permitted to add one additional name, selected from the Listing of Approved Appraisers, to the list and the Market Commission staff shall again select from the list and follow the procedures outlined in Rule 4.7.

4.8 The applicant shall be responsible for payment of the agreed-upon appraisal fee.

4.9 The Market Commission may, at its discretion, directly employ an appraiser listed on the Listing of Approved Appraisers to conduct any appraisal.

(a) When the Market Commission directly employs an appraiser, such appraisal shall be performed at the cost of the Market Commission.

(b) The applicant shall cooperate fully with any appraiser employed directly by the Market Commission.

(c) The Market Commission shall give weight to the appraisal performed by the appraiser selected by the applicant as well as to the appraisal performed by the appraiser employed by the Commission.

4.10 The listing of any appraiser on the State Market Commission Listing of Approved Appraisers shall be valid for a period of two years from the date of the Commission's approval.

(a) Thirty days prior to the second anniversary of each listing, the Market Commission staff shall notify the appraiser, at the last address furnished by the appraiser, of the date on which approval for listing will terminate.

(b) The appraiser so notified may renew his or her listing for an additional two-year period upon payment of a five dollar renewal fee, without the necessity for submission of the information required in Rule 4.2.

4.11 The Market Commission staff may recommend to the Market Commission at any time the removal from the Listing of Approved Appraisers the name of any appraiser who, in their judgment, should be removed.

4.12 Any appraiser so removed from the Listing of Approved Appraisers shall be immediately notified in writing of the removal

and may appeal such removal under the general appeals procedures of the State Department of Agriculture.

4.13 Upon request, the Market Commission shall furnish any applicant or interested citizen a copy of the Listing of Approved Appraisers.

5.0 Conditions for approval of application for Market Commission loan.

5.1 The applicant must provide all required information at least twenty working days prior to the meeting at which the application will be considered. The Market Commission shall not consider any incomplete application.

5.2 The applicant must appear in person at the meeting at which the application will be considered, in order to provide any additional information which may be required by the Market Commission.

5.3 Approval of the loan must not result in encumbrance(s) on the property offered as security in excess of seventy-five percent of the appraised value of the property.

5.4 The period for which the loan is requested must not exceed five years, provided, however, that the State Market Commission may, under conditions hereinafter set forth, extend the period of the loan for an additional period not to exceed a total of fifteen years from the date of the original loan, as required under R.S. 3:407 (G).

5.5 Approval of a direct loan application shall be limited to seventy-five percent of the value of the property offered as security when covered by a first mortgage to the State Market Commission.

5.6 Approval of a direct loan application shall be limited to fifty percent of the value of the property offered as security when covered by a second mortgage to the State Market Commission.

5.7 Approval of a loan guaranty application shall be limited to seventy-five percent of the total amount required by the borrower.

5.8 Approval of a direct loan or seventy-five percent of the amount expended for purchase, construction, or necessary improvement to facilities that manufacture containers for farm products must be secured by a first mortgage to the Market Commission if the amount loaned is in excess of fifty percent of the value of the property offered as security, but may be secured by a second mortgage to the Market Commission if the amount loaned is fifty percent or less than the value of the property offered as security, as provided in R.S. 3:407 (C) (3).

5.9 A market assessment and/or feasibility study conducted or secured by the Market Commission staff must support the advisability of the loan.

5.10 The loan application must satisfy all legal requirements, as evidenced by the written approval of the Department attorney.

6.0 Conditions for disbursement of Market Commission loan proceeds and Market Commission concurrence in loan guarantees.

6.1 Prior to the setting of a date for the loan closing, the applicant must submit satisfactory proof that the facility, if new construction and/or additions to the existing facilities, has been completed in accordance with the plans submitted to the Commission for its consideration of the loan application.

6.2 Prior to the setting of a date for the loan closing, the applicant must provide a copy of the note and the mortgage to be executed at the closing for examination and approval by the Department attorney.

6.3 Prior to the setting of a date for the loan closing, the applicant must provide a copy of a plat survey by a registered surveyor, provided, however, that the Department attorney is authorized to waive, in writing, provision of the survey, at his discretion.

6.4 Prior to the setting of a date for the loan closing, the applicant must provide evidence of adequate title insurance.

6.5 Prior to the setting of a date for the loan closing, the applicant must carry and provide evidence of the following insurance coverage:

(a) Public liability insurance of \$500,000, naming the Market

Commission as additional insured. The applicant must also provide a certificate evidencing such insurance, which certificate must provide that the insurance cannot be cancelled without thirty days prior notice to the State Market Commission.

(b) Fire and extended coverage and vandalism insurance to the full extent of the amount loaned or guaranteed by the Market Commission, naming the Market Commission as loss payee, the total amount of the insurance to meet the 80% co-insurance requirements. The applicant must also provide a certificate evidencing such insurance, which certificate must provide that the insurance cannot be cancelled without thirty days prior notice to the State Market Commission.

6.6 Prior to the setting of a date for the loan closing, the applicant must provide satisfactory proof that all materials suppliers and workmen have been fully paid.

6.7 Prior to the setting of a date for the loan closing, all legal instruments must be examined and approved by the Department attorney.

6.8 On or before the loan closing date, the applicant must provide a title opinion by a title attorney selected in accordance with Rule 7.0, which title opinion shall provide evidence of clear title and shall include, but not be limited to, the following:

(a) A property description,

(b) Identification of the property owner, with pertinent recordation data,

(c) Satisfactory evidence that all taxes due on the property have been paid,

(d) A full and complete list of all mortgages, liens, encumbrances, and/or servitudes on the property, and

(e) Such other information as may be necessary for a full recital of the facts surrounding such property.

6.9 On or before the loan closing date, the applicant must provide a mortgage certificate from the Clerk of Court for the parish in which the property is located.

6.10 On the loan closing date, in the case of direct loans or participation loans paid direct to the borrower, the borrower must execute a note secured by a first or second mortgage payable to the Market Commission setting forth in full the terms and conditions under which the loan will be repaid, and containing such endorsements as the Market Commission shall require.

6.11 On the loan closing date, in the case of direct loans or participation loans paid direct to the borrower, the borrower must execute a first or second mortgage payable to the Market Commission, which mortgage shall contain, but not necessarily be limited to, the following:

(a) The amount loaned,

(b) The rate of interest,

(c) The repayment schedule,

(d) Description of real property and all equipment and/or furnishings to be included in the security,

(e) Provision for executory process,

(f) Provision for payment of all costs of foreclosure, including attorney's fees at twenty-five percent of the principal balance and interest accrued at foreclosure,

(g) Authorization for the addition to the principal balance of the amount of any taxes and/or insurance premiums paid by the Market Commission, upon failure of the mortgagee to pay such amounts when due, to protect the security position of the Market Commission.

6.12 On the loan closing date, in the case of participation loans the proceeds for which are paid direct to the bank or other lending institution, the borrower shall provide a participation certificate executed by the bank or other lending institution, payable to the State Market Commission, setting forth in full the terms and conditions under which the Commission agrees to such participation, the security pledged for repayment, and the time within which the loan shall be liquidated.

6.13 On or before the loan closing date, in the case of a loan

guaranty, the borrower must pay to the State Market Commission an amount equal to one percent of the amount guaranteed by the State Market Commission, which payment shall be deposited in the Market Loss Fund.

6.14 In the case of all direct loans and participation loans paid directly to the borrower, the individual borrower and/or all partners of a partnership shall personally endorse the note securing the first or second mortgage.

6.15 In the case of all direct loans and participation loans paid directly to the borrower, all members of the Board of Directors, by whatever name known, of the corporation or cooperative association shall personally endorse the note, in solido, securing the first or second mortgage.

6.16 In the case of a loan guaranty, the borrower must provide for the Market Commission file record a copy of the note and the mortgage payable to the lending institution and any other data deemed necessary by the Market Commission staff.

6.17 The State Market Commission shall authorize the setting of a loan closing date and the disbursement of loan proceeds upon presentation of all information required in Rule 6.0.

6.18 The Commissioner of Agriculture, or his designee, as official representative of the State Market Commission, shall execute all necessary legal instruments at the loan closing.

6.19 The loan guaranty agreement shall be executed by the borrower, the lending institution, and the Commissioner of Agriculture, or his designee, as official representative of the State Market Commission.

7.0 Title Opinion.

7.1 The State Market Commission shall develop and maintain for public examination at any time a listing of attorneys whose title opinions will be acceptable to the Market Commission.

7.2 In order to have his or her name included on the State Market Commission Listing of Approved Attorneys, an applicant shall submit the following information:

(a) A resume of his or her experience in the practice of real estate law.

(b) A personal financial statement prepared in accordance with generally accepted accounting principles.

(c) A list of three or more attorneys who are familiar with his or her practice in real estate law who may be contacted for reference.

7.3 Minimum requirements for approval of attorneys providing title opinions shall be as follows:

(a) One or more years since admission to the Bar,

(b) A minimum of twenty-five percent of the attorney's practice devoted to real estate matters,

(c) At least twenty-five prior real estate closings and/or title opinions,

(d) A favorable recommendation from the attorneys given as reference,

(e) Favorable recommendation from three or more lending institutions, savings and loan associations, finance companies, the Small Business Administration, the Farmers Home Administration, the Production Credit Association, the Federal Housing Authority, and other similar organizations to whom the attorney has rendered title opinion letters on property.

7.4 The attorney may also provide evidence of prior approval to write title insurance for any title insurance company.

7.5 Applicants for inclusion on the State Market Commission Listing of Approved Attorneys shall pay a fee of twenty-five dollars at the time of filing request for inclusion on the list, which fee shall be deposited in the General Fund of the State of Louisiana and shall be non-refundable to the applicant regardless of the decision of the Market Commission with respect to the listing.

7.6 Any applicant for listing on the State Market Commission Listing of Approved Attorneys who is denied a listing may appeal the decision of the State Market Commission under the general appeals procedures of the State Department of Agriculture.

7.7 Pending development of a comprehensive Listing of

Approved Attorneys, the Market Commission may approve attorneys on an individual basis, but the Market Commission shall not approve attorneys for title opinions in the absence of all information required under Rule 7.2 after November 1, 1980.

7.8 Applicants for inclusion on the State Market Commission Listing of Approved Attorneys may make application at any time throughout the calendar year, and the names of approved applicants shall be added to the listing immediately upon approval action by the Market Commission.

7.9 The applicant for a Market Commission loan shall be responsible for the payment of any fee for the required title opinion.

7.10 The listing of any attorney on the State Market Commission Listing of Approved Attorneys shall be valid for a period of two years from the date of the Commission's approval.

(a) Thirty days prior to the second anniversary of each listing, the Market Commission staff shall notify the attorney, at the last address furnished by the attorney, of the date on which approval for the listing will terminate.

(b) The attorney so notified may renew his or her listing for an additional two year period upon payment of a five dollar renewal fee without the necessity for submission of the information required in Rule 7.2.

7.11 The Market Commission staff may recommend to the Market Commission at any time the removal from the Listing of Approved Attorneys any attorney who, in their judgment, should be removed.

7.12 Any attorney so removed from the State Market Commission Listing of Approved Attorneys shall be immediately notified in writing of the removal and may appeal such removal under the general appeals procedures of the Department of Agriculture.

7.13 Upon request, the State Market Commission shall furnish any applicant or interested citizen a copy of the Listing of Approved Attorneys.

8.0 Termination of approval for loan.

8.1 Loan proceeds shall remain committed, after approval of the loan, for the following periods, which shall begin to run from the date of the State Market Commission approval for the loan:

(a) For new construction and/or expansion of existing facilities ranging from 0 to 50,000 square feet - four hundred fifty days,

(b) For new construction and/or expansion of existing facilities ranging from 50,001 to 100,000 square feet - seven hundred twenty days,

(c) For new construction and/or expansion of existing facilities in excess of 100,001 square feet - eight hundred sixty days.

8.2 At the expiration of the period of commitment as indicated in Rule 8.1, and in the absence of evidence of completion of all work, approval for the loan shall be terminated by the Market Commission, provided, however, that approval may be extended on a month-to-month basis by the Market Commission upon submission of reasons acceptable to the Commission for the delay in completion. In the event that the Market Commission extends the period of time for finalization of the loan beyond the period indicated in Rule 8.1, the Market Commission shall do so only in open session with adequate explanation for its actions.

8.3 If approval for any loan is terminated as provided in Rule 8.2, the applicant shall be required to provide a complete current loan application in order to be again considered for approval.

9.0 Interest on Market Commission loans.

9.1 The State Market Commission shall, at its first regularly scheduled meeting in each calendar year, establish its interest rate for that calendar year.

9.2 The interest rate established by the Market Commission shall be not less than the average of the rates charged by the Small Business Administration, the Farmers Home Administration, and the Bank of Cooperatives, as required under the provisions of R.S. 3:407 (H).

9.3 The interest rate in effect at the time of the loan approval shall govern the interest to be paid on the loan.

10.0 Requirements subsequent to disbursement of loan proceeds.

10.1 Each year, on the anniversary of the disbursement of loan proceeds, each loan recipient, whether a direct or participation loan or a loan guaranty, shall provide the following:

(a) A listing of all stockholders, with the number of shares held by each, at any time during the previous year.

(b) A statement of its operations, including an analysis of profits and losses.

(c) A statement of financial condition, including but not limited to a Balance Sheet for the most recently completed fiscal year of the firm, partnership, corporation, or association.

(d) A personal financial statement of all principals, including all members of the Boards of Directors of corporations and cooperatives, who have endorsed in solido on the note or are liable for repayment of the loan.

10.2 Each recipient of a loan guaranty shall authorize the bank or other lending institution holding the loan record to file quarterly statements with the Market Commission showing the principal balance remaining outstanding and any defaults in payment.

11.0 Balloon notes and re-scheduling of payments.

11.1 The Market Commission shall not approve a final balloon note payment in excess of seventy-five percent of the total amount of the original loan.

11.2 If the State Market Commission votes in open session to approve re-scheduling of a balloon note, such re-scheduled payments shall be financed at the interest rate prevailing at the time of renewal.

11.3 No payment schedule shall be extended to more than a total of fifteen years from date of the final loan disbursement to date of the final payment under the loan.

11.4 Any balloon note shall be personally endorsed by the individual, by all partners if the note is for a partnership, and/or by all members of the Board of Directors if the note is for a cooperative association or a corporation.

11.5 Any request for a renewal of a balloon payment shall be accompanied by:

(a) A statement of current financial condition, including Profit and Loss Statement and Balance Sheet for the most recent full year of operation, prepared in accordance with generally accepted accounting principles.

(b) Names and addresses of all stockholders, and the number of shares held by each.

(c) Detailed explanation of the reason for the requested renewal.

11.6 Regularly scheduled payments of principal and/or interest shall not be deferred for more than three months; such unpaid payments shall not be added to an existing balloon note if such increase will result in a balloon payment amounting to more than seventy-five percent of the original amount of the loan.

12.0 Delinquency and foreclosure.

12.1 Any unpaid principal and/or interest shall be considered delinquent on the tenth day following the due date.

12.2 After the tenth day following the due date, a \$15.00 delinquency fee shall be levied. Interest at the same rate as applied to the loan shall be charged on any unpaid delinquency fee from the date of the assessment until paid. No loan shall be closed out if there are any outstanding unpaid delinquency fees. All moneys collected as delinquency fees shall be deposited into the Market Commission Revolving Fund.

12.3 Routine written notification of delinquency shall be sent to the borrower on the thirtieth day following the due date.

12.4 In the absence of response to the 30-day notification, the Market Commission staff shall send a specific written notification concerning the delinquency on the sixtieth day following the due date, which notification shall be sent by certified mail, return receipt requested.

12.5 In the absence of response to the 60-day notification, the

delinquency shall be reported to the Market Commission at the next regularly scheduled Commission meeting, and the Market Commission shall officially place the borrower on the list of delinquent loans.

12.6 Subsequent to notification to the Market Commission, the staff, unless otherwise directed by the Commission, shall forward a demand letter, again by certified mail with return receipt requested, informing the borrower that the remaining balance is advanced, together with all interest accrued, and the full sum of the obligation is due and payable to the Market Commission.

12.7 In the absence of satisfactory arrangements for repayment of the delinquency thereafter, the Market Commission shall initiate foreclosure proceedings on the ninetieth day following the due date of the unpaid principal and interest.

12.8 The Market Commission shall secure a judgment and foreclose on the collateral securing the loan and, if deemed in the best interest of the Market Commission, the assets of all personal endorsers.

12.9 The Market Commission staff shall select an appraiser from the State Market Commission Listing of Approved Appraisers to do any appraisal necessary for foreclosure.

13.0 Prohibitions.

13.1 The Market Commission shall not approve any loan or loan guaranty for any applicant who fails to submit all required information.

13.2 The Market Commission shall not approve any loan or loan guaranty for any person, firm, corporation, partnership, or association which is not domiciled in Louisiana.

13.3 The Market Commission shall not approve any loan or loan guaranty if the amount so loaned shall result in the property offered as security thereunder having an indebtedness in excess of seventy-five percent of the appraised value of such property.

13.4 The Market Commission shall not approve any loan or loan guaranty for any person, firm, corporation, partnership, or association with any pending or outstanding charge or liability relating to failure or inability to pay promissory notes or other evidence of indebtedness.

13.5 The Market Commission shall not approve any loan or loan guaranty for any person, firm, partnership, corporation, or association, which has presently pending, at the Federal, State, or local level, any proceeding concerning the denial or revocation of a necessary license or permit.

13.6 The Market Commission shall not approve any loan or loan guaranty when the security offered for the loan consists of livestock and/or commodities.

13.7 The Market Commission shall not approve any loan or loan guaranty the proceeds of which are to be, or may be, used for the consolidation of existing, previous financial obligations.

13.8 The Market Commission shall not approve any loan or combination of loans to a single person, firm, partnership, corporation or association which is in excess of ten percent of the Commission's total assets (net of loan guarantees).

13.9 The Market Commission shall not approve any loan or loan guaranty for any facility constructed or to be constructed on leased land except as follows:

(a) The lease is for a term extending five years beyond the period of the loan.

(b) The Market Commission receives an assignment on the lease and the right of re-assignment.

(c) If the loan repayment schedule includes a balloon note, the Market Commission, at its discretion, may require a lease running for twenty years from the date of the approval of the loan.

(d) A waiver of landlord's lien and privilege on movables must be provided.

13.10 The Market Commission shall not make any loan or loan guarantee on equipment unless the property on which it is located is secured by a first mortgage to the Market Commission. The Market Commission shall give a low priority on loans secured by a

mortgage on specialized equipment.

13.11 The terms or conditions imposed and made part of any loan or guaranty agreement authorized by vote of the Market Commission shall not be amended or altered by any member of the Commission or employee of the Department of Agriculture except by subsequent vote of approval by the Market Commission in open session with full explanation for such action.

13.14 The Market Commission shall not subordinate its interests if such subordination will result in any risk to its security position.

Bob Odom
Commissioner of Agriculture

RULE

Board of Elementary and Secondary Education

Rule 4.00.02

The Board adopted a Comprehensive Training Plan for the Coordination of Federal and State Funds for Training Activities of Education Personnel.

Rule 3.05.01

(Replaces existing policy). The Board adopted a Migrant Education State Plan for Fiscal Year 1981.

Rule 3.01.81

(Revision to existing policy). The Board adopted revision to ordering cycles for textbooks by moving Dictionaries from the 1979-80 cycle to 1980-81 cycle to be included with Language and Composition with no additional call for dictionaries in 1980-81; and to move Drug Abuse Education to the 1981-82 cycle along with Science, with the consideration of further call for Drug Abuse materials in 1981-82 because of new research that may have been developed.

Rule 4.02.05

The Board adopted Summary Guidelines for Tri Party Agreement as required by Act 728 of 1979.

James V. Soileau
Executive Director

RULE

Board of Trustees for State Colleges and Universities

Part IX, Section 9.3 E, Finances, of the Policies and Procedures Manual of the Board of Trustees for State Colleges and Universities is changed to read as follows:

"E. In order for Revenue Producing Summer Camps to be held on campuses using school employees who are hired on a 12-month basis, the personnel must be on annual leave; the school must be compensated at its regular rate of rental for the use of facilities and equipment; and insurance must be provided by the promoters, with the state and school being held harmless. All monies earned and placed in outside or agency funds must be subject to audit. None of the above will apply if all funds are retained by the institution."

Bill Junkin
Executive Director

RULE

Board of Trustees for State Colleges and Universities

Part IX, Section 9.6 D 1, Pre-enrollment Applications and Letters of Intent, of the Policies and Procedures Manual of the Board of Trustees for State Colleges and Universities is changed to read as follows: