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Executive Orders

EXECUTIVE ORDER EWE-76-13

WHEREAS, the Comprehensive Employment and Training Act of 1973 (Public Law 93-203), which is commonly referred to as CETA, establishes a new decentralized Federal, State and local system of manpower programs that provide job training, employment opportunities, education, and other services for economically disadvantaged, unemployed, and underemployed persons; and,

WHEREAS, CETA requires the Governor to coordinate the manpower policy, plans, and services of the prime sponsor and the State agency, throughout the State of Louisiana and to act as the prime sponsor for planning and delivery of manpower and related services in those areas in the state not under the jurisdiction of other federally designated prime sponsors of the State; and,

WHEREAS, the term "manpower" includes training and education programs, and supportive services aimed at increasing the skills and employment opportunities for persons who are unemployed, underemployed, and economically disadvantaged; and,

WHEREAS, manpower programs provide skill training, rehabilitation, transitional employment experience, job placement and related child care, social and health services; and

WHEREAS, it is vital that State and local agencies closely coordinate their efforts in developing plans which meet the locally determined needs in recommending meaningful programs to alleviate employment problems, in reducing duplication and gaps in manpower services, and in effectively and economically utilizing State and Federal manpower funds; and,

WHEREAS, employment and training programs should be integrated with all human services to serve better the trainable segment of our society; and,

WHEREAS, the 1973 CETA law requires the State Manpower Services Council be established in accordance with the guidelines set forth in the Comprehensive Employment and Training Act of 1973 as amended, and the Secretary of Labor's rules and regulations as published in the Federal Register (Vol. 39, No. 108, Section 95.13(d)) and any subsequent regulations thereto,

NOW, THEREFORE, I, EDWIN EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested in me, by the Constitution and the laws of this State, do hereby order and direct the following:

1. The Governor's State Manpower Services Council is created and established consisting of not more than twenty-seven members composed of one representative of the Department of Employment Security, the Department of Education, and such other State agencies as may be subsequently determined to have a direct responsibility and function in overall manpower training and utilization within the State; organized labor; business and industry; and general public; clients; community based organizations; and each prime sponsor to constitute one-third of the Council, to be designated by the chief elected official in the prime sponsor jurisdiction. All other members, including the Chairman, shall serve at my pleasure. The Chairman shall be designated by the Governor.
2. The Council shall meet at regular intervals and at other times it deems advisable. The Department of Employment Security shall provide staff and support services.
3. The Governor's State Manpower Services Council shall advise the Governor, prime sponsors, State agencies and the public on statewide manpower policy; coordinate State agency and prime sponsor manpower plans; monitor State agency and prime sponsor manpower programs and services; prepare and submit an annual manpower report to the Governor; and carry out all other duties as prescribed in the Comprehensive Employment and Training Act of 1973, and applicable rules and regulations pertaining thereto.
4. All State agencies and prime sponsors dealing with manpower related programs shall cooperate in a coordination of planning process, identification of common goals and objectives, sharing of data, and allocation of resources toward these ends which shall be manifested in linkages with the State Manpower Services Council, other State agencies and prime sponsors.
5. All State agencies and prime sponsors dealing with manpower related programs shall support and aid the Governor's State Manpower Services Council in its manpower coordination initiatives, which shall include review of agency and

prime sponsor plans. All State agencies and prime sponsors shall provide annual plans, requests for grants, and any modifications thereto to the Governor's State Manpower Services Council for review, analysis, and comment.

6. Each State agency and prime sponsor responsible for manpower related programs shall exchange manpower program information and data among the State agencies and the CETA prime sponsors through this Council as well as coordinate and communicate with the State Council and all local manpower program advisory councils.
7. The Governor's State Manpower Services Council shall continuously monitor all manpower programs of each State agency and prime sponsor or subgrantee dealing with manpower or manpower related programs.
8. The Governor's State Manpower Services Council shall provide, upon request, technical assistance to manpower agencies and prime sponsors, whenever possible.

Be it further resolved that Executive Order No. 37 is hereby rescinded and recalled, and is null, void and of no effect.

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 August, A.D., 1976.

EDWIN EDWARDS
Governor of Louisiana

Executive Order EWE-76-14

WHEREAS, the people of the State of Louisiana historically and currently have sustained, supported and encouraged the many forms of artistic expression, including the fine arts, opera, drama, dance, cinema, and music, and the allied fields in architecture and design; and

WHEREAS, this State has produced, nurtured and attracted artists and artisans of note whose talents and reputations are renowned not only regionally but also nationally and even internationally, and the art patrons

and the citizens themselves have consistently welcomed these persons, both professional and amateur, as valued members of the community; and

WHEREAS, Louisiana has vigorously participated in the National Foundation on the Arts and the Humanities Act since its enactment in 1965, through the generous and positive efforts of the member chapters of the Louisiana Council for Music and the Performing Arts, Inc., other arts councils and organizations, and numerous State and local governmental agencies; and

WHEREAS, the Legislature has fostered the State's role in this public endeavor to stimulate the arts by appropriating funds for cultural enrichment and further has recognized the statewide interest and demonstrated community participation by creating the new Department of Culture, Recreation and Tourism and specifically provided that State programs and functions relative to the arts be administered by this Department; and

WHEREAS, there is need to establish in and integrate into this Department a State arts agency for the encouragement and promotion of the arts generally and the efficient administration of the grants application for funding.

NOW, THEREFORE, I, EDWIN EDWARDS, Governor of Louisiana, by virtue of the power and authority vested in me by the Constitution and by the laws of the State of Louisiana, do hereby create and establish the Louisiana State Arts Council and provide for the Division on the Arts in the Office of Program Development of the Department of Culture, Recreation and Tourism, said Division to perform and have responsibility for the powers, duties, and functions pursuant to USCA Title 20, Section 951 et seq relative to the National Endowment for the Arts and as provided by R.S. 25:301 through 25:306, both inclusive, and the functions of the State relative to the arts as herein stipulated.

FURTHER, the Louisiana State Arts Council shall be an agency of the State consisting of seventeen members appointed by the Governor composed of persons who have a recognized interest, experience, expertise, or knowledge in the arts or in a particular field of artistic endeavor or administration. Members shall serve a term of four years; provided that the initial members shall be appointed as follows: four members for a term of one year; four members for a term of two years; four members for a term of three years and five members for a term of four years. Provided that said members of the Council shall serve for no compensation but are authorized to receive reasonable actual and travel expenses insofar as funds are made available. The

Council shall, by majority vote of a quorum, annually elect its officers, including a chairman and a vice-chairman; provided that the first chairman shall be the president of the Louisiana Council on Music and the Performing Arts, Inc. The Council shall be domiciled in Baton Rouge, Louisiana, but is authorized to hold public meetings elsewhere in the state.

FURTHER, Louisiana State Arts Council shall receive applications for matching or other funds and requests for technical assistance, make recommendations thereon, review and approve, by majority vote of a quorum, such grant applications from local governmental units and private arts councils and other groups and report its decision to the Director and the Secretary, advise annually on the design and execution of a State plan consistent with the goals and policies of the Department as provided by Federal and State law, rules and regulations, and submit such plan to the National Endowment on the Arts.

FURTHER, the Secretary of the Department of Culture, Recreation and Tourism, upon the recommendation of the Assistant Secretary of the Office of Program Development, and upon the approval of the Louisiana State Arts Council, is hereby authorized and directed to appoint a professional Director of the Division on the Arts, and employ staff necessary and proper to effectuate this order insofar as funds are appropriated; provided that the said Assistant Secretary shall coordinate existing and future clerical personnel to include the administrative functions of the Division; and further provided that the Governor shall designate the Director provided herein, that the Division shall function in the State Art, Historical and Cultural Preservation Agency, and that grants applications shall be received and approved by the Office of the Governor until the Department is effectively operative under the provisions of Act No. 519 (House Bill No. 400 by Messrs. R. Laborde, et al) of the 1976 Regular Session of the Legislature.

FURTHER, it is directed that the Department of Culture, Recreation and Tourism is hereby designated as the sole recipient for accepting and administering any and all Federal funds awarded to and allocated to the State of Louisiana for any purpose covered by any provision of this order and for carrying out the purposes of any Federal law concerning the arts.

FURTHER, the Division on the Arts shall perform and be responsible for the State activity and programs concerning the arts which shall include, but not be limited to, the following:

1. act as the coordinating agent to assign and place State-owned arts received by it;
2. sustain and promote artistic activity in and of the State of Louisiana;
3. inform the citizens of the state of the unique creative efforts of Louisiana artists, both those who have flourished in Louisiana in the past and those who are presently active;
4. exhibit the works of outstanding Louisiana artists and craftsmen, and award prizes and medals for excellence therein;
5. publish periodically bulletins, catalogs, and other educational and informative material to stimulate interest in and appreciation of Louisiana arts;
6. propose a State plan for the arts and community-based arts development;
7. prepare and distribute materials necessary for the application and explanation of grants, administer, process, review and evaluate each such application for eligibility, qualification, form and conformity with Federal and State laws, rules and regulations, goals and policies, and advise the Council thereon; and
8. cooperate with and recommend to the Department of Education, local school boards, colleges and universities, and the Department of Employment Security programs which promote artists in school and the arts generally.

FURTHER, the Department is hereby charged to establish, through the Division, a fair and equitable distribution of funding or technical assistance or both to all areas of the arts having substantive artistic or cultural relevance to Louisiana or the United States, pursuant to R.S. 49:951 through 49:967, both inclusive.

FURTHER, it is hereby directed that the Division and the Council shall recognize the tremendous accomplishments of the State Arts Council established by Executive Order Nos. 9 and 80 and the Louisiana Council on Music and the Performing Arts, Inc., its chapters, and committee chairmen and shall continue the programs fostered thereby, and shall expand and shall further assist to develop, stimulate and promote artistic expression of merit and excellence throughout the state.

FURTHER, it is directed that under the transfer of functions provided for by this order, any pending or

unfinished business of the Council established by Executive Order Nos. 9 and 80 shall be taken over and be completed by the Secretary with the same power and authority as the agencies from which the functions are transferred. The Secretary shall be the successor in every way to said Council from which such functions are transferred, and every act done in the exercise of such functions by the Secretary shall be deemed to have the same force and effect under any provisions of the Constitution and laws in effect on the effective date of this order as if done by the agency from which such functions are transferred.

It is hereby specifically provided that all such obligations hereafter shall be deemed to be the obligations of the Department to the same extent as if originally made by its officers. In like manner, and in order to prevent any violation of the provisions, terms or conditions of any gift, donation, deed, will, trust or other instrument or disposition by which property of any nature or description has been vested in any agency affected by this merger, consolidation and transfer, or diversion from the purposes for which such property was donated, deeded, devised or bequeathed or otherwise vested in any such agency, it is hereby specifically provided that each and every instrument or disposition hereafter shall be deemed to have been vested in the Secretary in the same manner and to the same extent as if originally done so. In addition, the provisions of this order shall not be construed or applied in such a way as to prevent full compliance by the State or any agency thereof with the requirements or any Act of the Congress of the United States or any regulations made thereunder by any officer or agency of the Federal government by which Federal aid or other Federal assistance from the United States has been or is hereafter made available to this state or any subdivision or agency thereof, anything contained in this order to the contrary notwithstanding, and such compliance hereafter shall be accomplished by the Secretary.

FURTHER, it is directed that all books, papers, records, money, choses in action and other property heretofore possessed, controlled, or used by the Council in the exercise of functions hereby transferred are hereby transferred to the Division of Arts.

FURTHER, it is hereby ordered that Executive Order Nos. 9 and 80, issued on August 1, 1972, and February 27, 1975, respectively, are rescinded and for all intents and purposes shall be considered null, void, and with no effect.

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 7th day of September 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 August 26, 1976, by the State Board of Elementary and Secondary Education as an immediate response for clarification in the area of teacher certification in view of the beginning school term.

(a) Rule 3.01.70.v (9)

An amendment to Bulletin 746, 1971 edition, as follows:

Page 1, Paragraph 1, Line 3: Insert "at an approved institution" between the words "program" and "appear."

Page 1, Paragraph 1, Line 14: Delete word "approved," and change word "an" to "a."

Line 15: Delete word "program" and insert the following: "institution which has been approved by the State Board of Elementary and Secondary Education."

Page 1, Paragraph 2, Line 1: Delete "the degree" and insert "certification."

Page 2, Paragraph 1, Line 2: Delete in its entirety the sentence beginning with "An approved," and insert the following: "An approved teacher education institution is one that offers teacher education programs which are submitted to the State Board of Elementary and Secondary Education for approval at

five-year intervals. These programs include general education requirements, professional education requirements, and subject matter discipline requirements.”

(b) Rule 3.01.70.v (10)

An amendment to Bulletin 746, 1971 edition, as follows:

Page 7, under “Additional Authorization on a Certificate” should read: “Additional authorization should be requested by letter and must be substantiated by an official transcript from a regionally-accredited institution.”

(The following emergency rules were adopted on August 26, 1976, by the State Board of Elementary and Secondary Education in order that Federal funds will not be jeopardized.)

(a) Rule 5.01.32.a

Approval of the revised Bulletin 1196, Policies of Operations Bulletin, School Food Service Program.

(b) Rule 3.05.00 Special Services

(c) Rule 3.05.01

Adoption of amended 1977 Annual Migrant Project Application.

Earl Ingram
Director

DECLARATION OF EMERGENCY

**Health and Human Resources Administration
Division of Human Services
Bureau of Aging Services**

The Louisiana Health and Human Resources Administration, Division of Human Services, has exercised the emergency provision of the Administrative Procedures Act (R.S. 49:953B) to place into effect on September 1, 1976, a revised formula for the distribution of funds under Titles III and VII of the Older Americans Act. Federal regulations, Administration on Aging, Program Issue 76-30, dated June 29, 1976, require that the funds available be obligated by the State prior to September

30, 1976. If the funds are lost, it will have a negative impact on the health and welfare of the older citizens of Louisiana.

Funds under Title III of the Older Americans Act have been allocated to each of the eight planning districts based on the percentage of the state’s population sixty years of age and older and the percentage of the state’s population sixty years of age and older who are below the poverty level and reside in the District. With the passage of the 1975 amendments to the Older Americans Act, the Conference Committee of the House and Senate and the Administration on Aging have stressed the need to provide services to the elderly residing in rural areas on a priority basis. Considering this, we have revised the formula used to allocate funds to include the percentage of the state’s population sixty years of age and older, and the percentage of the state’s population sixty years of age and older who are below the poverty level, and the percentage of land area included in the district. The specific formula previously used is as follows:

$$\frac{\begin{array}{c} \text{Percentage} \\ \text{of popu-} \\ \text{lation over} \\ 60 \end{array} + \begin{array}{c} \text{Percentage} \\ \text{of popu-} \\ \text{lation over} \\ 60 \text{ below} \\ \text{poverty} \end{array}}{2} = \text{Percentage of total} \\ \text{funds a district receives}$$

The revised formula is as follows:

$$\frac{\begin{array}{c} \text{Percentage} \\ \text{of popu-} \\ \text{lation over} \\ 60 \end{array} + \begin{array}{c} \text{Percentage} \\ \text{of popu-} \\ \text{lation over} \\ 60 \text{ below} \\ \text{poverty} \end{array}}{3} + \begin{array}{c} \text{Percentage} \\ \text{State land} \\ \text{areas} \end{array} = \text{Percent-} \\ \text{age of} \\ \text{total} \\ \text{funds a} \\ \text{district} \\ \text{receives}$$

Information on this change has been provided to the district agencies (Area Agencies on Aging) which would be affected by this change. All districts are in agreement with the proposed formula except District I—New Orleans. The impact on New Orleans is that the percentage of funds allocated would be slightly decreased due to the concentration of persons in a smaller land area. The role of the Area Agency on Aging is to pool and mobilize resources. There are limited resources and/or lack of resources in the rural areas. The need to better meet the needs of the rural elderly, at least on a proportionate basis has led us to the revised formula.

William H. Stewart, M.D.
Commissioner

DECLARATION OF EMERGENCY

Health and Human Resources Administration Division of Management

The Louisiana Health and Human Resources Administration has exercised the emergency provision of the Administrative Procedures Act (R.S. 49:953B) to make effective on October 1, 1976, certain amendments to Louisiana's Comprehensive Annual Services Program Plan, including a Federally required increase in the median family income used in the computation of Title XX benefits. The controlling Federal regulations were promulgated in the Federal Register Vol. 40, No. 125, page 27,361, June 27, 1975, and Vol. 40, No. 239, page 57,705, Dec. 11, 1975. The Title XX median annual income has been increased from \$11,430 to \$12,600. This will result in a new monthly income eligibility level for a family of four of \$493. If this adjustment is not made, Louisiana will be out of compliance with Federal regulations and subject to losing approximately \$40 million in Title XX funds during fiscal year 1976-77. About one million Louisiana residents who are eligible for services under this program would be adversely affected.

Other amendments to the Plan are:

1. Inclusion of room and/or board as a component of the service definition to allow for reimbursement under Title XX when room and/or board is an integral but subordinate part of a service. Services to be amended include health related, family counseling, educational and training, employment, home management, recreational, and protective.
2. Inclusion of cost of food for home delivered and/or congregate meals to allow service providers the option of having contracts, which may include the cost of food.
3. Inclusion of all the services (as defined in the State Plan) as protective services provided without regard to income for protection of eligible children and adults from emotional or physical harm. Services include: adoption, day care for adults, day care for children, education and training, employment, family counseling, family planning, foster care, health related, home delivered and/or congregate meals, home management, homemaker and chore, housing improvement, information and referral, maternity, recreational and transportation.
4. Inclusion of the revised definition of family to allow for greater flexibility in establishing methods of eligibility determination. Family means the basis

family unit consisting of one or more adults and children, if any, related by blood, marriage, or adoption and residing in the same household. Where related adults, other than spouses, or unrelated adults reside together, each may be considered a separate family. Children living with nonlegally responsible relatives, emancipated minors, and children living under the care of unrelated persons may be considered one-person families.

5. Amend component No. 5 under Education and Training to read: School social work services to eligibles when not otherwise available without cost, providing individual and group therapy, liaison services to parents, school administration, and other agencies, identification of social problems, etc. This is to allow for clarification of services delivered.
6. Amend component No. 5 under Health Related Services to read: Arrangement for provision of hospital and/or home sitter services. This is to allow eligible persons to receive the necessary health services in their own homes.

William H. Stewart, M.D.
Commissioner

Rules

RULES

Licensing Board for Contractors

(Editor's Note: The following rules were adopted by the Louisiana State Licensing Board of Contractors on September 8, 1976, to become effective September 20, 1976.)

The annual fee for renewal of licenses shall be \$100.00 for any one major classification or subdivision thereof and \$50.00 will be charged for each specialty, additional major classification or subdivision thereof. In addition, there will be a \$25.00 charge for each examination and a \$25.00 charge for a structural change.

Emery L. Villar
Executive Director

RULES

Board of Elementary and Secondary Education

The following rules were duly advertised for consideration, and, after the appropriate waiting period, acted upon favorably by the Board at the regularly scheduled meeting of August 26, 1976.

(a) Rule 4.02.01

Adoption of Title VI Plan for 1977, Part I and Part II.

Earl Ingram
Director

RULES

Health and Human Resources Administration Division of Family Services

The Louisiana Health and Human Resources Administration, Division of Family Services (DFS) has adopted revised eligibility criteria for day care services for children provided through vendor payment.

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 (EPSDT 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 recipients engaged in a work or training program and to Title XX eligible parent or caretaker who is employed.

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

William H. Stewart, M.D.
Commissioner

RULES

Health and Human Resources Administration Division of Family Services

The Louisiana Health and Human Resources Administration, Division of Family Services has adopted the following revised pharmaceutical services program to meet the proposed budget appropriation of \$30.4 million. Even though the program has been redesigned, nearly all of the more essential prescription needs of the eligible recipient will be provided for.

All legend drugs will be provided except the following therapeutic classifications:

1. Anorexics, such as amphetamines.
2. Multiple ingredient anti-anemia preparations. (Ferrous Sulfate, Ferrous Gluconate, Folic Acid and injectable Vitamin B₁₂, will be payable).
3. Cough and cold preparations.
4. Certain gastro-intestinal drugs such as antacids and digestants.
5. Minor tranquilizers, such as Valium, Librium, and Meproamate.
6. Vitamins or vitamin containing products. (B₁₂ injection, Folic Acid, D, K, and Nicotinic Acid are payable).
7. Enzymes and the following miscellaneous drugs:

Alidase
Ananase

Kutapressin
My-B-Den

Andromedicone	Orenzyme
Avazyme	Oxsoralen
Avazyme 100	Papase
Cymolase	Pedameth
Chymoral	Quinamm
Clomid	Trisoralen
Combined Pollen	Varidase
Antigen	Water for injection
Enuretrol	Wydase
Gelfoam	Xanthinux

William H. Stewart, M.D.
Commissioner

RULES

Health and Human Resources Administration Division of Health

(Editor's Note: The following rules and regulations regarding vital statistics and vital records are adopted by the Commissioner, Louisiana Health and Human Resources Administration, to become effective October 1, 1976.)

Vital Statistics and Vital Records— Rules and Regulations Local Registrars

A. Notice of Deaths Filed—Registrar of Voters

At the commencement of business each working day the local registrar of vital records in each of the parishes of the state shall prepare, in triplicate, by parish of residence of the decedents, separate lists, of all the death certificates filed with the local registrar on the previous working day.

These lists shall be prepared in triplicate on forms provided by the State Registrar of Vital Records and shall contain, as a minimum, the name of decedent, date of death, and address and parish of residence. Upon completion, each day, the original list for each parish shall be addressed to the Registrar of Voters affected. The local parish list shall be delivered to the Office of the local Registrar of Voters and all other lists shall be placed in the U.S. Mail addressed to the registrars of voters in the respective parishes of residence of the decedents.

B. Forwarding of Death Certificates—Local Registrars

After the list of deaths for the previous working day has been prepared for the registrars of voters, the original certificates of death shall be attached to the duplicate copy of the lists prepared for said registrars of voters and said duplicate list and original certificates of death shall be immediately placed in the U.S. Mail daily, addressed to the Registrar of Vital Records, P.O. Box 60630, New Orleans, Louisiana 70160. In the event any death certificate fails to contain the address or parish of residence of the decedent, for any reason, the local registrar shall not withhold or delay in forwarding that original certificate, together with those attached to the above lists to the Registrar of Vital Records daily.

C. Forwarding Birth Certificates—Local Registrars

All certificates of birth received on the previous working day by the local registrars shall be forwarded to the State Registrar of Vital Records daily with the transmittal sheet furnished by said State Registrar. They shall be mailed with the death certificates referred to in Paragraph B above.

D. Accurate and Complete Certificates of Birth and Death

Local registrars of vital records shall not accept for filing or transmittal to the State Registrar any certificate of birth or death until said certificate has been accurately and fully completed by the person preparing said certificate, whether it be a physician, funeral director, or any other individual.

E. Local Registrars—Death Certificates—Certification—Fees

Local registrars, in accordance with law, may for ninety days from date of death, issue, over their signature and that of the State Health Officer, under seal, certified copies of death certificates made from an original or duplicate of original in their possession. They shall collect the fee provided by law for each certified copy, shall maintain an accurate record of copies furnished, to whom furnished, and fees collected and shall promptly remit the fees, record of fees collected, and number of copies certified as directed by the State Registrar on forms furnished by him. Copies of said certificates shall only be issued to those persons authorized by law to receive them, and application for said copies shall be in writing, signed by the applicant, and accompanied, in advance, with the necessary fee to cover the cost of copy or copies requested. If checks are tendered in payment of said fees, they shall bear the name, address, phone number, and driver's license or Social Security number of the person issuing the check; however, this provision shall be waived as to checks issued by funeral homes or directors.

Each working day, the local registrar shall promptly return by mail to the State Registrar all copies of death certificates which have exceeded the ninety-day delay after death on the previous working day and shall not thereafter retain any copies or certified copies of said certificates, and local registrars shall not thereafter validly certify said expired certificates. Thereafter, all copies of said certificates of death shall remain in the possession of the State Registrar, and he shall be the only person authorized to issue certified copies.

F. State Registrar—Certified Copies of Death Certificates

The State Registrar of Vital Records shall indicate on the original of each death certificate the date that said certificate is received in his office. The State Registrar shall indicate by date stamp, the date requests for certified copies of death certificates are received in his office. The State Registrar shall, within forty-eight hours, or two working days, process and mail certified copies of death certificates to fill requests received in his office.

William H. Stewart, M.D.
Commissioner

RULES

**Health and Human Resources Administration
Division of Youth Services**

The power to administer oaths and pass authentic acts in connection with any documents relative to obtaining support for dependent children from their absent parents is hereby granted to the support enforcement services agents of the Division of Youth Services of the Louisiana Health and Human Resources Administration.

A "support enforcement services agent" is defined as any employee of the Division whose duty it is to enforce support obligations owed by absent parents to their family and children, to locate absent parents, or to establish paternity and obtain family and child support.

It is expressly forbidden for the agent to charge any fee for any oath which he takes or for any authentic act which he passes by virtue of this rule.

William H. Stewart, M.D.
Commissioner

RULES

Board of Practical Nurse Examiners

(Editor's Note: The following rules were adopted by the Louisiana State Board of Practical Nurse Examiners on August 13, 1976, to become effective October 9, 1976.)

8. Procedure for Adoption of Rules

- 8.1 Prior to the adoption, amendment, or repeal of any rule, the Board shall give at least fifteen days notice of its intended action.
- 8.2 Prior to the adoption, amendment, or repeal of any rule, the Executive Director of the Board shall cause to be published in the Official Louisiana Journal and Louisiana Register a notice of the Board's intended action.
- 8.3 Said notice shall include a statement of either the terms of substance of the intended action or a description of the subjects and issues involved, and the time when, the place where, and the manner in which interested persons may present their views.
- 8.4 Additionally, the Executive Director of the Board shall mail said notice to all persons who have made timely request of the Board for said notice.
- 8.5 Upon the adoption of a rule, the Board, if requested to do so by an individual party, either prior to adoption or within thirty days thereafter, shall issue a concise statement of the principal reasons for or against its adoption.
- 8.6 If the Board finds that an imminent peril to the public health, safety, or welfare requires adoption of a rule upon fewer than fifteen days notice, it shall adopt said rule pursuant to the provisions of R.S. 49:953.
- 8.7 When a rule is adopted, amended or repealed in compliance with Federal regulations, the Board's notice of intent, if such is necessary, and the actual text of the rule as published in the Louisiana Register, shall be accompanied by the citation of the Federal Register issue in which the determining Federal regulation is published.

8.8 Any interested person may petition the Board requesting the promulgation, amendment, or repeal of a rule.

A. Such petition shall:

1. Be in writing;
2. State the name and address of its author;
3. Contain a statement of either the terms of substance of the proposed rule, amendment, or repeal;
4. State the reasons or grounds for the proposed rule, amendment, or repeal;
5. Include any data, views, or arguments in support of the rule, amendment, or repeal.

B. The Board shall consider the petition at the next regularly scheduled meeting upon receipt of said petition, at which meeting the Board shall deny the petition in writing, stating reasons therefor, or shall initiate rule-making proceedings in accordance with this part.

8.9 Upon the adoption of a rule by the Board, the Executive Director shall cause said rule to be published in the Louisiana Register and a certified copy of said rule to be filed with the Division of Administration.

8.10 Rules shall be effective upon publication in the Louisiana Register.

9. Rules for Adjudication and License Suspension and Revocation Proceedings

These views shall apply to adjudication proceedings as defined in R.S. 49:951 and license suspension and/or license revocation proceedings conducted by the Board.

9.1 All parties who do not waive their rights will be given an opportunity for hearing after reasonable notice.

9.2 The Board shall notify all interested parties in writing by certified mail at the last address furnished by said interested party.

9.3 This notice shall contain:

- a. The time, date, place, and nature of the hearing;
- b. A statement of the legal authority under which the hearing is to be held;
- c. A reference to the applicable statutes and rules involved;
- d. A short statement of the matters affected.

9.4 All interested parties shall be afforded the opportunity to respond, and present evidence.

9.5 Informal disposition may be made of any case by stipulation, agreed settlement, consent order, or default.

9.6 The Board shall make a record of all cases of adjudication, license suspension and/or license revocation; said record shall contain:

- a. All notices, pleadings, motions and rulings;
- b. All evidence received or considered or a resume thereof;
- c. Offers of proof, objections, and rulings thereon;
- d. Proposed findings;
- e. Any decision or opinion or report of the Board.

9.7 The Board shall adhere to the rules of evidence as mandated in R.S. 49:955.

9.8 A final decision shall be in writing and stated in the record. A final decision shall include findings of fact and conclusions of law. Interested parties shall be notified by mail of any decision or order.

9.9 A final decision shall be subject to rehearing by the Board, for the grounds stated in R.S. 49:959 provided that the request for rehearing is filed within ten days of the date of mailing of the final decision.

9.10 If such rehearing is granted it shall be limited

to the grounds upon which the rehearing was ordered.

- 9.11 A person aggrieved by a final decision or order of the Board may seek judicial review of said decision or order by filing a petition for review in the Civil District Court for the Parish of Orleans within thirty days of the date of mailing of the final decision, or, if a rehearing is requested, within thirty days after the decision thereon.

10. Declaratory Orders and Rulings

- 10.1 Any interested party may petition the Board for a declaratory order or ruling as to the applicability of any statutory provision or of any rule or order of the Board.
- 10.2 Said petition shall contain the following information:
- a. The full name, address, and telephone number of the petitioner;
 - b. The interest asserted by the petitioner;
 - c. Specific reference to the statute, rule, or order with respect to which the declaratory order or ruling is sought;
 - d. A concise statement of the purpose, reasons, and nature of the declaratory order or ruling sought.
- 10.3 Said petition shall be considered by the Board at its next regularly scheduled meeting, provided that the petition has been filed at least thirty days prior to said meeting.
- 10.4 The order or ruling rendered by the Board on said petition shall be in writing and mailed to petitioner at the last address furnished to the Board.

Helen W. Sheehan, R.N.
Executive Director

RULES

Real Estate Commission

(Editor's Note: The following rules were adopted by the Louisiana Real Estate Commission on

August 12, 1976, to become effective September 20, 1976.)

1. Applications for broker or salesman licenses, accompanied by a license fee and separate examination fee, are required to be received by the Commission at least eleven days prior to the date of examination in order to obtain the required examination admittance authorization. Official admittance authorization and driver's license or other photographic evidence of applicant's identity must be presented to the examination monitor before an examination will be administered to any applicant.
 - A. Salesman and broker examinations shall be held monthly excluding January and December.
 - B. Applicants who fail to pass the initial examination will be allowed to take a second examination at any subsequent regular examination period provided that they remit a new examination fee and obtain official examination admittance authorization.
 - C. Applicants who fail to pass the second examination shall have their applications and license fees returned by the Commission. Those applicants who fail to pass the second examination shall be allowed to take additional examination(s) at any subsequent regular examination period not less than six months beyond the date of their last examination failure, provided that they resubmit their application, license fee, new examination fee and obtain official examination admittance authorization.
 - D. Applicants who, for any reason, are disqualified on an examination may retake said examination at any subsequent regular examination period provided that they remit a new examination fee and obtain official examination admittance authorization.
 - E. Applicants are not allowed to possess or utilize any reference material, slide rules, protractors, tables or computers during examinations.
 - F. Examinations will be administered only at designated examination centers, on the prescribed date and at the prescribed time as shown on admittance authorization, and only after all of the requirements of this section have been met.

* * * *

5. All renewal applications shall be submitted for receipt by the Commission by October 15 in order for licenses to be issued in proper statutory time. The responsibility for timely submission of renewal applications rests solely with each individual licensee. Failure to timely submit applications for renewal shall be cause for suspension of license.

A. Salesmen's licenses shall be renewed subsequent to renewal of their sponsoring broker's license.

B. Salesmen's renewal applications shall be signed by the sponsoring broker and submitted to the Commission together with the renewal fee.

C. Renewal applications of salesmen who intend to transfer from one broker to another at the beginning of the license year shall be signed by the new sponsoring broker, and no transfer fee is required. However, any request for change of sponsoring broker received subsequent to actual issuance of renewal license shall be assessed a transfer fee regardless of the date upon which the original renewal application was submitted.

* * * *

6. Applications for renewal of delinquent licenses shall be accepted by the Commission only during the calendar year following the last date on which applicant held a valid license. Delinquent applications shall be accompanied by an affidavit which explains the reason(s) for delinquency before renewal license will be issued.

A. Formerly licensed brokers or salesmen who are not eligible for renewal shall apply for licenses as initial applicants.

B. Examination requirements shall apply to all applicants who are not eligible for renewal.

C. Applicants who have been previously licensed but who have not been licensed during any of the three calendar years immediately preceding their date of application are subject to all educational requirements of initial applicants.

D. Applicants who were previously licensed at least two consecutive years during three calendar years immediately preceding the date of application may obtain a waiver of all or part of the educational requirements at the discretion of the Commission.

* * * *

8. In accordance with R.S. 37:1442, all requests for transfer of salesmen's licenses from one sponsoring broker to another shall be signed by the new sponsoring broker and forwarded to the Commission with the required transfer fee. Additionally, any broker who returns a salesman's license to the Commission for transfer or cancellation shall sign and forward to the Commission one copy of the letter by which said broker notifies a salesman that his license has been returned to the Commission.

A. Transfer fees are waived in the event that the transfer is due to the death of a sponsoring broker.

* * * *

13. Advertising:

A. All advertising of property by real estate brokers shall be stated in the exact name as shown on their real estate broker's license.

1. Brokers shall have the actual authority of the owner of any property before they represent or advertise the said property in any way.

2. All advertising by real estate brokers shall be a clear, concise, true, and up-to-date representation of the thing advertised.

3. All advertising, whether printed, by radio, television, display, or of any other nature, must contain the name and telephone number of the advertising broker. The name and telephone number of salesmen and/or broker-affiliates may appear in advertising of the sponsoring broker, however, it must be displayed in a manner distinctively subordinate to that of the sponsoring broker.

4. No advertisement shall be made by telephone number alone.

B. A licensed broker or salesman offering property in which such licensee owns an interest shall state in any advertisement that the owner is a licensed real estate agent.

C. No real estate broker shall offer or advertise to the public the service of "free appraisal" unless said broker is fully qualified and/or certified in the field of real estate appraisal by competent authority. Any real estate broker who, nevertheless, advertises or offers the service of "free

appraisal," shall furnish a complete written copy of each appraisal that is requested in response to such offer or advertisement.

D. Any broker who uses a franchise, trade, service, professional, or any other name or symbol in connection with any broker activities, shall:

1. Register such name or symbol with the Louisiana Real Estate Commission.
2. State to the public on all documents and advertising, with the exception of standard picket yard signs, a prominent declaration to the effect that his real estate brokerage office is independently owned and operated.
 - a. The name of the associated organization shall not overpower the balance of the registered name of the broker.
3. The broker's name may not be less than fifty percent of the surface area of the entire combined area of both the broker's name and the name or symbol of the organization with which the broker is associated.

* * * *

26. Unless registered in Louisiana as hereinafter specified, no person, partnership, or corporation shall sell or offer for sale in Louisiana any out-of-state real estate in a subdivision which is subject to the Federal Interstate Land Sales Full Disclosure Act except through a licensed resident Louisiana real estate broker.

A. Prior to the time when subject real estate is offered for sale, such person, partnership, or corporation shall make application to the Commission for registration in this State. Applications for registration shall contain the following information and supporting documents:

1. Name, address, and whether the applicant is a person, partnership, or corporation;
 - a. Partnership: the names and addresses of the individual members thereof;
 - b. Corporation: names and addresses of officers and members of board of directors and place of incorporation.

2. Legal description of the real estate offered for sale, including area maps and recorded plats;

3. Name and address of legal owner of the subject real estate;

4. A certified, audited financial statement disclosing the current financial condition of the developer;

5. A statement of title to the property including all encumbrances with recording data on the day of application;

6. Copies of the instruments by which the property was acquired and documentary evidence stating whether mortgagee or trustee of a deed of trust will or will not subordinate his interest in the real estate to the interest of a purchaser;

7. Copies of sales contracts intended to be used. Such contracts shall contain a provision granting to the purchaser an unconditional right to rescind the contract for a period of fourteen days following execution of same. Such contracts shall also contain, a provision entitling the purchaser, if he has not seen the land, to an unconditional right of refund of all payments made under the contract after inspecting the land provided the inspection is made within one month from the date on which the contract was actually executed.

8. A zoning or other governmental regulations statement disclosing whether or not such regulations have been satisfied;

9. A copy of an offering statement which sets forth the material facts with respect to the subject real estate.

B. After receiving the application, the Commission may require such additional information deemed necessary.

C. The Commission shall require a personal inspection of the property by a person(s) designated by it to determine whether, in general, the property can be utilized as indicated by the subdivider. All such inspection expenses incurred shall be borne by the applicant who shall deposit with the inspector in advance a sum sufficient to cover such expenses.

- D. Applicants shall appoint the Louisiana Secretary of State to act as the applicant's agent for the service of all judicial process or legal notices directed to such applicant. Service upon the agent so designated shall be equivalent to personal service upon the applicant.
- E. If the requirements set forth herein are met, the Commission shall register the subdivision for a period of one year. The subdivider shall renew each year by furnishing the Commission with all information as would modify or change the information previously submitted. Should the Commission deem that an additional inspection is necessary, the cost of making same shall be paid by the subdivider in the manner provided for initial registration.
- F. Neither the subdivider or any representative of the subdivider shall in any manner refer to the Commission or any member or employee thereof in selling, offering for sale, advertising or otherwise promoting the sale, mortgage, or lease of such real estate, nor make any representation whatsoever that such real estate has been inspected, approved, endorsed or in any way recommended by the Commission or any Louisiana official, department or employee.
- G. The Commission shall have the power to withdraw any registration and/or issue a cease and desist order to any subdivider subject to these rules and regulations, upon determination that any Federal or State law or Commission rule has been or is about to be violated.

* * * *

40. Approved real estate schools, with the exception of Louisiana colleges and universities, shall designate their courses as Real Estate I (30 hour statutory requirement for salesmen), Real Estate II and III (balance of 90 hour statutory requirement for brokers).

- A. Each school shall furnish to the Commission for each course(s) it conducts, the exact location, time and date schedule for all classes including the time of the final examination.
 - 1. The information required by this paragraph shall be filed by the school to be received by the Commission at least fourteen days prior to the date of beginning of each course(s) conducted.

- B. Within three days following the beginning of each course(s), all schools shall furnish:
 - 1. The name of each instructor and a detailed copy of each course curriculum, including allocation of hours of classroom instruction to each topic.
 - 2. Tuition.
 - 3. A notarized list certifying the names of all persons enrolling in course(s).

- C. Within ten days following the completion of each course(s), all schools shall furnish:
 - 1. A notarized list of those persons satisfactorily completing course(s) certifying that the named students personally attended the minimum required statutory classroom instruction and passed a comprehensive final examination.
 - 2. A copy of the final examination for course(s).

Failure to comply with the requirements of this article shall be grounds for immediate loss of school certification.

* * * *

45. Effective January 1, 1978, branch offices of all Louisiana real estate brokers must be managed and/or supervised by a resident (in-house) Louisiana real estate broker.

Alvin J. Unick
Director

RULES

Wildlife and Fisheries Commission

The Louisiana Wildlife and Fisheries Commission has adopted the following seasons and bag limits for the 1976-77 waterfowl seasons:

Ducks—West Zone—Fifty-five days, November 6 through November 28 (twenty-three days); December 11 through January 11 (thirty-four days).

Ducks—East Zone—Fifty days, November 20 through December 5 (sixteen days); December 18 through January 20 (thirty-four days).

Point system categories for regular duck season (both zones): One hundred points: Canvasbacks (closed areas same as last year); seventy points: Mallard Hen, Woodduck, Black Duck, Hooded Merganser, Redhead (closed areas same as last year); twenty-five points: Mallard Drake, Mottled Duck, Wigeon, Ring Necked Duck, All Other Ducks; ten points: Pintail, Gadwall, Green Winged Teal (Cinnamon Teal), Blue Winged Teal (Cinnamon Teal), Shoveler, Scaup, Red-Breasted Merganser, American Merganser.

Caddo, St. Charles, St. Mary Parishes and that portion of Ward 1, formerly designated as Ward 6, of St. Martin Parish, and Catahoula Lake in Rapides and La Salle Parishes are closed for Canvasback and Redhead.

Geese—Statewide—Seventy days, November 6 through November 28 (twenty-three days); December 11 through January 26 (forty-seven days).

Daily bag limits and possession limits: five in the aggregate of Blue, Snow, and White-fronted geese, of which not more than two may be White-fronted (Specklebellies). Canada Geese closed.

Special Scaup Season: January 21 through January 31 (eleven days); five daily-ten in possession (Scaup only).

The Commission also adopted, by reference, all Federal waterfowl regulations, including shooting hours, prohibitions against baiting, prohibitions against the use of rifles or shotguns capable of holding more than three shells, and prohibitions against shooting ducks and other waterfowl from motorboats.

J. Burton Angelle
Director

Such regulations include general provisions, provisions for registration of radiation machines and facilities, provisions for licensing radioactive material, standards for protection against radiation, radiation safety requirements for industrial radiographic operations, the use of X-rays in the healing arts, the use of sealed radioactive sources in the healing arts, the use of analytical X-ray equipment, the use of particle accelerators, requirements for radioactive mineral tailings and industrial by-Product piles, and notices, instructions and reports to workers; inspections. It also includes the adoption of applicable portions of the U. S. Department of Transportation regulations, insofar as they pertain to radioactive materials, for regulation of intrastate transportation of such hazardous materials.

The proposed regulations will be available for public inspection between the hours of 8:00 a.m. and 4:30 p.m. on any working day after September 1, 1976, in the Public Documents Room at the offices of the Division of Radiation Control, 4845 Jamestown Avenue, Baton Rouge, Louisiana.

Interested persons may submit, in writing, their views and opinions in support of or in opposition to approval on or before October 11, 1976, to the following address:

Louisiana Department of Conservation
Division of Radiation Control
P. O. Box 14690
Baton Rouge, Louisiana 70808

or orally or in writing by appearing before the Commissioner at a public meeting on October 14, 1976, at 10:00 a.m. in the Conservation Hearing Room, State Land and Natural Resources Building, Fourth and North Streets, Baton Rouge, Louisiana.

R. T. Sutton
Commissioner

Notices of Intent

NOTICE OF INTENT

Department of Conservation

The Commissioner of Conservation hereby gives notice of intention to consider and give approval of a complete revision of the Louisiana Radiation Regulations, formerly promulgated by the Louisiana Board of Nuclear Energy under the authority of R.S. 51:1051 et seq., such authority having been transferred to the Commissioner by the Natural Resources and Energy Act of 1973, R.S. 30:501 et seq.

NOTICE OF INTENT

Educational Television Authority

The Louisiana Educational Television Authority proposes to adopt the following rule. Interested persons may address written comments to the Authority at Box 44064, Baton Rouge, Louisiana 70804 prior to October 5, 1976.

Policy on Compensation and Cooperative Programming With Regard to Noncommercial Stations Not Licensed to the Louisiana Educational Television Authority

I. Network Affiliation Agreements

To maximize the availability of instructional television programs, where it is deemed desirable, the Louisiana Educational Television Authority (LETA) shall seek to extend this programming to communities where it does not operate a station, but where there is a noncommercial station licensed to another entity, by contracting with said entity for the broadcast of specified programs.

- (a) Notice of Intent—A licensee desiring to become a network affiliate shall submit a notice of intent to contract not later than November 1st preceding the State fiscal year in which the contract will be in effect. The notice of intent shall be a standard form developed by the Authority staff and shall set forth a contract amount to be determined by multiplying the station rate by the total broadcast hours requested by the Authority.
- (b) Contract—The agreement shall be reduced to writing setting forth all terms.
- (c) Station Rate Formula—A station contracting as a network affiliate shall be compensated at a rate equal to the average hourly cost of operation of the station facilities contracted for, which shall be equal to the station's operating expenses as certified to the Corporation for Public Broadcasting (CPB) in the most recent CPB annual survey preceding the submission of notice of intent to contract, less amounts received from the Authority under Sections I and II of this policy in the year covered by the survey, divided by the total annual hours of operation in the year covered by the survey.

$$\text{Station Rate} = \frac{\text{Operating expenses—LETA receipts}}{\text{Annual hours of operation}}$$

- (d) Accountability—A network affiliate shall provide such supporting records or information as may be requested by the Authority or Legislative Auditor.

II. Supplemental Community Service Grants

“To serve the public interest through educational and public television and radio in accordance with Federal and State law, the Louisiana Educational Television Authority may compensate eligi-

ble licensees with an annual supplemental community service grant. . . .”

- (a) Eligibility—To be eligible to receive a supplemental community service grant, a licensee must have received a community service grant from the Corporation for Public Broadcasting in the Federal fiscal year immediately preceding the final date for receiving applications for compensation under this provision.
- (b) Application—The Authority shall receive applications from eligible licensees not later than November 1st preceding the State fiscal year in which the grant will be awarded. Application shall be made on a standard form developed by the Authority staff and requiring such data as may be necessary for computing the amount of the grant.
- (c) Compensation—The supplemental community service grant shall be one-half the community service grant received from the Corporation for Public Broadcasting in the year which establishes the licensee as eligible to receive a supplemental community service grant.
- (d) Reciprocity—To maximize the availability of programming to all citizens of Louisiana, any licensee receiving a supplemental community service grant shall, upon request by the Authority, make available to the Authority for statewide broadcast any program produced by the licensee. Conversely, any program originated by the Authority and not covered by a network affiliation agreement shall be made available for broadcast to a licensee provided however, that no availability is required from either party where such broadcast would be inconsistent with the rights of the program.
- (e) Accountability—Recipients of a supplemental community service grant shall provide their annual financial statement to the Authority which shall include a statement outlining the use of the grant and shall provide such other supporting records or information as may be requested by the Authority or the Legislative Auditor.

III. Budgeting for Supplemental Community Service Grants and Network Affiliation Agreements

- (a) The Authority shall receive applications for grants and notices of intent to contract as set forth in Sections I and II of this policy and shall include the aggregate amount in the annual operating budget request in a section entitled "other charges," or its equivalent should the budget format be modified in subsequent years.
- (b) In the event that the Legislature appropriates less than the full amount requested, the Authority shall first provide for network affiliation agreements and any remaining amount shall be designated as supplemental community service grant funds and shall be distributed to the licensees in proportion to their application for a supplemental community service grant.
- (c) In the event that the Legislature appropriates less than the amount necessary to provide for network affiliation agreements, there will be no supplemental community service grants for that year and the Authority shall, if requested by the licensee, reduce its contracted hours in proportion to the amount appropriated, but this provision shall impose no obligation on the licensee to contract for less than the full amount specified in the notice of intent.

IV. Non-Federal Income Reportable to CPB

All funds disbursed through network affiliation agreements or as supplemental community service grants shall not be reported by the recipient to the Corporation for Public Broadcasting as nonduplicated non-Federal income for the purpose of establishing qualifying income for calculating community service grants. Rather, the Authority, as a licensee itself and the initial recipient of these funds through legislative appropriation, shall report them as nonduplicated non-Federal income for the purpose of calculating its own community service grant.

A. Fred Frey
Executive Director

NOTICE OF INTENT

Board of Elementary and Secondary Education

Notice is hereby given that the State Board of Elementary and Secondary Education intends to adopt at its October, 1976 meeting the following policies, procedures and regulations. Public notification made herein indicates no final approval.

- (a) Consideration of sick leave policy for vocational-technical personnel under the jurisdiction of the Board.
- (b) No final grade below "C" will be accepted by the State Department of Education in any professional or specialized academic education course which is required for certification, regardless of overall grade average. These requirements would become effective for all students entering the teacher education program in the summer session of 1977.
- (c) Non-teacher certification requirements for parish/city supervisors for special education.
- (d) Substitution for Rule 3.01.52.c which was adopted as emergency policy on April 22, 1976, and duly advertised in the May 20, 1976, Louisiana Register. Amendment to Bulletin 741 (1966 edition; interim 1976 edition) as follows:

Full-time certified teachers in secondary schools (any school including a high school grade of 9-12) may be allowed to teach a maximum of two periods in one subject out of their field of certification, if they have earned twelve semester hours in that subject. Secondary teachers shall not teach below the seventh grade level.
- (e) Proposed required supervision for providers of psychological services to schools.
- (f) Adoption of Adult Education Plan and Applications for 1977-78.
- (g) Consideration of curricula of the existing alternative schools.
- (h) Consideration of revision to Bulletin 746 (1971 edition).

Earl Ingram
Director

NOTICE OF INTENT

**Commission on Firefighting Personnel
Standards and Education**

The Commission on Firefighting Personnel Standards and Education will meet at 9:00 a.m., October 20, 1976, in the Orleans Room, Bellemont Motor Hotel, Baton Rouge, Louisiana to consider adoption of the following proposals:

1. Amendments to Instructor I certification requirements.
2. Requirements for Instructor II certification.
3. Amendments to Fire Fighter III certification requirements.
4. Requirements for Fire Apparatus Driver/Operator certification.

All interested persons will be afforded reasonable opportunity to submit views and comments at the meeting.

Jimmy Chapman
Executive Director

NOTICE OF INTENT

**Health and Human Resources Administration
Division of Human Services
Bureau of Aging Services**

The Louisiana Health and Human Resources Administration, Division of Human Services, Bureau of Aging Services, proposes to permanently adopt a revised formula for the distribution of funds under Titles III and VII of the Older Americans Act.

Funds under Title III of the Older Americans Act will be allocated to each of the eight planning districts based on the percentage of the state's population sixty years of age and older and the percentage of the state's population sixty years of age and older who are below the poverty level and reside in the District. With the passage of the 1975 amendments to the Older Americans Act, the Conference Committee of the House and Senate and the Administration on Aging have stressed the need to provide services to the elderly residing in rural areas on a priority basis. Considering this, we propose to revise the formula used to allocate funds to include the percentage of the state's population sixty years of age

and older, and the percentage of the state's population sixty years of age and older who are below the poverty level, and the percentage of land area included in the district. The specific formula previously used is as follows:

$$\frac{\text{Percentage of population over 60} + \text{Percentage of population over 60 below poverty}}{2} = \text{Percentage of total funds a district receives}$$

The revised formula is as follows:

$$\frac{\text{Percentage of population over 60} + \text{Percentage of population over 60 below poverty}}{3} + \text{Percentage State land areas} = \text{Percentage of total funds a district receives}$$

This proposed permanent policy change was implemented on an emergency basis, effective September 1, 1976.

Interested persons may submit written comments through October 4, 1976, to:

Louisiana Health and Human
Resources Administration
Bureau of Aging Services
P. O. Box 44284
Baton Rouge, Louisiana 70804

William H. Stewart, M.D.
Commissioner

NOTICE OF INTENT

**Health and Human Resources Administration
Division of Management**

The Louisiana Health and Human Resources Administration proposes to permanently adopt certain amendments to Louisiana's Comprehensive Annual Services Program Plan, including a Federally required increase in the median family income used in the computation of Title XX benefits. The controlling Federal regulations were promulgated in the Federal Register Vol. 40, No. 125, page 27,361, June 27, 1975, and Vol. 40, No. 239,

page 57,705, Dec. 11, 1975. The Title XX median annual income will be increased from \$11,430 to \$12,600. This will result in a new monthly income eligibility level for a family of four of \$493.

Other proposed amendments to the Plan are:

1. Inclusion of room and/or board as a component of the service definition to allow for reimbursement under Title XX when room and/or board is an integral but subordinate part of a service. Services to be amended include health related, family counseling, educational and training, employment, home management, recreational, and protective.
2. Inclusion of cost of food for home delivered and/or congregate meals to allow service providers the option of having contracts, which may include the cost of food.
3. Inclusion of all the services (as defined in the State Plan) as protective services provided without regard to income for protection of eligible children and adults from emotional or physical harm. Services include: adoption, day care for adults, day care for children, education and training, employment, family counseling, family planning, foster care, health related, home delivered and/or congregate meals, home management, homemaker and chore, housing improvement, information and referral, maternity, recreational and transportation.
4. Inclusion of the revised definition of family to allow for greater flexibility in establishing methods of eligibility determination. Family means the basis family unit consisting of one or more adults and children, if any, related by blood, marriage, or adoption and residing in the same household. Where related adults, other than spouses, or unrelated adults reside together, each may be considered a separate family. Children living with nonlegally responsible relatives, emancipated minors, and children living under the care of unrelated persons may be considered one-person families.
5. Amend component No. 5 under Education and Training to read: School social work services to eligibles when not otherwise available without cost, providing individual and group therapy, liaison services to parents, school administration, and other agencies, identification of social problems, etc. This is to allow for clarification of services delivered.
6. Amend component No. 5 under Health Related Services to read: Arrangement for provision of hospital and/or home sitter services. This is to allow

eligible persons to receive the necessary health services in their own homes.

These proposed amendments have been adopted on an emergency basis, effective October 1, 1976.

Interested persons may submit written comments through October 4, 1976, to:

Louisiana Health and Human
Resources Administration
Division of Management
Box 44215
Baton Rouge, Louisiana 70804

William H. Stewart, M.D.
Commissioner

NOTICE OF INTENT

Health and Human Resources Administration Division of Management

The Louisiana Health and Human Resources Administration proposes to adopt the following sliding fee scales for various divisions in the agency.

Interested persons may submit written comments until 4:30 p.m., October 4, 1976, to the following address:

William H. Stewart, M.D., Commissioner
Health and Human Resources Administration
P. O. Box 44215
Baton Rouge, Louisiana 70804

Fee Schedules for Ineligible Patient Billing Definitions

1. "Income," as used herein, means all family income derived from salary, Social Security benefits, Veterans Administration benefits, rent, royalty, commission, interest, self-employment, or any other type of income after deduction of Federal, State, and Social Security taxes as accepted by the Internal Revenue Service for Federal income tax purposes.
2. "Adjusted income," as used herein, means family income after deduction of Federal, State, and Social Security taxes; plus deduction of \$25 for each person dependent on that income.
3. "Dependent," as used herein, means all persons dependent on the household income as accepted by

the Internal Revenue Service for Federal income tax purposes.

Sliding Billing Scales

I. General Hospitals

Any family whose adjusted income is less than \$200 per month is eligible for free treatment in any general hospital.

Any family whose adjusted income exceeds \$200 will pay a deductible up to \$25 for any medical services rendered. Total charges will be determined by using the following formula.

- A. Determine adjusted income
- B. Compute percent based on adjusted income
 1. Enter adjusted income
 2. Subtract \$200 for adjusted income
 3. Divide the result by \$800
- C. Compute percent based on bill amount
 4. Enter amount of bill
 5. Subtract deductible amount (\$25)
 6. Divide result by amount of bill
 7. Subtract the result of Step 6 from one hundred percent
 8. Add Step 3 and Step 7
 9. Multiply Step 8 times the result of Step 5
 10. Add deductible amount (\$25)
 11. This is the adjusted billing amount

Note: If Step 11 is greater than Step 4, use Step 4 as the adjusted billing amount.

(See charts beginning on page 286)

William H. Stewart, M.D.
Commissioner

NOTICE OF INTENT

Racing Commission

The Louisiana State Racing Commission does hereby give notice in accordance with the law that it intends to adopt a proposed complete revision of the rules of racing at its meeting to be held in October 1976. The exact date, time, and place of the October 1976 meeting will be announced at the Commission meeting to be held

on September 22, 1976, at 10:30 a.m. at the Hyatt Regency Hotel in New Orleans, Louisiana.

The proposed revisions have been the subject of discussion in a series of meetings with the representatives of the racing industry of Louisiana. Additional opportunity for comment will be made available through the close of business October 4, 1976.

The details of the revisions of the rules of racing may be obtained by telephoning the Commission at area code 504-568-5870 or by writing to Suite 1020, One Shell Square, 701 Poydras Street, New Orleans, Louisiana 70139 through October 4, 1976.

The office of the Commission will be open from 9:00 a.m. to 4:00 p.m. and interested persons may call during this time, holidays and weekends excluded, for inspection and examination of said proposed complete revision of the rules of racing and all interested persons may submit data, views or arguments, orally or in writing at this time.

Additional reasonable opportunity for oral comments will be permitted at the October meeting.

Albert M. Stall
Chairman

NOTICE OF INTENT

Tax Commission

In accordance with the provisions of Section 953 of Title 49 of the Louisiana Revised Statutes of 1950 notice is hereby given that the Louisiana Tax Commission intends to formally adopt and promulgate forms, manuals, guidelines, rules and regulations pursuant to Act 701 of the Regular Session of 1976 and Sections 3, 5, 6, and 12 of Act 705 of the Regular Session of 1976 dealing with the assessment of property for ad valorem property tax purposes.

Three days of hearings are scheduled as follows:

- 1) On Tuesday, October 5, 1976, commencing at 10:00 a.m., a hearing will be held in Senate Committee Room E located on the ground floor of the State Capitol Building in Baton Rouge, Louisiana, for the purpose of: (a) adopting and promulgating rules and guidelines necessary for the distribution to and use by the assessors of the state of the monies appropriated to the Louisiana Tax Commission under Act 701 of

II. Mental Hospitals

A. Initial Sliding Scale

No patient shall be billed in excess of the hospitals per diem rate regardless of annual income.

If the number of dependents exceeds six (6), deduct \$20 per month for each additional dependent.

For extended care, when a patient's stay exceeds sixty (60) days, the Supplemental scale shall be used.

Annual Income	<u>1 Dependent</u>		<u>2 Dependents</u>		<u>3 Dependents</u>		<u>4 Dependents</u>		<u>5 Dependents</u>		<u>6 Dependents</u>	
	Day	Month	Day	Month	Day	Month	Day	Month	Day	Month	Day	Month
3,200	.87	26.00										
3,300	.90	27.00										
3,400	.93	28.00										
3,500	.97	29.00										
3,600	1.00	30.00	.33	10.00								
3,700	1.03	31.00	.36	11.00								
3,800	1.06	32.00	.40	12.00								
3,900	1.10	33.00	.43	13.00								
4,000	1.13	34.00	.46	14.00								
4,100	1.20	36.00	.53	16.00								
4,200	1.26	38.00	.60	18.00								
4,300	1.33	40.00	.66	20.00								
4,400	1.40	42.00	.73	22.00								
4,500	1.46	44.00	.80	24.00								
4,600	1.53	46.00	.86	26.00								
4,700	1.60	48.00	.93	28.00								
4,800	1.66	50.00	1.00	30.00	.33	10.00						
4,900	1.73	52.00	1.06	32.00	.40	12.00						
5,000	1.80	54.00	1.13	34.00	.46	14.00						
5,100	1.90	57.00	1.23	37.00	.56	17.00						
5,200	2.00	60.00	1.33	40.00	.66	20.00						
5,300	2.10	63.00	1.43	43.00	.76	23.00						
5,400	2.20	66.00	1.53	46.00	.86	26.00						
5,500	2.30	69.00	1.63	49.00	.96	29.00						
5,600	2.40	72.00	1.73	52.00	1.06	32.00	.40	12.00				
5,700	2.50	75.00	1.83	55.00	1.16	35.00	.50	15.00				

ANNUAL INCOME	1 Dependent		2 Dependents		3 Dependents		4 Dependents		5 Dependents		6 Dependents	
	DAY	MONTH	DAY	MONTH	DAY	MONTH	DAY	MONTH	DAY	MONTH	DAY	MONTH
5,800	2.60	78.00	1.93	58.00	1.26	38.00	.60	18.00				
5,900	2.70	81.00	2.03	61.00	1.36	41.00	.70	21.00				
6,000	2.80	84.00	2.13	64.00	1.46	44.00	.80	24.00				
6,100	2.93	88.00	2.26	68.00	1.60	48.00	.93	28.00				
6,200	3.06	92.00	2.40	72.00	1.73	52.00	1.06	32.00	.40	12.00		
6,300	3.20	96.00	2.53	76.00	1.86	56.00	1.20	36.00	.53	16.00		
6,400	3.33	100.00	2.66	80.00	2.00	60.00	1.33	40.00	.66	20.00		
6,500	3.46	104.00	2.80	84.00	2.13	64.00	1.46	44.00	.80	24.00		
6,600	3.60	108.00	2.93	88.00	2.26	68.00	1.60	48.00	.93	28.00		
6,700	3.73	112.00	3.06	92.00	2.40	72.00	1.73	52.00	1.06	32.00	.40	12.00
6,800	3.86	116.00	3.20	96.00	2.53	76.00	1.86	56.00	1.20	36.00	.53	16.00
6,900	4.00	120.00	3.33	100.00	2.66	80.00	2.00	60.00	1.33	40.00	.66	20.00
7,000	4.13	124.00	3.46	104.00	2.80	84.00	2.13	64.00	1.46	44.00	.80	24.00
7,100	4.30	129.00	3.63	109.00	2.96	89.00	2.30	69.00	1.63	49.00	.96	29.00
7,200	4.46	134.00	3.80	114.00	3.13	94.00	2.46	74.00	1.80	54.00	1.13	34.00
7,300	4.63	139.00	3.96	119.00	3.30	99.00	2.63	79.00	1.96	59.00	1.30	39.00
7,400	4.80	144.00	4.13	124.00	3.46	104.00	2.80	84.00	2.13	64.00	1.46	44.00
7,500	4.96	149.00	4.30	129.00	3.63	109.00	2.96	89.00	2.30	69.00	1.63	49.00
7,600	5.13	154.00	4.46	134.00	3.80	114.00	3.13	94.00	2.46	74.00	1.80	54.00
7,700	5.30	159.00	4.63	139.00	3.96	119.00	3.30	99.00	2.63	79.00	1.96	59.00
7,800	5.46	164.00	4.80	144.00	4.13	124.00	3.46	104.00	2.80	84.00	2.13	64.00
7,900	5.63	169.00	4.96	149.00	4.30	129.00	3.63	109.00	2.96	89.00	2.30	69.00
8,000	5.80	174.00	5.13	154.00	4.46	134.00	3.80	114.00	3.13	94.00	2.46	74.00
8,100	5.96	179.00	5.30	159.00	4.63	139.00	3.96	119.00	3.30	99.00	2.63	79.00
8,200	6.13	184.00	5.46	164.00	4.80	144.00	4.13	124.00	3.46	104.00	2.80	84.00
8,300	6.30	189.00	5.63	169.00	4.96	149.00	4.30	129.00	3.63	109.00	2.96	89.00
8,400	6.46	194.00	5.80	174.00	5.13	154.00	4.46	134.00	3.80	114.00	3.13	94.00
8,500	6.63	199.00	5.96	179.00	5.30	159.00	4.63	139.00	3.96	119.00	3.30	99.00
8,600	6.80	204.00	6.13	184.00	5.46	164.00	4.80	144.00	4.13	124.00	3.46	104.00
8,700	6.96	209.00	6.30	189.00	5.63	169.00	4.96	149.00	4.30	129.00	3.63	109.00
8,800	7.13	214.00	6.46	194.00	5.80	174.00	5.13	154.00	4.46	134.00	3.80	114.00
8,900	7.30	219.00	6.63	199.00	5.96	179.00	5.30	159.00	4.63	139.00	3.96	119.00
9,000	7.46	224.00	6.80	204.00	6.13	184.00	5.46	164.00	4.80	144.00	4.13	124.00
9,100	7.63	229.00	6.96	209.00	6.30	189.00	5.63	169.00	4.96	149.00	4.30	129.00
9,200	7.80	234.00	7.13	214.00	6.46	194.00	5.80	174.00	5.13	154.00	4.46	134.00
9,300	7.96	239.00	7.30	219.00	6.63	199.00	5.96	179.00	5.30	159.00	4.63	139.00
9,400	8.13	244.00	7.46	224.00	6.80	204.00	6.13	184.00	5.46	164.00	4.80	144.00
9,500	8.30	249.00	7.63	229.00	6.96	209.00	6.30	189.00	5.63	169.00	4.96	149.00
9,600	8.46	254.00	7.80	234.00	7.13	214.00	6.46	194.00	5.80	174.00	5.13	154.00
9,700	8.63	259.00	7.96	239.00	7.30	219.00	6.63	199.00	5.96	179.00	5.30	159.00

ANNUAL INCOME	1 Dependent		2 Dependents		3 Dependents		4 Dependents		5 Dependents		6 Dependents	
	DAY	MONTH	DAY	MONTH	DAY	MONTH	DAY	MONTH	DAY	MONTH	DAY	MONTH
9,800	8.80	264.00	8.13	244.00	7.46	224.00	6.80	204.00	6.13	184.00	5.46	164.00
9,900	8.96	269.00	8.30	249.00	7.63	229.00	6.96	209.00	6.30	189.00	5.63	169.00
10,000	9.13	274.00	8.46	254.00	7.80	234.00	7.13	214.00	6.46	194.00	5.80	174.00
10,100	9.30	279.00	8.63	259.00	7.96	239.00	7.30	219.00	6.63	199.00	5.96	179.00
10,200	9.46	284.00	8.80	264.00	8.13	244.00	7.46	224.00	6.80	204.00	6.13	184.00
10,300	9.63	289.00	8.96	269.00	8.30	249.00	7.63	229.00	6.96	209.00	6.30	189.00
10,400	9.80	294.00	9.13	274.00	8.46	254.00	7.80	234.00	7.13	214.00	6.46	194.00
10,500	9.96	299.00	9.30	279.00	8.63	259.00	7.96	239.00	7.30	219.00	6.63	199.00
10,600	10.13	304.00	9.46	284.00	8.80	264.00	8.13	244.00	7.46	224.00	6.80	204.00
10,700	10.30	309.00	9.63	289.00	8.96	269.00	8.30	249.00	7.63	229.00	6.96	209.00
10,800	10.46	314.00	9.80	294.00	9.13	274.00	8.46	254.00	7.80	234.00	7.13	214.00
10,900	10.63	319.00	9.96	299.00	9.30	279.00	8.63	259.00	7.96	239.00	7.30	219.00
11,000	10.80	324.00	10.13	304.00	9.46	284.00	8.80	264.00	8.13	244.00	7.46	224.00
11,100	10.96	329.00	10.30	309.00	9.63	289.00	8.96	269.00	8.30	249.00	7.63	229.00
11,200	11.13	334.00	10.46	314.00	9.80	294.00	9.13	274.00	8.46	254.00	7.80	234.00
11,300	11.30	339.00	10.63	319.00	9.96	299.00	9.30	279.00	8.63	259.00	7.96	239.00
11,400	11.46	344.00	10.80	324.00	10.13	304.00	9.46	284.00	8.80	264.00	8.13	244.00
11,500	11.63	349.00	10.96	329.00	10.30	309.00	9.63	289.00	8.96	269.00	8.30	249.00
11,600	11.80	354.00	11.13	334.00	10.46	314.00	9.80	294.00	9.13	274.00	8.46	254.00
11,700	11.96	359.00	11.30	339.00	10.63	319.00	9.96	299.00	9.30	279.00	8.63	259.00
11,800	12.13	364.00	11.46	344.00	10.80	324.00	10.13	304.00	9.46	284.00	8.80	264.00
11,900	12.30	369.00	11.63	349.00	10.96	329.00	10.30	309.00	9.63	289.00	8.96	269.00
12,000	12.46	374.00	11.80	354.00	11.13	334.00	10.46	314.00	9.80	294.00	9.13	274.00
12,100	12.63	379.00	11.96	359.00	11.30	339.00	10.63	319.00	9.96	299.00	9.30	279.00
12,200	12.80	384.00	12.13	364.00	11.46	344.00	10.80	324.00	10.13	304.00	9.46	284.00
12,300	12.96	389.00	12.30	369.00	11.63	349.00	10.96	329.00	10.30	309.00	9.63	289.00
12,400	13.13	394.00	12.46	374.00	11.80	354.00	11.13	334.00	10.46	314.00	9.80	294.00
12,500	13.30	399.00	12.63	379.00	11.96	359.00	11.30	339.00	10.63	319.00	9.96	299.00
12,600	13.46	404.00	12.80	384.00	12.13	364.00	11.46	344.00	10.80	324.00	10.13	304.00
12,700	13.63	409.00	12.96	389.00	12.30	369.00	11.63	349.00	10.96	329.00	10.30	309.00
12,800	13.80	414.00	13.13	394.00	12.46	374.00	11.80	354.00	11.13	334.00	10.46	314.00
12,900	13.96	419.00	13.30	399.00	12.63	379.00	11.96	359.00	11.30	339.00	10.63	319.00
13,000	14.13	424.00	13.46	404.00	12.80	384.00	12.13	364.00	11.46	344.00	10.80	324.00
13,100	14.30	429.00	13.63	409.00	12.96	389.00	12.30	369.00	11.63	349.00	10.96	329.00
13,200	14.46	434.00	13.80	414.00	13.13	394.00	12.46	374.00	11.80	354.00	11.13	334.00
13,300	14.63	439.00	13.96	419.00	13.30	399.00	12.63	379.00	11.96	359.00	11.30	339.00
13,400	14.80	444.00	14.13	424.00	13.46	404.00	12.80	384.00	12.13	364.00	11.46	344.00
13,500	14.96	449.00	14.30	429.00	13.63	409.00	12.96	389.00	12.30	369.00	11.63	349.00

ANNUAL INCOME	1 Dependent		2 Dependents		3 Dependents		4 Dependents		5 Dependents		6 Dependents	
	DAY	MONTH	DAY	MONTH	DAY	MONTH	DAY	MONTH	DAY	MONTH	DAY	MONTH
13,600	15.13	454.00	14.46	434.00	13.80	414.00	13.13	394.00	12.46	374.00	11.80	354.00
13,700	15.30	459.00	14.63	439.00	13.96	419.00	13.30	399.00	12.63	379.00	11.96	359.00
13,800	15.46	464.00	14.80	444.00	14.13	424.00	13.46	404.00	12.80	384.00	12.13	364.00
13,900	15.63	469.00	14.96	449.00	14.30	429.00	13.63	409.00	12.96	389.00	12.30	369.00
14,000	15.80	474.00	15.13	454.00	14.46	434.00	13.80	414.00	13.13	394.00	12.46	374.00
14,100	15.96	479.00	15.30	459.00	14.63	439.00	13.96	419.00	13.30	399.00	12.63	379.00
14,200	16.13	484.00	15.46	464.00	14.80	444.00	14.13	424.00	13.46	404.00	12.80	384.00
14,300	16.30	489.00	15.63	469.00	14.96	449.00	14.30	429.00	13.63	409.00	12.96	389.00
14,400	16.46	494.00	15.80	474.00	15.13	454.00	14.46	434.00	13.80	414.00	13.13	394.00
14,500	16.63	499.00	15.96	479.00	15.30	459.00	14.63	439.00	13.96	419.00	13.30	399.00
14,600	16.80	504.00	16.13	484.00	15.46	464.00	14.80	444.00	14.13	424.00	13.46	404.00
14,700	16.96	509.00	16.30	489.00	15.63	469.00	14.96	449.00	14.30	429.00	13.63	409.00
14,800	17.13	514.00	16.46	494.00	15.80	474.00	15.13	454.00	14.46	434.00	13.80	414.00
14,900	17.30	519.00	16.63	499.00	15.96	479.00	15.30	459.00	14.63	439.00	13.96	419.00
15,000	17.46	524.00	16.80	504.00	16.13	484.00	15.46	464.00	14.80	444.00	14.13	424.00
15,100	17.63	529.00	16.96	509.00	16.30	489.00	15.63	469.00	14.96	449.00	14.30	429.00
15,200	17.80	534.00	17.13	514.00	16.46	494.00	15.80	474.00	15.13	454.00	14.46	434.00
15,300	17.96	539.00	17.30	519.00	16.63	499.00	15.96	479.00	15.30	459.00	14.63	439.00
15,400	18.13	544.00	17.46	524.00	16.80	504.00	16.13	484.00	15.46	464.00	14.80	444.00
15,500	18.30	549.00	17.63	529.00	16.96	509.00	16.30	489.00	15.63	469.00	14.96	449.00
15,600	18.46	554.00	17.80	534.00	17.13	514.00	16.46	494.00	15.80	474.00	15.13	454.00
15,700	18.63	559.00	17.96	539.00	17.30	519.00	16.63	499.00	15.96	479.00	15.30	459.00
15,800	18.80	564.00	18.13	544.00	17.46	524.00	16.80	504.00	16.13	484.00	15.46	464.00
15,900	18.96	569.00	18.30	549.00	17.63	529.00	16.96	509.00	16.30	489.00	15.63	469.00
16,000	19.13	574.00	18.46	554.00	17.80	534.00	17.13	514.00	16.46	494.00	15.80	474.00
16,100	19.30	579.00	18.63	559.00	17.96	539.00	17.30	519.00	16.63	499.00	15.96	479.00
16,200	19.46	584.00	18.80	564.00	18.13	544.00	17.46	524.00	16.80	504.00	16.13	484.00
16,300	19.63	589.00	18.96	569.00	18.30	549.00	17.63	529.00	16.96	509.00	16.30	489.00
16,400	19.80	594.00	19.13	574.00	18.46	554.00	17.80	534.00	17.13	514.00	16.46	494.00
16,500	19.96	599.00	19.30	579.00	18.63	559.00	17.96	539.00	17.30	519.00	16.63	499.00
16,600	20.13	604.00	19.46	584.00	18.80	564.00	18.13	544.00	17.46	524.00	16.80	504.00
16,700	20.30	609.00	19.63	589.00	18.96	569.00	18.30	549.00	17.63	529.00	16.96	509.00
16,800	20.46	614.00	19.80	594.00	19.13	574.00	18.46	554.00	17.80	534.00	17.13	514.00
16,900	20.63	619.00	19.96	599.00	19.30	579.00	18.63	559.00	17.96	539.00	17.30	519.00
17,000	20.80	624.00	20.13	604.00	19.46	584.00	18.80	564.00	18.13	544.00	17.46	524.00
17,100	20.96	629.00	20.30	609.00	19.63	589.00	18.96	569.00	18.30	549.00	17.63	529.00
17,200	21.13	634.00	20.46	614.00	19.80	594.00	19.13	574.00	18.46	554.00	17.80	534.00
17,300	21.30	639.00	20.63	619.00	19.96	599.00	19.30	579.00	18.63	559.00	17.96	539.00

ANNUAL INCOME	1 Dependent		2 Dependents		3 Dependents		4 Dependents		5 Dependents		6 Dependents	
	DAY	MONTH	DAY	MONTH	DAY	MONTH	DAY	MONTH	DAY	MONTH	DAY	MONTH
17,400	21.46	644.00	20.80	624.00	20.13	604.00	19.46	584.00	18.80	564.00	18.13	544.00
17,500	21.63	649.00	20.96	629.00	20.30	609.00	19.63	589.00	18.96	569.00	18.30	549.00
17,600	21.80	654.00	21.13	634.00	20.46	614.00	19.80	594.00	19.13	574.00	18.46	554.00
17,700	21.96	659.00	21.30	639.00	20.63	619.00	19.96	599.00	19.30	579.00	18.63	559.00
17,800	22.13	664.00	21.46	644.00	20.80	624.00	20.13	604.00	19.46	584.00	18.80	564.00
17,900	22.30	669.00	21.63	649.00	20.96	629.00	20.30	609.00	19.63	589.00	18.96	569.00
18,000	22.46	674.00	21.80	654.00	21.13	634.00	20.46	614.00	19.80	594.00	19.13	574.00
18,100	22.63	679.00	21.96	659.00	21.30	639.00	20.63	619.00	19.96	599.00	19.30	579.00
18,200	22.80	684.00	22.13	664.00	21.46	644.00	20.80	624.00	20.13	604.00	19.46	584.00
18,300	22.96	689.00	22.30	669.00	21.63	649.00	20.96	629.00	20.30	609.00	19.63	589.00
18,400	23.13	694.00	22.46	674.00	21.80	654.00	21.13	634.00	20.46	614.00	19.80	594.00
18,500	23.30	699.00	22.63	679.00	21.96	659.00	21.30	639.00	20.63	619.00	19.96	599.00
18,600	23.46	704.00	22.80	684.00	22.13	664.00	21.46	644.00	20.80	624.00	20.13	604.00
18,700	23.63	709.00	22.96	689.00	22.30	669.00	21.63	649.00	20.96	629.00	20.30	609.00
18,800	23.80	714.00	23.13	694.00	22.46	674.00	21.80	654.00	21.13	634.00	20.46	614.00
18,900	23.96	719.00	23.30	699.00	22.63	679.00	21.96	659.00	21.30	639.00	20.63	619.00
19,000	24.13	724.00	23.46	704.00	22.80	684.00	22.13	664.00	21.46	644.00	20.80	624.00
19,100	24.30	729.00	23.63	709.00	22.96	689.00	22.30	669.00	21.63	649.00	20.96	629.00
19,200	24.46	734.00	23.80	714.00	23.13	694.00	22.46	674.00	21.80	654.00	21.13	634.00
19,300	24.63	739.00	23.96	719.00	23.30	699.00	22.63	679.00	21.96	659.00	21.30	639.00
19,400	24.80	744.00	24.13	724.00	23.46	704.00	22.80	684.00	22.13	664.00	21.46	644.00
19,500	24.96	749.00	24.30	729.00	23.63	709.00	22.96	689.00	22.30	669.00	21.63	649.00
19,600	25.13	754.00	24.46	734.00	23.80	714.00	23.13	694.00	22.46	674.00	21.80	654.00
19,700	25.30	759.00	24.63	739.00	23.96	719.00	23.30	699.00	22.63	679.00	21.96	659.00
19,800	25.46	764.00	24.80	744.00	24.13	724.00	23.46	704.00	22.80	684.00	22.13	664.00
19,900	25.63	769.00	24.96	749.00	24.30	729.00	23.63	709.00	22.96	689.00	22.30	669.00
20,000	25.80	774.00	25.13	754.00	24.46	734.00	23.80	714.00	23.13	694.00	22.46	674.00

B. Supplemental Sliding Scale

No patient shall be billed in excess of the hospitals per diem rate regardless of annual income

If the number of dependents exceeds six (6), deduct \$30.00 per year or \$2.50 per month for each additional dependent.

Annual Income	<u>1 Dependent</u>		<u>2 Dependents</u>		<u>3 Dependents</u>		<u>4 Dependents</u>		<u>5 Dependents</u>		<u>6 Dependents</u>	
	Year	Month	Year	Month	Year	Month	Year	Month	Year	Month	Year	Month
3,600	96.00	8.00	66.00	5.50								
3,700	100.00	8.33	70.00	5.83								
3,800	104.00	8.66	74.00	6.16								
3,900	108.00	9.00	78.00	6.50	48.00	4.00						
4,000	112.00	9.33	82.00	6.83	52.00	4.33						
4,100	119.00	9.91	89.00	7.41	59.00	4.91						
4,200	126.00	10.50	96.00	8.00	66.00	5.50						
4,300	133.00	11.08	103.00	8.58	73.00	6.08						
4,400	140.00	11.66	110.00	9.16	80.00	6.66	50.00	4.16				
4,500	147.00	12.25	117.00	9.75	87.00	7.25	57.00	4.75				
4,600	154.00	12.83	124.00	10.33	94.00	7.83	64.00	5.33				
4,700	161.00	13.41	131.00	10.91	101.00	8.41	71.00	5.91				
4,800	168.00	14.00	138.00	11.50	108.00	9.00	78.00	6.50	48.00	4.00		
4,900	175.00	14.58	145.00	12.08	115.00	9.58	85.00	7.08	55.00	4.58		
5,000	182.00	15.16	152.00	12.66	122.00	10.16	92.00	7.66	62.00	5.16		
5,100	189.00	15.75	159.00	13.25	129.00	10.75	99.00	8.25	69.00	5.75		
5,200	196.00	16.33	166.00	13.83	136.00	11.33	106.00	8.83	76.00	6.33		
5,300	203.00	16.91	173.00	14.41	143.00	11.91	113.00	9.41	83.00	6.91	53.00	4.41
5,400	210.00	17.50	180.00	15.00	150.00	12.50	120.00	10.00	90.00	7.50	60.00	5.00
5,500	217.00	18.08	187.00	15.58	157.00	13.08	127.00	10.58	97.00	8.08	67.00	5.58
5,600	224.00	18.66	194.00	16.16	164.00	13.66	134.00	11.16	104.00	8.66	74.00	6.16
5,700	231.00	19.25	201.00	16.75	171.00	14.25	141.00	11.75	111.00	9.25	81.00	6.75
5,800	238.00	19.83	208.00	17.33	178.00	14.83	148.00	12.33	118.00	9.83	88.00	7.33
5,900	245.00	20.41	215.00	17.91	185.00	15.41	155.00	12.91	125.00	10.41	95.00	7.91
6,000	252.00	21.00	222.00	18.50	192.00	16.00	162.00	13.50	132.00	11.00	102.00	8.50

Annual Income	ONE		TWO		THREE		FOUR		FIVE		SIX	
	Year	Month	Year	Month	Year	Month	Year	Month	Year	Month	Year	Month
6,100	259.00	21.58	229.00	19.08	199.00	16.58	169.00	14.08	139.00	11.58	109.00	9.08
6,200	266.00	22.16	236.00	19.66	206.00	17.16	176.00	14.66	146.00	12.16	116.00	9.66
6,300	273.00	22.75	243.00	20.25	213.00	17.75	183.00	15.25	153.00	12.75	123.00	10.25
6,400	280.00	23.33	250.00	20.83	220.00	18.33	190.00	15.83	160.00	13.33	130.00	10.83
6,500	287.00	23.91	257.00	21.41	227.00	18.91	197.00	16.41	167.00	13.91	137.00	11.41
6,600	294.00	24.50	264.00	22.00	234.00	19.50	204.00	17.00	174.00	14.50	144.00	12.00
6,700	301.00	25.08	271.00	22.58	241.00	20.08	211.00	17.58	181.00	15.08	151.00	12.58
6,800	308.00	25.66	278.00	23.16	248.00	20.66	218.00	18.16	188.00	15.66	158.00	13.16
6,900	315.00	26.25	285.00	23.75	255.00	21.25	225.00	18.75	195.00	16.25	165.00	13.75
7,000	322.00	26.83	292.00	24.33	262.00	21.83	232.00	19.33	202.00	16.83	172.00	14.33
7,100	331.00	27.58	301.00	25.08	271.00	22.58	241.00	20.08	211.00	17.58	181.00	15.08
7,200	340.00	28.33	310.00	25.83	280.00	23.33	250.00	20.83	220.00	18.33	190.00	15.83
7,300	349.00	29.08	319.00	26.58	289.00	24.08	259.00	21.58	229.00	19.08	199.00	16.58
7,400	358.00	29.83	328.00	27.33	298.00	24.83	268.00	22.33	238.00	19.83	208.00	17.33
7,500	367.00	30.58	337.00	28.08	307.00	25.58	277.00	23.08	247.00	20.58	217.00	18.08
7,600	376.00	31.33	346.00	28.83	316.00	26.33	286.00	23.83	256.00	21.33	226.00	18.83
7,700	385.00	32.08	355.00	29.58	325.00	27.08	295.00	24.58	265.00	22.08	235.00	19.58
7,800	394.00	32.83	364.00	30.33	334.00	27.83	304.00	25.33	274.00	22.83	244.00	20.33
7,900	403.00	33.58	373.00	31.08	343.00	28.58	313.00	26.08	283.00	23.58	253.00	21.08
8,000	412.00	34.33	382.00	31.83	352.00	29.33	322.00	26.83	292.00	24.33	262.00	21.83
8,100	421.00	35.08	391.00	32.58	361.00	30.08	331.00	27.58	301.00	25.08	271.00	22.58
8,200	430.00	35.83	400.00	33.33	370.00	30.83	340.00	28.22	310.00	25.83	280.00	23.33
8,300	439.00	36.58	409.00	34.08	379.00	31.58	349.00	29.08	319.00	26.58	289.00	24.08
8,400	448.00	37.33	418.00	34.83	388.00	32.33	358.00	29.83	328.00	27.33	298.00	24.83
8,500	457.00	38.08	427.00	35.58	397.00	33.08	367.00	30.58	337.00	28.08	307.00	25.58
8,600	466.00	38.83	436.00	36.33	406.00	33.83	376.00	31.33	346.00	28.83	316.00	26.33
8,700	475.00	39.58	445.00	37.08	415.00	34.58	385.00	32.08	355.00	29.58	325.00	27.08
8,800	484.00	40.33	454.00	37.83	424.00	35.33	394.00	32.83	364.00	30.33	334.00	27.83
8,900	493.00	41.08	463.00	38.58	433.00	36.08	403.00	33.58	373.00	31.08	343.00	28.58
9,000	502.00	41.83	472.00	39.33	442.00	36.83	412.00	34.33	382.00	31.83	352.00	29.33
9,100	511.00	42.58	481.00	40.08	451.00	37.58	421.00	35.08	391.00	32.58	361.00	30.08
9,200	520.00	43.33	490.00	40.83	460.00	38.33	430.00	35.83	400.00	33.33	370.00	30.83
9,300	529.00	44.08	499.00	41.58	469.00	39.08	439.00	36.58	409.00	34.08	379.00	31.58
9,400	538.00	44.83	508.00	42.33	478.00	39.83	448.00	37.33	418.00	34.83	388.00	32.33
9,500	547.00	45.58	517.00	43.08	487.00	40.58	457.00	38.08	427.00	35.58	397.00	33.08
9,600	556.00	46.33	526.00	43.83	496.00	41.33	466.00	38.83	436.00	36.33	406.00	33.83
9,700	565.00	47.08	535.00	44.58	505.00	42.08	475.00	39.58	445.00	37.08	415.00	34.58
9,800	574.00	47.83	544.00	45.33	514.00	42.83	484.00	40.33	454.00	37.83	424.00	35.33
9,900	583.00	48.58	553.00	46.08	523.00	43.58	493.00	41.08	463.00	38.58	433.00	36.08
10,000	592.00	49.33	562.00	46.83	532.00	44.33	502.00	41.83	472.00	39.33	442.00	36.83

Annual Income	ONE		TWO		THREE		FOUR		FIVE		SIX	
	Year	Month	Year	Month	Year	Month	Year	Month	Year	Month	Year	Month
10,100	601.00	50.08	571.00	47.58	541.00	45.08	511.00	42.58	481.00	40.08	451.00	37.58
10,200	610.00	50.83	580.00	48.33	550.00	45.83	520.00	43.33	490.00	40.83	460.00	38.33
10,300	619.00	51.58	589.00	49.08	559.00	46.58	529.00	44.08	499.00	41.58	469.00	39.08
10,400	628.00	52.33	598.00	49.83	568.00	47.33	538.00	44.83	508.00	42.33	478.00	39.83
10,500	637.00	53.08	607.00	50.58	577.00	48.08	547.00	45.58	517.00	43.08	487.00	40.58
10,600	646.00	53.83	616.00	51.33	586.00	48.83	556.00	46.33	526.00	43.83	496.00	41.33
10,700	655.00	54.58	625.00	52.08	595.00	49.58	565.00	47.08	535.00	44.58	505.00	42.08
10,800	664.00	55.33	634.00	52.83	604.00	50.33	574.00	47.83	544.00	45.33	514.00	42.83
10,900	673.00	56.08	643.00	53.58	613.00	51.08	583.00	48.58	553.00	46.08	523.00	43.58
11,000	682.00	56.83	652.00	54.33	622.00	51.83	592.00	49.33	562.00	46.83	532.00	44.33
11,100	691.00	57.58	661.00	55.08	631.00	52.58	601.00	50.08	571.00	47.58	541.00	45.08
11,200	700.00	58.33	670.00	55.83	640.00	53.33	610.00	50.83	580.00	48.33	550.00	45.83
11,300	709.00	59.08	679.00	56.58	649.00	54.08	619.00	51.58	589.00	49.08	559.00	46.58
11,400	718.00	59.83	688.00	57.33	658.00	54.83	628.00	52.33	598.00	49.83	568.00	47.33
11,500	727.00	60.58	697.00	58.08	667.00	55.58	637.00	53.08	607.00	50.58	577.00	48.08
11,600	736.00	61.33	706.00	58.83	676.00	56.33	646.00	53.83	616.00	51.33	586.00	48.83
11,700	745.00	62.08	715.00	59.58	685.00	57.08	655.00	54.58	625.00	52.08	595.00	49.58
11,800	754.00	62.83	724.00	60.33	694.00	57.83	664.00	55.33	634.00	52.83	604.00	50.33
11,900	763.00	63.58	733.00	61.08	703.00	58.58	673.00	56.08	643.00	53.58	613.00	51.08
12,000	772.00	64.33	742.00	61.83	712.00	59.33	682.00	56.83	652.00	54.33	622.00	51.83
12,100	781.00	65.08	751.00	62.58	721.00	60.08	691.00	57.58	661.00	55.08	631.00	52.58
12,200	790.00	65.83	760.00	63.33	730.00	60.83	700.00	58.33	670.00	55.83	640.00	53.33
12,300	799.00	66.58	769.00	64.08	739.00	61.58	709.00	59.08	679.00	56.58	649.00	54.08
12,400	808.00	67.33	778.00	64.83	748.00	62.33	718.00	59.83	688.00	57.33	658.00	54.83
12,500	817.00	68.08	787.00	65.58	757.00	63.08	727.00	60.58	697.00	58.08	667.00	55.58
12,600	826.00	68.83	796.00	66.33	766.00	63.83	736.00	61.33	706.00	58.83	676.00	56.33
12,700	835.00	69.58	805.00	67.08	775.00	64.58	745.00	62.08	715.00	59.58	685.00	57.08
12,800	844.00	70.33	814.00	67.83	784.00	65.33	754.00	62.83	724.00	60.33	694.00	57.83
12,900	853.00	71.08	823.00	68.58	793.00	66.08	763.00	63.58	733.00	61.08	703.00	58.58
13,000	862.00	71.83	832.00	69.33	802.00	66.83	772.00	64.33	742.00	61.83	712.00	59.33
13,100	871.00	72.58	841.00	70.08	811.00	67.58	781.00	65.08	751.00	62.58	721.00	60.08
13,200	880.00	73.33	850.00	70.83	820.00	68.33	790.00	65.83	760.00	63.33	730.00	60.83
13,300	889.00	74.08	859.00	71.58	829.00	69.08	799.00	66.58	769.00	64.08	739.00	61.58
13,400	898.00	74.83	868.00	72.33	838.00	69.83	808.00	67.33	778.00	64.83	748.00	62.33
13,500	907.00	75.58	877.00	73.08	847.00	70.58	817.00	68.08	787.00	65.58	757.00	63.08
13,600	916.00	76.33	886.00	73.83	856.00	71.33	826.00	68.83	796.00	66.33	766.00	63.83
13,700	925.00	77.08	895.00	74.58	865.00	72.08	835.00	69.58	805.00	67.08	775.00	64.58
13,800	934.00	77.83	904.00	75.33	874.00	72.83	844.00	70.33	814.00	67.83	784.00	65.33
13,900	943.00	78.58	913.00	76.08	883.00	73.58	853.00	71.08	823.00	68.58	793.00	66.08
14,000	952.00	79.33	922.00	76.83	892.00	74.33	862.00	71.83	832.00	69.33	802.00	66.83

Annual Income	ONE		TWO		THREE		FOUR		FIVE		SIX	
	Year	Month	Year	Month	Year	Month	Year	Month	Year	Month	Year	Month
14,100	961.00	80.08	931.00	77.58	901.00	75.08	871.00	72.58	841.00	70.08	811.00	67.58
14,200	970.00	80.83	940.00	78.33	910.00	75.83	880.00	73.33	850.00	70.83	820.00	68.33
14,300	979.00	81.58	949.00	79.08	919.00	76.58	889.00	74.08	859.00	71.58	829.00	69.08
14,400	988.00	82.33	958.00	79.83	928.00	77.33	898.00	74.83	868.00	72.33	838.00	69.83
14,500	997.00	83.08	967.00	80.58	937.00	78.08	907.00	75.58	877.00	73.08	847.00	70.58
14,600	1,006.00	83.83	976.00	81.33	946.00	78.83	916.00	76.33	886.00	73.83	856.00	71.33
14,700	1,015.00	84.58	985.00	82.08	955.00	79.58	925.00	77.08	895.00	74.58	865.00	72.08
14,800	1,024.00	85.33	994.00	82.83	964.00	80.33	934.00	77.83	904.00	75.33	874.00	72.83
14,900	1,033.00	86.08	1,003.00	83.58	973.00	81.08	943.00	78.58	913.00	76.08	883.00	73.58
15,000	1,042.00	86.83	1,012.00	84.33	982.00	81.83	952.00	79.33	922.00	76.83	892.00	74.33
15,100	1,051.00	87.58	1,021.00	85.08	991.00	82.58	961.00	80.08	931.00	77.58	901.00	75.08
15,200	1,060.00	88.33	1,030.00	85.83	1,000.00	83.33	970.00	80.83	940.00	78.33	910.00	75.83
15,300	1,069.00	89.08	1,039.00	86.58	1,009.00	84.08	979.00	81.58	949.00	79.08	919.00	76.58
15,400	1,078.00	89.83	1,048.00	87.33	1,018.00	84.83	988.00	82.33	958.00	79.83	928.00	77.33
15,500	1,087.00	90.58	1,057.00	88.08	1,027.00	85.58	997.00	83.08	967.00	80.58	937.00	78.08
15,600	1,096.00	91.33	1,066.00	88.83	1,036.00	86.33	1,006.00	83.83	976.00	81.33	946.00	78.83
15,700	1,105.00	92.08	1,075.00	89.58	1,045.00	87.08	1,015.00	84.58	985.00	82.08	955.00	79.58
15,800	1,114.00	92.83	1,084.00	90.33	1,054.00	87.83	1,024.00	85.33	994.00	82.83	964.00	80.33
15,900	1,123.00	93.58	1,093.00	91.08	1,063.00	88.58	1,033.00	86.08	1,003.00	83.58	973.00	81.08
16,000	1,132.00	94.33	1,102.00	91.83	1,072.00	89.33	1,042.00	86.83	1,012.00	84.33	982.00	81.83
16,100	1,141.00	95.08	1,111.00	92.58	1,081.00	90.08	1,051.00	87.58	1,021.00	85.08	991.00	82.58
16,200	1,150.00	95.83	1,120.00	93.33	1,090.00	90.83	1,060.00	88.33	1,030.00	85.83	1,000.00	83.33
16,300	1,159.00	96.58	1,129.00	94.08	1,099.00	91.58	1,069.00	89.08	1,039.00	86.58	1,009.00	84.08
16,400	1,168.00	97.33	1,138.00	94.83	1,108.00	92.33	1,078.00	89.83	1,048.00	87.33	1,018.00	84.83
16,500	1,177.00	98.08	1,147.00	95.58	1,117.00	93.08	1,087.00	90.58	1,057.00	88.08	1,027.00	85.58
16,600	1,186.00	98.83	1,156.00	96.33	1,126.00	93.83	1,096.00	91.33	1,066.00	88.83	1,036.00	86.33
16,700	1,195.00	99.58	1,165.00	97.08	1,135.00	94.58	1,105.00	92.08	1,075.00	89.58	1,045.00	87.08
16,800	1,204.00	100.33	1,174.00	97.83	1,144.00	95.33	1,114.00	92.83	1,084.00	90.33	1,054.00	87.83
16,900	1,213.00	101.08	1,183.00	98.58	1,153.00	96.08	1,123.00	93.58	1,093.00	91.08	1,063.00	88.58
17,000	1,222.00	101.83	1,192.00	99.33	1,162.00	96.83	1,132.00	94.33	1,102.00	91.83	1,072.00	89.33
17,100	1,231.00	102.58	1,201.00	100.08	1,171.00	97.58	1,141.00	95.08	1,111.00	92.58	1,081.00	90.08
17,200	1,240.00	103.33	1,210.00	100.83	1,180.00	98.33	1,150.00	95.83	1,120.00	93.33	1,090.00	90.83
17,300	1,249.00	104.08	1,219.00	101.58	1,189.00	99.08	1,159.00	96.58	1,129.00	94.08	1,099.00	91.58
17,400	1,258.00	104.83	1,228.00	102.33	1,198.00	99.83	1,168.00	97.33	1,138.00	94.83	1,108.00	92.33
17,500	1,267.00	105.58	1,237.00	103.08	1,207.00	100.58	1,177.00	98.08	1,147.00	95.58	1,117.00	93.08
17,600	1,276.00	106.33	1,246.00	103.83	1,216.00	101.33	1,186.00	98.83	1,156.00	96.33	1,126.00	93.83
17,700	1,285.00	107.08	1,255.00	104.58	1,225.00	102.08	1,195.00	99.58	1,165.00	97.08	1,135.00	94.58
17,800	1,294.00	107.83	1,264.00	105.33	1,234.00	102.83	1,204.00	100.33	1,174.00	97.83	1,144.00	95.33
17,900	1,303.00	108.58	1,273.00	106.08	1,243.00	103.58	1,213.00	101.08	1,183.00	98.58	1,153.00	96.08
18,000	1,312.00	109.33	1,282.00	106.83	1,252.00	104.33	1,222.00	101.83	1,192.00	99.33	1,162.00	96.83

Annual Income	ONE		TWO		THREE		FOUR		FIVE		SIX	
	Year	Month	Year	Month	Year	Month	Year	Month	Year	Month	Year	Month
18,100	1,321.00	110.08	1,291.00	107.58	1,261.00	105.08	1,231.00	102.58	1,201.00	100.08	1,171.00	97.58
18,200	1,330.00	110.83	1,300.00	108.33	1,270.00	105.83	1,240.00	103.33	1,210.00	100.83	1,180.00	98.33
18,300	1,339.00	111.58	1,309.00	109.08	1,279.00	106.58	1,249.00	104.08	1,219.00	101.58	1,189.00	99.08
18,400	1,348.00	112.33	1,318.00	109.83	1,288.00	107.33	1,258.00	104.83	1,228.00	102.33	1,198.00	99.83
18,500	1,357.00	113.08	1,327.00	110.58	1,297.00	108.08	1,267.00	105.58	1,237.00	103.08	1,207.00	100.58
18,600	1,366.00	113.83	1,336.00	111.33	1,306.00	108.83	1,276.00	106.33	1,246.00	103.83	1,216.00	101.33
18,700	1,375.00	114.58	1,345.00	112.08	1,315.00	109.58	1,285.00	107.08	1,255.00	104.58	1,225.00	102.08
18,800	1,384.00	115.33	1,354.00	112.83	1,324.00	110.33	1,294.00	107.83	1,264.00	105.33	1,234.00	102.83
18,900	1,393.00	116.08	1,363.00	113.58	1,333.00	111.08	1,303.00	108.58	1,273.00	106.08	1,243.00	103.58
19,000	1,402.00	116.83	1,372.00	114.33	1,342.00	111.83	1,312.00	109.33	1,282.00	106.83	1,252.00	104.33
19,100	1,411.00	117.58	1,381.00	115.08	1,351.00	112.58	1,321.00	110.08	1,291.00	107.58	1,261.00	105.08
19,200	1,420.00	118.33	1,390.00	115.83	1,360.00	113.33	1,330.00	110.83	1,300.00	108.33	1,270.00	105.83
19,300	1,429.00	119.08	1,399.00	116.58	1,369.00	114.08	1,339.00	111.58	1,309.00	109.08	1,279.00	106.58
19,400	1,438.00	119.83	1,408.00	117.33	1,378.00	114.83	1,348.00	112.33	1,318.00	109.83	1,288.00	107.33
19,500	1,447.00	120.58	1,417.00	118.08	1,387.00	115.58	1,357.00	113.08	1,327.00	110.58	1,297.00	108.08
19,600	1,456.00	121.33	1,426.00	118.83	1,396.00	116.33	1,366.00	113.83	1,336.00	111.33	1,306.00	108.83
19,700	1,465.00	122.08	1,435.00	119.58	1,405.00	117.08	1,375.00	114.58	1,345.00	112.08	1,315.00	109.58
19,800	1,474.00	122.83	1,444.00	120.33	1,414.00	117.83	1,384.00	115.33	1,354.00	112.83	1,324.00	110.33
19,900	1,483.00	123.58	1,453.00	121.08	1,423.00	118.58	1,393.00	116.08	1,363.00	113.58	1,333.00	111.08
20,000	1,492.00	124.33	1,462.00	121.83	1,432.00	119.33	1,402.00	116.83	1,372.00	114.33	1,342.00	111.83

III. State Schools for the Retarded

If annual income exceeds \$20,000.00, add \$10.00 per year for each \$100.00 that income exceeds \$20,000.00.
 If the number of dependents exceeds six (6), deduct \$30.00 per year for each additional dependent.

Annual Income	<u>1 Dependent</u>		<u>2 Dependents</u>		<u>3 Dependents</u>		<u>4 Dependents</u>		<u>5 Dependents</u>		<u>6 Dependents</u>	
	Year	Month	Year	Month	Year	Month	Year	Month	Year	Month	Year	Month
3,600	96.00	8.00	66.00	5.50								
3,700	100.00	8.33	70.00	5.83								
3,800	104.00	8.66	74.00	6.16								
3,900	108.00	9.00	78.00	6.50	48.00	4.00						
4,000	112.00	9.33	82.00	6.83	52.00	4.33						
4,100	119.00	9.91	89.00	7.41	59.00	4.91						
4,200	126.00	10.50	96.00	8.00	66.00	5.50						
4,300	133.00	11.08	103.00	8.58	73.00	6.08						
4,400	140.00	11.66	110.00	9.16	80.00	6.66	50.00	4.16				
4,500	147.00	12.25	117.00	9.75	87.00	7.25	57.00	4.75				
4,600	154.00	12.83	124.00	10.33	94.00	7.83	64.00	5.33				
4,700	161.00	13.41	131.00	10.91	101.00	8.41	71.00	5.91				
4,800	168.00	14.00	138.00	11.50	108.00	9.00	78.00	6.50	48.00	4.00		
4,900	175.00	14.58	145.00	12.08	115.00	9.58	85.00	7.08	55.00	4.58		
5,000	182.00	15.16	152.00	12.66	122.00	10.16	92.00	7.66	62.00	5.16		
5,100	189.00	15.75	159.00	13.25	129.00	10.75	99.00	8.25	69.00	5.75		
5,200	196.00	16.33	166.00	13.83	136.00	11.33	106.00	8.83	76.00	6.33		
5,300	203.00	16.91	173.00	14.41	143.00	11.91	113.00	9.41	83.00	6.91	53.00	4.41
5,400	210.00	17.50	180.00	15.00	150.00	12.50	120.00	10.00	90.00	7.50	60.00	5.00
5,500	217.00	18.08	187.00	15.58	157.00	13.08	127.00	10.58	97.00	8.08	67.00	5.58
5,600	224.00	18.66	194.00	16.16	164.00	13.66	134.00	11.16	104.00	8.66	74.00	6.16
5,700	231.00	19.25	201.00	16.75	171.00	14.25	141.00	11.75	111.00	9.25	81.00	6.75
5,800	238.00	19.83	208.00	17.33	178.00	14.83	148.00	12.33	118.00	9.83	88.00	7.33
5,900	245.00	20.41	215.00	17.91	185.00	15.41	155.00	12.91	125.00	10.41	95.00	7.91
6,000	252.00	21.00	222.00	18.50	192.00	16.00	162.00	13.50	132.00	11.00	102.00	8.50

Annual Income	ONE		TWO		THREE		FOUR		FIVE		SIX	
	Year	Month	Year	Month	Year	Month	Year	Month	Year	Month	Year	Month
6,100	259.00	21.58	229.00	19.08	199.00	16.58	169.00	14.08	139.00	11.58	109.00	9.08
6,200	266.00	22.16	236.00	19.66	206.00	17.16	176.00	14.66	146.00	12.16	116.00	9.66
6,300	273.00	22.75	243.00	20.25	213.00	17.75	183.00	15.25	153.00	12.75	123.00	10.25
6,400	280.00	23.33	250.00	20.83	220.00	18.33	190.00	15.83	160.00	13.33	130.00	10.83
6,500	287.00	23.91	257.00	21.41	227.00	18.91	197.00	16.41	167.00	13.91	137.00	11.41
6,600	294.00	24.50	264.00	22.00	234.00	19.50	204.00	17.00	174.00	14.50	144.00	12.00
6,700	301.00	25.08	271.00	22.58	241.00	20.08	211.00	17.58	181.00	15.08	151.00	12.58
6,800	308.00	25.66	278.00	23.16	248.00	20.66	218.00	18.16	188.00	15.66	158.00	13.16
6,900	315.00	26.25	285.00	23.75	255.00	21.25	225.00	18.75	195.00	16.25	165.00	13.75
7,000	322.00	26.83	292.00	24.33	262.00	21.83	232.00	19.33	202.00	16.83	172.00	14.33
7,100	331.00	27.58	301.00	25.08	271.00	22.58	241.00	20.08	211.00	17.58	181.00	15.08
7,200	340.00	28.33	310.00	25.83	280.00	23.33	250.00	20.83	220.00	18.33	190.00	15.83
7,200	349.00	29.08	319.00	26.58	289.00	24.08	259.00	21.58	229.00	19.08	199.00	16.58
7,400	358.00	29.83	328.00	27.33	298.00	24.83	268.00	22.33	238.00	19.83	208.00	17.33
7,500	367.00	30.58	337.00	28.08	307.00	25.58	277.00	23.08	247.00	20.58	217.00	18.08
7,600	376.00	31.33	346.00	28.83	316.00	26.33	286.00	23.83	256.00	21.33	226.00	18.83
7,700	385.00	32.08	355.00	29.58	325.00	27.08	295.00	24.58	265.00	21.08	235.00	19.58
7,800	394.00	32.83	364.00	30.33	334.00	27.83	304.00	25.33	274.00	22.83	244.00	20.33
7,900	403.00	33.58	373.00	31.08	343.00	28.58	313.00	26.08	283.00	23.58	253.00	21.08
8,000	412.00	34.33	382.00	31.83	352.00	29.33	322.00	26.83	292.00	24.33	262.00	21.83
8,100	421.00	35.08	391.00	32.58	361.00	30.08	331.00	27.58	301.00	25.08	271.00	22.58
8,200	430.00	35.83	400.00	33.33	370.00	30.83	340.00	28.33	310.00	25.83	280.00	23.33
8,300	439.00	36.58	409.00	34.08	379.00	31.58	349.00	29.08	319.00	26.58	289.00	24.08
8,400	448.00	37.33	418.00	34.83	388.00	32.33	358.00	29.83	328.00	27.33	298.00	24.83
8,500	457.00	38.08	427.00	35.58	397.00	33.08	367.00	30.58	337.00	28.08	307.00	25.58
8,600	466.00	38.83	436.00	36.33	406.00	33.83	376.00	31.33	346.00	28.83	316.00	26.33
8,700	475.00	39.58	445.00	37.08	415.00	34.58	385.00	32.08	355.00	29.58	325.00	27.08
8,800	484.00	40.33	454.00	37.83	424.00	35.33	394.00	32.83	364.00	30.33	334.00	27.83
8,900	493.00	41.08	463.00	38.58	433.00	36.08	403.00	33.58	373.00	31.08	343.00	28.58
9,000	502.00	41.83	472.00	39.33	442.00	36.83	412.00	34.33	382.00	31.83	352.00	29.33
9,100	511.00	42.58	481.00	40.08	451.00	37.58	421.00	35.08	391.00	32.58	361.00	30.08
9,200	520.00	43.33	490.00	40.83	460.00	38.33	430.00	35.83	400.00	33.33	370.00	30.83
9,300	529.00	44.08	499.00	41.58	469.00	39.08	439.00	36.58	409.00	34.08	379.00	31.58
9,400	538.00	44.83	508.00	42.33	478.00	39.83	448.00	37.33	418.00	34.83	388.00	32.33
9,500	547.00	45.58	517.00	43.08	487.00	40.58	457.00	38.08	427.00	35.58	397.00	33.08
9,600	556.00	46.33	526.00	43.83	496.00	41.33	466.00	38.83	436.00	36.33	406.00	33.83
9,700	565.00	47.08	535.00	44.58	505.00	42.08	475.00	39.58	445.00	37.08	415.00	34.58
9,800	574.00	47.83	544.00	45.33	514.00	42.83	484.00	40.33	454.00	37.83	424.00	35.33
9,900	583.00	48.58	553.00	46.08	523.00	43.58	493.00	41.08	463.00	38.58	433.00	36.08
10,000	592.00	49.33	562.00	46.83	532.00	44.33	502.00	41.83	472.00	39.33	442.00	36.83

Annual Income	ONE		TWO		THREE		FOUR		FIVE		SIX	
	Year	Month	Year	Month	Year	Month	Year	Month	Year	Month	Year	Month
10,100	601.00	50.08	571.00	47.58	541.00	45.08	511.00	42.58	481.00	40.08	451.00	37.58
10,200	610.00	50.83	580.00	48.33	550.00	45.83	520.00	43.33	490.00	40.83	460.00	38.33
10,300	619.00	51.58	589.00	49.08	559.00	46.58	529.00	44.08	499.00	41.58	469.00	39.08
10,400	628.00	52.33	598.00	49.83	568.00	47.33	538.00	44.83	508.00	42.33	478.00	39.83
10,500	637.00	53.08	607.00	50.58	577.00	48.08	547.00	45.58	517.00	43.08	487.00	40.58
10,600	646.00	53.83	616.00	51.33	586.00	48.83	556.00	46.33	526.00	43.83	496.00	41.33
10,700	655.00	54.58	625.00	52.08	595.00	49.58	565.00	47.08	535.00	44.58	505.00	42.08
10,800	664.00	55.33	634.00	52.83	604.00	50.33	574.00	47.83	544.00	45.33	514.00	42.83
10,900	673.00	56.08	643.00	53.58	613.00	51.08	583.00	48.58	553.00	46.08	523.00	43.58
11,000	682.00	56.83	652.00	54.33	622.00	51.83	592.00	49.33	562.00	46.83	532.00	44.33
11,100	691.00	57.58	661.00	55.08	631.00	52.58	601.00	50.08	571.00	47.58	541.00	45.08
11,200	700.00	58.33	670.00	55.83	640.00	53.33	610.00	50.83	580.00	48.33	550.00	45.83
11,300	709.00	59.08	679.00	56.58	649.00	54.08	619.00	51.58	589.00	49.08	559.00	46.58
11,400	718.00	59.83	688.00	57.33	658.00	54.83	628.00	52.33	598.00	49.83	568.00	47.33
11,500	727.00	60.58	697.00	58.08	667.00	55.58	637.00	53.08	607.00	50.58	577.00	48.08
11,600	736.00	61.33	706.00	58.83	676.00	56.33	646.00	53.83	616.00	51.33	586.00	48.83
11,700	745.00	62.08	715.00	59.58	685.00	57.08	655.00	54.58	625.00	52.08	595.00	49.58
11,800	754.00	62.83	724.00	60.33	694.00	57.83	664.00	55.33	634.00	52.83	604.00	50.33
11,900	763.00	63.58	733.00	61.08	703.00	58.58	673.00	56.08	643.00	53.58	613.00	51.08
12,000	772.00	64.33	742.00	61.83	712.00	59.33	682.00	56.83	652.00	54.33	622.00	51.83
12,100	781.00	65.08	751.00	62.58	721.00	60.08	691.00	57.58	661.00	55.08	631.00	52.58
12,200	790.00	65.83	760.00	63.33	730.00	60.83	700.00	58.33	670.00	55.83	640.00	53.33
12,300	799.00	66.58	769.00	64.08	739.00	61.58	709.00	59.08	679.00	56.58	649.00	54.08
12,400	808.00	67.33	778.00	64.83	748.00	62.33	718.00	59.83	688.00	57.33	658.00	54.83
12,500	817.00	68.08	787.00	65.58	757.00	63.08	727.00	60.58	697.00	58.08	667.00	55.58
12,600	826.00	68.83	796.00	66.33	766.00	63.83	736.00	61.33	706.00	58.83	676.00	56.33
12,700	835.00	69.58	805.00	67.08	775.00	64.58	745.00	62.08	715.00	59.58	685.00	57.08
12,800	844.00	70.33	814.00	67.83	784.00	65.33	754.00	62.83	724.00	60.33	694.00	57.83
12,900	853.00	71.08	823.00	68.58	793.00	66.08	763.00	63.58	733.00	61.08	703.00	58.58
13,000	862.00	71.83	832.00	69.33	802.00	66.83	772.00	64.33	742.00	61.83	712.00	59.33
13,100	871.00	72.58	841.00	70.08	811.00	67.58	781.00	65.08	751.00	62.58	721.00	60.08
13,200	880.00	73.33	850.00	70.83	820.00	68.33	790.00	65.83	760.00	63.33	730.00	60.83
13,300	889.00	74.08	859.00	71.58	829.00	69.08	799.00	66.58	769.00	64.08	739.00	61.58
13,400	898.00	74.83	868.00	72.33	838.00	69.83	808.00	67.33	778.00	64.83	748.00	62.33
13,500	907.00	75.58	877.00	73.08	847.00	70.58	817.00	68.08	787.00	65.58	757.00	63.08
13,600	916.00	76.33	886.00	73.83	856.00	71.33	826.00	68.83	796.00	66.33	766.00	63.83
13,700	925.00	77.08	895.00	74.58	865.00	72.08	835.00	69.58	805.00	67.08	775.00	64.58
13,800	934.00	77.83	904.00	75.33	874.00	72.83	844.00	70.33	814.00	67.83	784.00	65.33
13,900	943.00	78.58	913.00	76.08	883.00	73.58	853.00	71.08	823.00	68.58	793.00	66.08
14,000	952.00	79.33	922.00	76.83	892.00	74.33	862.00	71.83	832.00	69.33	802.00	66.83

Annual Income	ONE		TWO		THREE		FOUR		FIVE		SIX	
	Year	Month	Year	Month	Year	Month	Year	Month	Year	Month	Year	Month
14,100	961.00	80.08	931.00	77.58	901.00	75.08	871.00	72.58	841.00	70.08	811.00	67.58
14,200	970.00	80.83	940.00	78.33	910.00	75.83	880.00	73.33	850.00	70.83	820.00	68.33
14,300	979.00	81.58	949.00	79.08	919.00	76.58	889.00	74.08	859.00	71.58	829.00	69.08
14,400	988.00	82.33	958.00	79.83	928.00	77.33	898.00	74.83	868.00	72.33	838.00	69.83
14,500	997.00	83.08	967.00	80.58	937.00	78.08	907.00	75.58	877.00	73.08	847.00	70.58
14,600	1,006.00	83.83	976.00	81.33	946.00	78.83	916.00	76.33	886.00	73.83	856.00	71.33
14,700	1,015.00	84.58	985.00	82.08	955.00	79.58	925.00	77.08	895.00	74.58	865.00	72.08
14,800	1,024.00	85.33	994.00	82.83	964.00	80.33	934.00	77.83	904.00	75.33	874.00	72.83
14,900	1,033.00	86.08	1,003.00	83.58	973.00	81.08	943.00	78.58	913.00	76.08	883.00	73.58
15,000	1,042.00	86.83	1,012.00	84.33	982.00	81.83	952.00	79.33	922.00	76.83	892.00	74.33
15,100	1,051.00	87.58	1,021.00	85.08	991.00	82.58	961.00	80.08	931.00	77.58	901.00	75.08
15,200	1,060.00	88.33	1,030.00	85.83	1,000.00	83.33	970.00	80.83	940.00	78.33	910.00	75.83
15,300	1,069.00	89.08	1,039.00	86.58	1,009.00	84.08	979.00	81.58	949.00	79.08	919.00	76.58
15,400	1,078.00	89.83	1,048.00	87.33	1,018.00	84.83	988.00	82.33	958.00	79.83	928.00	77.33
15,500	1,087.00	90.58	1,057.00	88.08	1,027.00	85.58	997.00	83.08	967.00	80.58	937.00	78.08
15,600	1,096.00	91.33	1,066.00	88.83	1,036.00	86.33	1,006.00	83.83	976.00	81.33	946.00	78.83
15,700	1,105.00	92.08	1,075.00	89.58	1,045.00	87.08	1,015.00	84.58	985.00	82.08	955.00	79.58
15,800	1,114.00	92.83	1,084.00	90.33	1,054.00	87.83	1,024.00	85.33	994.00	82.83	964.00	80.33
15,900	1,123.00	93.58	1,093.00	91.08	1,063.00	88.58	1,033.00	86.08	1,003.00	83.58	973.00	81.08
16,000	1,132.00	94.33	1,102.00	91.83	1,072.00	89.33	1,042.00	86.83	1,012.00	84.33	982.00	81.83
16,100	1,141.00	95.08	1,111.00	92.58	1,081.00	90.08	1,051.00	87.58	1,021.00	85.08	991.00	82.58
16,200	1,150.00	95.83	1,120.00	93.33	1,090.00	90.83	1,060.00	88.33	1,030.00	85.83	1,000.00	83.33
16,300	1,159.00	96.58	1,129.00	94.08	1,099.00	91.58	1,069.00	89.08	1,039.00	86.58	1,009.00	84.08
16,400	1,168.00	97.33	1,138.00	94.83	1,108.00	92.33	1,078.00	89.83	1,048.00	87.33	1,018.00	84.83
16,500	1,177.00	98.08	1,147.00	95.58	1,117.00	93.08	1,087.00	90.58	1,057.00	88.08	1,207.00	85.58
16,600	1,186.00	98.83	1,156.00	96.33	1,126.00	93.83	1,096.00	91.33	1,066.00	88.83	1,036.00	86.33
16,700	1,195.00	99.58	1,165.00	97.08	1,135.00	94.58	1,105.00	92.08	1,075.00	89.58	1,045.00	87.08
16,800	1,204.00	100.33	1,174.00	97.83	1,144.00	95.33	1,114.00	92.83	1,084.00	90.33	1,054.00	87.83
16,900	1,213.00	101.08	1,183.00	98.58	1,153.00	96.08	1,123.00	93.58	1,093.00	91.08	1,063.00	88.58
17,000	1,222.00	101.83	1,192.00	99.33	1,162.00	96.83	1,132.00	94.33	1,102.00	91.83	1,072.00	89.33
17,100	1,231.00	102.58	1,201.00	100.08	1,171.00	97.58	1,141.00	95.08	1,111.00	92.58	1,081.00	90.08
17,200	1,240.00	103.33	1,210.00	100.83	1,180.00	98.33	1,150.00	95.83	1,120.00	93.33	1,090.00	90.83
17,300	1,249.00	104.08	1,219.00	101.58	1,189.00	99.08	1,159.00	96.58	1,129.00	94.08	1,099.00	91.58
17,400	1,258.00	104.83	1,228.00	102.33	1,198.00	99.83	1,168.00	97.33	1,138.00	94.83	1,108.00	92.33
17,500	1,267.00	105.58	1,237.00	103.08	1,207.00	100.58	1,177.00	98.08	1,147.00	95.58	1,117.00	93.08
17,600	1,276.00	106.33	1,246.00	103.83	1,216.00	101.33	1,186.00	98.83	1,156.00	96.33	1,126.00	93.83
17,700	1,285.00	107.08	1,255.00	104.58	1,225.00	102.08	1,195.00	99.58	1,165.00	97.08	1,135.00	94.58
17,800	1,294.00	107.83	1,264.00	105.33	1,234.00	102.83	1,204.00	100.33	1,174.00	97.83	1,144.00	95.33
17,900	1,303.00	108.58	1,273.00	106.08	1,243.00	103.58	1,213.00	101.08	1,183.00	98.58	1,153.00	96.08
18,000	1,312.00	109.33	1,282.00	106.83	1,252.00	104.33	1,222.00	101.83	1,192.00	99.33	1,162.00	96.83

Annual Income	ONE		TWO		THREE		FOUR		FIVE		SIX	
	Year	Month	Year	Month	Year	Month	Year	Month	Year	Month	Year	Month
18,100	1,321.00	110.08	1,291.00	107.58	1,261.00	105.08	1,231.00	102.58	1,201.00	100.08	1,171.00	97.58
18,200	1,330.00	110.83	1,300.00	108.33	1,270.00	105.83	1,240.00	103.33	1,210.00	100.83	1,180.00	98.33
18,300	1,339.00	111.58	1,309.00	109.08	1,279.00	106.58	1,249.00	104.08	1,219.00	101.58	1,189.00	99.08
18,400	1,348.00	112.33	1,318.00	109.83	1,288.00	107.33	1,258.00	104.83	1,228.00	102.33	1,198.00	99.83
18,500	1,357.00	113.08	1,327.00	110.58	1,297.00	108.08	1,267.00	105.58	1,237.00	103.08	1,207.00	100.58
18,600	1,366.00	113.83	1,336.00	111.33	1,306.00	108.83	1,276.00	106.33	1,246.00	103.83	1,216.00	101.33
18,700	1,375.00	114.58	1,345.00	112.08	1,315.00	109.58	1,285.00	107.08	1,255.00	104.58	1,225.00	102.08
18,800	1,384.00	115.33	1,354.00	112.83	1,324.00	110.33	1,294.00	107.83	1,264.00	105.33	1,234.00	102.83
18,900	1,393.00	116.08	1,363.00	113.58	1,333.00	111.08	1,303.00	108.58	1,273.00	106.08	1,243.00	103.58
19,000	1,402.00	116.83	1,372.00	114.33	1,342.00	111.83	1,312.00	109.33	1,282.00	106.83	1,252.00	104.33
19,100	1,411.00	117.58	1,381.00	115.08	1,351.00	112.58	1,321.00	110.08	1,291.00	107.58	1,261.00	105.08
19,200	1,420.00	118.33	1,390.00	115.83	1,360.00	113.33	1,330.00	110.83	1,300.00	108.33	1,270.00	105.83
19,300	1,429.00	119.08	1,399.00	116.58	1,369.00	114.08	1,339.00	111.58	1,309.00	109.08	1,279.00	106.58
19,400	1,438.00	119.83	1,408.00	117.33	1,378.00	114.83	1,348.00	112.33	1,318.00	109.83	1,288.00	107.33
19,500	1,447.00	120.58	1,417.00	118.08	1,387.00	115.58	1,357.00	113.08	1,327.00	110.58	1,297.00	108.08
19,600	1,456.00	121.33	1,426.00	118.83	1,396.00	116.33	1,366.00	113.83	1,336.00	111.33	1,306.00	108.83
19,700	1,465.00	122.08	1,435.00	119.58	1,405.00	117.08	1,375.00	114.58	1,345.00	112.08	1,315.00	109.58
19,800	1,474.00	122.83	1,444.00	120.33	1,414.00	117.83	1,384.00	115.33	1,354.00	112.83	1,324.00	110.33
19,900	1,483.00	123.58	1,453.00	121.08	1,423.00	118.58	1,393.00	116.08	1,363.00	113.58	1,333.00	111.08
20,000	1,492.00	124.33	1,462.00	121.83	1,432.00	119.33	1,402.00	116.83	1,372.00	114.33	1,342.00	111.83

the Regular Session of 1976; (b) altering the residential homeowner's report and vacant land forms for reporting real property, pursuant to Sections 5 and 12 of Act 705 of the Regular Session of 1976; and (c) adopting and promulgating forms for use in reporting personal property, pursuant to Sections 6 and 12 of Act 705 of the Regular Session of 1976.

- 2) On Tuesday, October 12, 1976, commencing at 10:00 a.m., a hearing will be held in Senate Committee Room E located on the ground floor of the State Capitol Building in Baton Rouge, Louisiana, for the purpose of adopting a manual or manuals for use by the assessors in determining the fair market value of all property within their jurisdictions pursuant to Sections 3 and 12 of Act 705 of the Regular Session of 1976.

- 3) On Wednesday, October 27, 1976, commencing at 10:00 a.m., a hearing will be held in Senate Committee Room E located on the ground floor of the State Capitol Building in Baton Rouge, Louisiana, for the purpose of adopting and promulgating uniform guidelines, procedures and rules and regulations necessary to implement and administer the forms, manuals and criteria for determining the fair market value of all property subject to taxation pursuant to Sections 3, 6 and 12 of Act 705 of the Regular Session of 1976.

Interested parties may also inspect a copy of the proposed forms, manuals, guidelines, rules and regulations, beginning at least fifteen days prior to each scheduled hearing, at the official domicile of the Louisiana Tax Commission in the Capitol Annex in Baton Rouge, Louisiana, and may present data, views or arguments relating thereto in writing at any time prior to 4:15 p.m. on the day before each scheduled hearing. All written matter should be addressed to the Louisiana Tax Commission, Post Office Box 44244, Baton Rouge, Louisiana 70804.

Those desiring to be heard at any of the hearings will be given a reasonable opportunity to do so.

C. Gordon Johnson
Chairman

NOTICE OF INTENT

Wildlife and Fisheries Commission

The Louisiana Wildlife and Fisheries Commission proposes to adopt rules relative to the use of its wildlife management areas for field trials. Interested persons may submit written comments through October 4, 1976, to:

Wildlife and Fisheries Commission
400 Royal Street
New Orleans, Louisiana 70130

J. Burton Angelle
Director

Legislation

ADMINISTRATIVE PROCEDURES ACT

R.S. 49:951-968

(Editor's Note: The Administrative Procedures Act was amended by Acts 279 and 524 of the 1976 Regular Session. The latter added Subsection (8) to Section 956. It guarantees the confidentiality of certain records obtained by State agencies through voluntary agreements with private interests. The principal change brought about by Act 279 is a requirement that State agencies submit detailed notices to the various committees of the Legislature prior to engaging in rule-making. This is accomplished by the addition of Section 968. Act 279 also amended Sections 953A(2) and 954.1. Those revisions caused by Act 279 will become effective on October 1, 1976. Act 524 became effective August 5, 1976, upon the Governor's signature.)

Sec. 951. Definitions

As used in this Chapter:

(1) "Adjudication" means agency process for the formulation of a decision or order.

(2) "Agency" means each state board, commission, or department which makes rules, regulations, or policy, or formulates, or issues decisions or orders pursuant to, or as directed by, or in implementation of the Constitu-

tion or laws of the United States or the Constitution and statutes of Louisiana, except the Legislature or any branch, committee, or officer thereof and the courts.

(3) "Decision" or "order" means the whole or any part of the final disposition (whether affirmative, negative, injunctive, or declaratory in form) of any agency, in any matter other than rule-making, required by constitution or statute to be determined on the record after notice and opportunity for an agency hearing, and including non-revenue licensing, when the grant, denial, or renewal of a license is required by constitution or statute to be preceded by notice and opportunity for hearing.

(4) "Party" means each person or agency named or admitted as a party, or properly seeking and entitled as of right to be admitted as a party.

(5) "Person" means any individual, partnership, corporation, association, governmental subdivision, or public or private organization of any character other than an agency.

(6) "Rule" means each agency statement of general applicability and future effect that implements, interprets, or prescribes substantive law or policy, or prescribes the procedure or practice requirements of the agency. A rule may be of general applicability even though it may not apply to the entire state, provided the form is general and others who may qualify in the future will fall within its provisions. The term includes the amendment or repeal of a prior rule but does not include (a) statements concerning only the internal management of an agency and not affecting private rights or procedures available to the public; (b) declaratory rulings or orders; or (c) intra-agency memoranda.

(7) "Rule-making" means the process employed by an agency for the formulation of a rule. The fact that a statement of policy or an interpretation of a statute is made in the decision of a case or in an agency decision upon or disposition of a particular matter as applied to a specific set of facts involved does not render the same a rule within this definition or constitute specific adoption thereof by the agency so as to be required to be issued and filed as provided in this Subsection.

Sec. 952. Public information; adoption of rules; availability of rules and orders

In addition to other rule-making requirements imposed by law, each agency shall:

(1) Publish a description of its organization, stating the general course and method of its operations and the

methods whereby the public may obtain information or make submissions or requests;

(2) Adopt rules of practice setting forth the nature and requirements of all formal and informal procedures available, including a description of all forms and instructions used by the agency;

(3) Make available for public inspection all rules and all other written statements of policy or interpretations formulated, adopted, or used by the agency in the discharge of its functions;

(4) Make available for public inspection all final orders, decisions, and opinions.

Sec. 953. Procedure for adoption of rules

A. Prior to the adoption, amendment, or repeal of any rule, the agency shall:

(1) Give at least fifteen days notice of its intended action. The notice shall include a statement of either the terms or substance of the intended action or a description of the subjects and issues involved, and the time when, the place where, and the manner in which interested persons may present their views thereon. The notice shall be mailed to all persons who have made timely request of the agency for advance notice of its rule-making proceedings and shall be published at least once in both the Official Louisiana Journal and Louisiana Register. For the purpose of timely notice as required by this paragraph, the date of notice shall be deemed to be the date of publication of the issue of the Louisiana Register in which the notice appears, such publication date to be the publication date as stated on the first page of said issue.

(2) Afford all interested persons reasonable opportunity to submit data, views, or arguments, orally or in writing. In case of substantive rules, opportunity for oral presentation or argument must be granted if requested by twenty-five persons, by a governmental subdivision or agency, by an association having not less than twenty-five members, or by a committee of either house of the Legislature to which the proposed rule change has been referred under the provisions of Section 967 of this Title. The agency shall consider fully all written and oral submissions respecting the proposed rule. Upon adoption of a rule, the agency, if requested to do so by an interested person either prior to adoption or within thirty days thereafter, shall issue a concise statement of the principal reasons for and against its adoption.

B. If an agency finds that an imminent peril to the public health, safety, or welfare requires adoption of a

rule upon fewer than fifteen days notice and states in writing, to the Governor of the State of Louisiana, the Attorney General of Louisiana, and the Division of Administration, its reasons for that finding, it may proceed without prior notice or hearing or upon any abbreviated notice and hearing that it finds practicable, to adopt an emergency rule.

C. No rule adopted on or after January 1, 1975, is valid unless adopted in substantial compliance with this chapter, provided, however, that the inadvertent failure to mail notice to any person or agency as provided in this Section shall not invalidate any rule adopted hereunder. A proceeding under R.S. 49:963 to contest any rule on the ground of noncompliance with the procedural requirements of this Chapter must be commenced within two years from the effective date of the rule.

D. An interested person may petition an agency requesting the promulgation, amendment, or repeal of a rule. Each agency shall prescribe by rule the form for petitions and the procedure for their submission, consideration, and disposition. Within ninety days after submission of a petition, the agency shall either deny the petition in writing, stating reasons for the denial, or shall initiate rule-making proceedings in accordance with this Chapter.

E. When a rule is adopted, amended, or repealed in compliance with Federal regulations, the adopting agency's notice of intent, if such is necessary, and the actual text of the rule as published in the Louisiana Register, must be accompanied by a citation of the Federal Register issue in which the determining Federal regulation is published, such citation to be by volume, number, date, and page number.

Sec. 954. Filing; taking effect of rules

A. Each agency shall file in the office of the Division of Administration a certified copy of each rule adopted by it, including all rules existing on January 1, 1975.

B. Each rule hereafter adopted shall be effective upon its publication in the Louisiana Register, said publication to be subsequent to the act of adoption, except that:

(1) If a later date is required by statute or specified in the rule, the later day is the effective date;

(2) Subject to applicable constitutional or statutory provisions, an emergency rule shall become effective on the date of its adoption, or on a date specified by

the agency to be not more than sixty days future from the date of its adoption, provided written notice is given within three days of the date of adoption to the Governor of Louisiana, the Attorney General of Louisiana and the Division of Administration as provided in R.S. 49:953B. Such emergency rule shall not remain in effect beyond the publication date of the Louisiana Register published in the month following the month in which the emergency rule is adopted, unless such rule and the reasons for adoption thereof are published in said issue; provided, however, that any emergency rule so published shall not be effective for a period longer than one hundred twenty days, but the adoption of an identical rule under Subsections A (1) and A (2) of R.S. 49:953 is not precluded. The agency shall take appropriate measures to make emergency rules known to the persons who may be affected by them.

Sec. 954.1. Louisiana Administrative Code and Louisiana Register; publication; distribution; copies; index; interagency rules

A. The Division of Administration shall compile, index, and publish a publication to be known as the Louisiana Administrative Code, containing all effective rules adopted by each agency subject to the provisions of this Chapter, and all boards, commissions, agencies, and departments of the executive branch, notwithstanding any other provision of law to the contrary. The Louisiana Administrative Code shall also contain all executive orders issued by the Governor on or after May 9, 1972, which are in effect at the time the Louisiana Administrative Code is published. The Louisiana Administrative Code shall be supplemented or revised as often as necessary and at least once every two years.

B. The Division of Administration shall publish at least once each month a bulletin to be known as the Louisiana Register which shall set forth the text of all rules filed during the preceding month, such notices as shall have been submitted pursuant to this Chapter and all executive orders of the Governor issued during the preceding month. In addition, the Division of Administration may include in the Louisiana Register digests or summaries of new or proposed rules; however, if any conflict should arise between the written digest of a rule and the rule, the rule shall take precedence over the written digest.

C. The Division of Administration may omit from the Louisiana Register or Louisiana Administrative Code any rule the publication of which would be unduly cumbersome, expensive, or otherwise expedient, if the rule in printed or processed form is made available on application to the adopting agency, and if the Louisiana Register or Louisiana Administrative Code, as the case

may be, contains a notice stating the general subject matter of the omitted rule and stating how a copy thereof may be obtained.

D. One copy, or multiple copies if practical, of the Louisiana Register and Louisiana Administrative Code shall be made available upon request to each agency of the State free of charge and to other persons at prices fixed by the Division of Administration to recover all or a portion of the mailing and publication costs.

E. The Division of Administration shall prescribe a uniform system of indexing, numbering, arrangement of text, and citation of authority, and history notes for the Louisiana Administrative Code.

F. The Division of Administration may publish advertisements for bids and other legal notices in the Louisiana Register in addition to other publications thereof required by law.

G. The Division of Administration is hereby authorized and empowered to promulgate and enforce interagency rules for the implementation and administration of this Section.

H. The Governor shall be the publisher of the Louisiana Administrative Code and Louisiana Register provided for through the Division of Administration.

Sec. 955. Adjudication; notice; hearing; records

A. In an adjudication, all parties who do not waive their rights shall be afforded an opportunity for hearing after reasonable notice.

B. The notice shall include:

- (1) A statement of the time, place, and nature of the hearing;
- (2) A statement of the legal authority and jurisdiction under which the hearing is to be held;
- (3) A reference to the particular sections of the statutes and rules involved;
- (4) A short and plain statement of the matters asserted.

If the agency or other party is unable to state the matters in detail at the time the notice is served, the initial notice may be limited to a statement of the issues involved. Thereafter, upon application, a more definite and detailed statement shall be furnished.

C. Opportunity shall be afforded all parties to

respond and present evidence on all issues of fact involved and argument on all issues of law and policy involved and to conduct such cross-examination as may be required for a full and true disclosure of the facts.

D. Unless precluded by law, informal disposition may be made of any case of adjudication by stipulation, agreed settlement, consent order, or default.

E. The record in a case of adjudication shall include:

- (1) All pleadings, motions, intermediate rulings;
- (2) Evidence received or considered or a resume thereof if not transcribed;
- (3) A statement of matters officially noticed except matters so obvious that statement of them would serve no useful purpose;
- (4) Offers of proof, objections, and rulings thereon;
- (5) Proposed findings and exceptions;
- (6) Any decision, opinion, or report by the officer presiding at the hearing.

F. The agency shall make a full transcript of all proceedings before it when the statute governing it requires it, and, in the absence of such requirement, shall, at the request of any party or person, have prepared and furnish him with a copy of the transcript or any part thereof upon payment of the cost thereof unless the governing statute or Constitution provides that it shall be furnished without cost.

G. Findings of fact shall be based exclusively on the evidence and on matters officially noticed.

Sec. 956. Rules of evidence; official notice; oaths and affirmations; subpoenas; depositions and discovery.

In adjudication proceedings:

(1) Agencies may admit and give probative effect to evidence which possesses probative value commonly accepted by reasonably prudent men in the conduct of their affairs. They shall give effect to the rules of privilege recognized by law. Agencies may exclude incompetent, irrelevant, immaterial, and unduly repetitious evidence. Objections to evidentiary offers may be made and shall be noted in the record. Subject to these requirements, when a hearing will be expedited and the

interests of the parties will not be prejudiced substantially, any part of the evidence may be received in written form.

(2) All evidence, including records and documents in the possession of the agency of which it desires to avail itself, shall be offered and made a part of the record, and all such documentary evidence may be received in the form of copies or excerpts, or by incorporation by reference. In case of incorporation by reference, the materials so incorporated shall be available for examination by the parties before being received in evidence.

(3) Notice may be taken of judicially cognizable facts. In addition, notice may be taken of generally recognized technical or scientific facts within the agency's specialized knowledge. Parties shall be notified either before or during the hearing, or by reference in preliminary reports or otherwise, of the material notice, including any staff memoranda or data, and they shall be afforded an opportunity to contest the material so noticed. The agency's experience, technical competence, and specialized knowledge may be utilized in the evaluation of the evidence.

(4) Any agency or its subordinate presiding officer conducting a proceeding subject to this Chapter shall have the power to administer oaths and affirmations, regulate the course of the hearings, set the time and place for continued hearings, fix the time for filing of briefs and other documents, and direct the parties to appear and confer to consider the simplification of the issues.

(5) Any agency or its subordinate presiding officer shall have power to sign and issue subpoenas in the name of the agency requiring attendance and giving of testimony by witnesses and the production of books, papers, and other documentary evidence. No subpoena shall be issued until the party who wishes to subpoena the witness first deposits with the agency a sum of money sufficient to pay all fees and expenses to which a witness in a civil case is entitled pursuant to R.S. 13:3661 and R.S. 13:3671. Witnesses subpoenaed to testify before an agency only to an opinion founded on special study or experience in any branch of science, or to make scientific or professional examinations, and to state the results thereof, shall receive such additional compensation from the party who wishes to subpoena such witness as may be fixed by the agency with reference to the value of the time employed and the degree of learning or skill required. Whenever any person summoned under this Section neglects or refuses to obey such summons, or to produce books, papers, records, or other data, or to give testimony, as required, the agency

may apply to the judge of the district court for the district within which the person so summoned resides or is found, for an attachment against him as for contempt. It shall be the duty of the judge to hear the application, and, if satisfactory proof is made, to issue an attachment, directed to some proper officer, for the arrest of such person, and upon his being brought before him, to proceed to a hearing of the case; and upon such hearing, the judge shall have power to make such order as he shall deem proper, not inconsistent with the law for the punishment of contempts, to enforce obedience to the requirements of the summons and to punish such persons for his default or disobedience.

(6) The agency or a subordinate presiding officer or any party to a proceeding before it may take the depositions of witnesses, within or without the state, in the same manner as provided by law for the taking of depositions in civil actions in courts of record. Depositions so taken shall be admissible in any proceeding affected by this Chapter. The admission of such depositions may be objected to at the time of hearing and may be received in evidence or excluded from the evidence by the agency or presiding officer in accordance with the rules of evidence provided in this Chapter.

(7) An agency having power to conduct adjudication proceedings in accordance with this Chapter may adopt rules providing for discovery to the extent and in the manner appropriate to its proceedings.

(8) Records and documents, in the possession of any agency or of any officer or employee thereof including any written conclusions drawn therefrom, which are deemed confidential and privileged shall not be made available for adjudication proceedings of that agency and shall not be subject to subpoena by any person or other State or Federal agency.

Such records or documents shall only include any private contracts, geological and geophysical information and data, trade secrets and commercial or financial data, which are obtained by an agency through a voluntary agreement between the agency and any person, which said records and documents are designated as confidential and privileged by the parties when obtained, or records and documents which are specifically exempt from disclosure by statute.

Any violation of this prohibition shall be a waiver of governmental immunity from suit for damage resulting from any such disclosure.

Sec. 957. Examination of evidence by agency

When in an adjudication proceeding a majority of

the officials of the agency who are to render the final decision have not heard the case or read the record, or the proposed order is not prepared by a member of the agency, the decision, if adverse to a party to the proceeding other than the agency itself, shall not be made final until a proposed order is served upon the parties, and an opportunity is afforded to each party adversely affected to file exceptions and present briefs and oral argument to the officials who are to render the decision. The proposed order shall be accompanied by a statement of the reasons therefor and of the disposition of each issue of fact on law necessary to the proposed order, prepared by the person who conducted the hearing or by one who has read the record. No sanction shall be imposed or order be issued except upon consideration of the whole record and as supported by and in accordance with the reliable, probative, and substantial evidence. The parties by written stipulation may waive, and the agency in the event there is no contest may eliminate, compliance with this Section.

Sec. 958. Decisions and orders

A final decision or order adverse to a party in an adjudication proceeding shall be in writing or stated in the record. A final decision shall include findings of fact and conclusions of law. Findings of fact, if set forth in statutory language, shall be accompanied by a concise and explicit statement of the underlying facts supporting the findings. If, in accordance with agency rules, a party submitted proposed findings of fact, the decision shall include a ruling upon each proposed finding. Parties shall be notified either personally or by mail of any decision or order. Upon request, a copy of the decision or order shall be delivered or mailed forthwith to each party and to his attorney of record. The parties by written stipulation may waive, and the agency in the event there is no contest may eliminate, compliance with this Section.

Sec. 959. Rehearings

A. A decision or order in a case of adjudication shall be subject to rehearing, reopening, or reconsideration by the agency, within ten days from the date of its entry. The grounds for such action shall be either that:

(1) The decision or order is clearly contrary to the law and the evidence;

(2) The party has discovered since the hearing evidence important to the issues which he could not have with due diligence obtained before or during the hearing;

(3) There is a showing that issues not previously

considered ought to be examined in order properly to dispose of the matter; or

(4) There is other good ground for further consideration of the issues and the evidence in the public interest.

B. The petition of a party for rehearing, reconsideration, or review, and the order of the agency granting it, shall set forth the grounds which justify such action. Nothing in this Section shall prevent rehearing, reopening or reconsideration of a matter by any agency in accordance with other statutory provisions applicable to such agency, or, at any time, on the ground of fraud practiced by the prevailing party or of procurement of the order by perjured testimony or fictitious evidence. On reconsideration, reopening, or rehearing, the matter may be heard by the agency, or it may be referred to a subordinate deciding officer. The hearing shall be confined to those grounds upon which the reconsideration, reopening, or rehearing was ordered. If an application for rehearing shall be timely filed, the period within which judicial review, under the applicable statute, must be sought, shall run from the final disposition of such application.

Sec. 960. Ex parte consultations and recusations

A. Unless required for the disposition of ex parte matters authorized by law, members or employees of an agency assigned to render a decision or to make findings of fact and conclusions of law in a case of adjudication noticed and docketed for hearing shall not communicate, directly or indirectly, in connection with any issue of fact or law, with any party or his representative, or with any officer, employee, or agent engaged in the performance of investigative, prosecuting, or advocating functions, except upon notice and opportunity for all parties to participate.

B. A subordinate deciding officer or agency member shall withdraw from any adjudicative proceeding in which he cannot accord a fair and impartial hearing or consideration. Any party may request the disqualification of a subordinate deciding officer or agency member, on the ground of his inability to give a fair and impartial hearing, by filing an affidavit, promptly upon discovery of the alleged disqualification, stating with particularity the grounds upon which it is claimed that a fair and impartial hearing cannot be accorded. The issue shall be determined promptly by the agency, or, if it affects a member or members of the agency, by the remaining members thereof, if a quorum. Upon the entry of an order of disqualification affecting a subordinate deciding officer, the agency shall assign another in his stead or shall conduct the hearing itself. Upon the disqualifica-

tion of a member of an agency, the Governor immediately shall appoint a member pro tem to sit in place of the disqualified member in that proceeding. In further action, after the disqualification of a member of an agency, the provisions of R.S. 49:957 shall apply.

Sec. 961. Licenses

A. When the grant, denial, or renewal of a license is required to be preceded by notice and opportunity for hearing, the provisions of this Chapter concerning adjudication shall apply.

B. When a licensee has made timely and sufficient application for the renewal of a license or a new license with reference to any activity of a continuing nature, the existing license shall not expire until the application has been finally determined by the agency, and, in case the application is denied or the terms of the new license limited, until the last day for seeking review of the agency order or a later date fixed by order of the reviewing court.

C. No revocation, suspension, annulment, or withdrawal of any license is lawful unless, prior to the institution of agency proceedings, the agency gives notice by mail to the licensee of facts or conduct which warrant the intended action, and the licensee is given an opportunity to show compliance with all lawful requirements for the retention of the license. If the agency finds that public health, safety, or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action. These proceedings shall be promptly instituted and determined.

Sec. 962. Judicial review of declaratory orders and rulings

Each agency shall provide by rule for the filing and prompt disposition of petitions for declaratory orders and rulings as to the applicability of any statutory provision or of any rule or order of the agency. Declaratory orders and rulings shall have the same status as agency decisions or orders in adjudicated cases.

Sec. 963. Judicial review of validity or applicability of rules

The validity or applicability of a rule may be determined in an action for declaratory judgment in the district court of the parish in which the agency is located. The court shall declare the rule invalid or inapplicable if it finds that it violates constitutional provisions or exceeds the statutory authority of the

agency or was adopted without substantial compliance with required rule-making procedures. The agency shall be made a party to the action. An action for a declaratory judgment under this Section may be brought only after the plaintiff has requested the agency to pass upon the validity or applicability of the rule in question and only upon a showing that review of the validity and applicability of the rule in conjunction with review of a final agency decision in a contested adjudicated case would not provide an adequate remedy and would inflict irreparable injury.

Sec. 964. Judicial review of adjudication

A. A person who is aggrieved by a final decision or order in an adjudication proceeding is entitled to judicial review under this Chapter whether or not he has applied to the agency for rehearing, without limiting, however, utilization of or the scope of judicial review available under other means of review, redress, relief, or trial de novo provided by law. A preliminary, procedural, or intermediate agency action or ruling is immediately reviewable if review of the final agency decision would not provide an adequate remedy and would inflict irreparable injury.

B. Proceedings for review may be instituted by filing a petition in the district court of the parish in which the agency is located within thirty days after mailing of notice of the final decision by the agency, or, if a rehearing is requested, within thirty days after the decision thereon. Copies of the petition shall be served upon the agency and all parties of record.

C. The filing of the petition does not itself stay enforcement of the agency decision. The agency may grant, or the reviewing court may order, a stay upon appropriate terms.

D. Within thirty days after the service of the petition, or within further time allowed by the court, the agency shall transmit to the reviewing court the original or a certified copy of the entire record of the proceeding under review. By stipulation of all parties to the review proceedings, the record may be shortened. A party unreasonably refusing to stipulate to limit the record may be taxed by the court for the additional costs. The court may require or permit subsequent corrections or additions to the record.

E. If, before the date set for hearing, application is made to the court for leave to present additional evidence, and it is shown to the satisfaction of the court that the additional evidence is material and that there were good reasons for failure to present it in the proceeding before the agency, the court may order that

the additional evidence be taken before the agency upon conditions determined by the court. The agency may modify its findings and decision by reason of the additional evidence and shall file that evidence and any modifications, new findings, or decisions with the reviewing court.

F. The review shall be conducted by the court without a jury and shall be confined to the record. In cases of alleged irregularities in procedure before the agency, not shown in the record, proof thereon may be taken in the court. The court, upon request, shall hear oral argument and receive written briefs.

G. The Court may affirm the decision of the agency or remand the case for further proceedings. The court may reverse or modify the decision if substantial rights of the appellant have been prejudiced because the administrative findings, inferences, conclusions, or decisions are:

- (1) In violation of constitutional or statutory provisions;
- (2) In excess of the statutory authority of the agency;
- (3) Made upon unlawful procedure;
- (4) Affected by other error of law;
- (5) Arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion; or
- (6) Manifestly erroneous in view of the reliable, probative, and substantial evidence on the whole record. In the application of the rule, where the agency has the opportunity to judge of the credibility of witnesses by firsthand observation of demeanor on the witness stand and the reviewing court does not, due regard shall be given to the agency's determination of credibility issues.

Sec. 965. Appeals

An aggrieved party may obtain a review of any final judgement of the district court by appeal to the appropriate circuit court of appeal. The appeal shall be taken as in other civil cases.

Sec. 966. Construction and effect

A. Nothing in this Chapter shall be held to diminish the constitutional rights of any person or to limit or

repeal additional requirements imposed by statute or otherwise recognized by law. Except as otherwise required by law, all requirements or privileges relating to evidence or procedure shall apply equally to agencies and persons. Every agency is granted all authority necessary to comply with the requirements of this Chapter through the issuance of rules or otherwise.

B. If any provision of this Chapter or the application thereof is held invalid, the remainder of this Chapter or other applications of such provision shall not be affected. No subsequent legislation shall be held to supersede or modify the provisions of this Chapter except to the extent that such legislation shall do so expressly.

C. If any part of this Chapter shall be found to be in conflict with Federal requirements which are a condition precedent to the allocation of Federal funds to the State, such conflicting part of this Chapter is hereby declared to be inoperative solely to the extent of such conflict and with respect to the agencies directly affected, and such findings or determination shall not affect the operation of the remainder of this Chapter in its application to the agencies concerned.

D. This Chapter shall take effect July 1, 1967, after its approval, and no procedural requirement shall be mandatory as to any agency proceeding initiated prior to the effective date of such requirement.

Sec. 967. Exemption from provisions of this Chapter

Chapter 13 of Title 49 of the Louisiana Revised Statutes of 1950 shall not be applicable to the Board of Tax Appeals, the Department of Revenue, and the Department of Employment Security, except that the provisions of R.S. 49:951(2), (4), (5), (6), and (7), 952, 953, 954, 954.1, and 968 shall be applicable to said Board.

Sec. 968. Review of agency rules

A. It is the declared purpose of this Section to provide a procedure whereby the Legislature may review the exercise of rule-making authority, an extension of the legislative law-making function, which it has delegated to State agencies.

B. Prior to the adoption, amendment, or repeal of any rule, the agency shall submit a report relative to such rule change to the appropriate standing committees as listed hereunder. The report shall be submitted at the same time as it is submitted to the Department of the State Register prior to the notice of the intended action

as provided in Paragraph 1 of Subsection A of Section 953 of this Title.

(1) The Department of Commerce and all of the statutory entities made a part of it by the Executive Reorganization Act adopted by the Legislature at its 1975 regular session and subsequent ratifications or modifications thereof by the Legislature, including but not limited to those enumerated in R.S. 36:209, shall submit the report to the House Committee on Commerce and the Senate Committee on Commerce.

(2) The Department of Urban and Community Affairs and all of the statutory entities made a part of it by the Executive Reorganization Act adopted by the Legislature at its 1975 regular session and by subsequent ratifications or modifications thereof by the Legislature, including but not limited to those enumerated in R.S. 36:559, shall submit the report to the House Committee on Municipal and Parochial Affairs and the Senate Committee on Municipal and Parochial Affairs.

(3) The Department of Corrections and all of the statutory entities made a part of it by the Executive Reorganization Act adopted by the Legislature at its 1975 regular session and by subsequent ratifications or modifications thereof by the Legislature, including but not limited to those enumerated in R.S. 36:151, shall submit the report to the House Committee on Administration of Criminal Justice and the Senate Committee on Judiciary, Section A.

(4) The Department of Culture, Recreation and Tourism and all of the statutory entities made a part of it by the Executive Reorganization Act adopted by the Legislature at its 1975 regular session and by subsequent ratifications or modifications thereof by the Legislature shall submit the report to the House Committee on Commerce and the Senate Committee on Commerce.

(5) All of the statutory entities which are placed under the control and supervision of the Department of State shall submit the report to the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs.

(6) The Department of Labor and all of the statutory entities made a part of it by the Executive Reorganization Act adopted by the Legislature at its 1975 regular session and by subsequent ratifications or modifications thereof by the Legislature, including but not limited to those enumerated in R.S. 36:309, shall submit the report to the House Committee on Labor and Industrial Relations and the Senate Committee on Labor and Industrial Relations.

(7) The Department of Transportation and Development and all of the statutory entities made a part of it by the Executive Reorganization Act adopted by the Legislature at its 1975 regular session and by subsequent ratifications or modifications thereof by the Legislature, including but not limited to those enumerated in R.S. 36:509, shall submit the report to the House Committee on Transportation, Highways, and Public Works and the Senate Committee on Transportation, Highways, and Public Works.

(8) All of the statutory entities which are placed under the control and supervision of the Department of Elections shall submit the report to the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs.

(9) All of the statutory entities which are placed under the control and supervision of the Department of Justice shall submit the report to the House Committee on the Judiciary and the Senate Committee on the Judiciary, Section C.

(10) All of the statutory entities which are placed under the control and supervision of the Department of State Civil Service shall submit the report to the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs.

(11) The Department of Revenue and Taxation and all of the statutory entities made a part of it by the Executive Reorganization Act adopted by the Legislature at its 1975 regular session and by subsequent ratifications or modifications thereof by the Legislature, including but not limited to those enumerated in R.S. 36:459, shall submit the report to the House Committee on Ways and Means and the Senate Committee on Revenue and Fiscal Matters.

(12) The Department of Natural Resources and all of the statutory entities made a part of it by the Executive Reorganization Act adopted by the Legislature at its 1975 regular session and by subsequent ratifications or modifications thereof by the Legislature, including but not limited to those enumerated in R.S. 36:359, shall submit the report to the House Committee on Natural Resources and the Senate Committee on Natural Resources.

(13) The Department of Public Protection and all of the statutory entities made a part of it by the Executive Reorganization Act adopted by the Legislature at its 1975 regular session and by subsequent ratifications or modifications thereof by the Legislature, including but not limited to those enumerated in R.S.

36:409, shall submit the report to the House Committee on the Judiciary and the Senate Committee on the Judiciary, Section C.

(14) All of the statutory entities made a part of the Department of Wildlife and Fisheries by the Executive Reorganization Act adopted by the Legislature at its 1975 regular session and by subsequent ratifications or modifications thereof by the Legislature, including but not limited to those enumerated in R.S. 36:610 shall submit the report to the House Committee on Natural Resources and the Senate Committee on Natural Resources.

(15) All of the statutory entities which are placed under the control and supervision of the Department of Insurance shall submit the report to the House Committee on Commerce and the Senate Committee on Commerce.

(16) All of the statutory entities which are placed under the control and supervision of the Department of Treasury shall submit the report to the House Committee on Appropriations and the Senate Committee on Finance.

(17) The Department of Health and Human Resources and all of the statutory entities made a part of it by the Executive Reorganization Act adopted by the Legislature at its 1975 regular session and by subsequent ratifications or modifications thereof by the Legislature, including but not limited to those enumerated in R.S. 36:259, shall submit the report to the House Committee on Health and Welfare and the Senate Committee on Health and Welfare.

(18) All of the statutory entities which are placed under the control and supervision of the Department of Agriculture shall submit the report to the House Committee on Agriculture and the Senate Committee on Agriculture.

(19) All of the statutory entities which are placed under the control and supervision of the Department of Education shall submit the report to the House Committee on Education and the Senate Committee on Education.

(20) All of the statutory entities which are placed under the control and supervision of the Department of Public Service shall submit the report to the House Committee on Commerce and the Senate Committee on Commerce.

C. The report, as provided for in Subsection B, shall contain:

(1) A copy of the rule as it is proposed for adoption, amendment, or repeal.

(2) A statement of the proposed action, that is, whether the rule is proposed for adoption, amendment, or repeal, a brief summary of the content of the rule if proposed for adoption or repeal, and a brief summary of the change in the rule if proposed for amendment.

(3) The specific citation of the enabling legislation purporting to authorize the adoption, amending, or repeal of the rule.

(4) A statement of the circumstances which require adoption, amending, or repeal of the rule.

D. The standing committees to which each report is submitted may meet to review the rule which is proposed for adoption, amendment, or repeal. The committees may meet jointly or separately or by appointing joint or separate subcommittees to conduct a hearing for such review. The purpose of the hearing shall be to review the rule which is proposed for adoption, amendment, or repeal to:

(1) Determine whether the rule change is in conformity with the intent and scope of the enabling legislation purporting to authorize the adoption thereof.

(2) Determine whether the rule change is in conformity with and not contrary to all applicable provisions of law and of the Constitution.

(3) Determine the advisability or relative merit of the proposed rule change and whether the rule is acceptable or unacceptable to the committee.

E. Each such determination shall be made by the respective committee of each house individually and shall require the favorable vote of a majority of the membership of the committee. The committee vote on any determination may be taken either during a meeting or by mail ballot.

F. Each standing committee to which a report is submitted may submit a report of its determination made as provided in Subsection C to the agency which proposed the rule. This report shall contain:

(1) A copy of the proposed rule.

(2) A summary of the determinations of the committee made in accordance with this Section.

(3) A statement of the reasons why the standing committee has found the rule acceptable or unacceptable.

Potpourri

Health and Human Resources Administration Division of Health

G. The report by the standing committee, if submitted to the agency proposing the rule, shall be submitted to the agency in accordance with the provisions of R.S. 49:953 for the submission of oral presentation or argument and subsequently shall be published in the State Register. Publication of a report may be omitted from the Louisiana Register which would be unduly cumbersome, expensive, or otherwise inexpedient, if the Louisiana Register contains a notice stating the general subject matter of the omitted report and stating how a copy thereof may be obtained. The report may request a hearing in accordance with the provisions of R.S. 49:953A(2).

H. Each year, thirty days prior to the beginning of the regular session of the Legislature, each agency which has proposed the adoption, amendment, or repeal of any rule during the previous year, shall submit a report to the appropriate committees as provided for in Subsection B of this Section. This report shall contain:

(1) All of the information required by Subsection A with respect to all rules proposed for adoption, amendment, or repeal.

(2) A summary of all data, views, or arguments received by the agency concerning the rule change pursuant to R.S. 49:953 and this Section.

(3) A statement of the action taken by the agency with respect to adoption, amendment, or repeal of each such rule.

I. After submission of the report to the standing committee, a public hearing may be held by the committee for the purpose of reviewing the report with representatives of the proposing agency.

J. No later than the second legislative day of the regular session of the Legislature, any standing committee to which opinion rules have been submitted may submit a report to the Legislature. This report shall contain a summary of all committee action with respect to agency rules referred to the committee and of public hearings held by the committee pursuant to this Section. The report shall also contain any recommendations of the committee, for statutory changes in statutes concerning the agency, particularly in statutes authorizing the making and promulgation of rules by the agency.

A public hearing has been scheduled for Friday, October 1, 1976, at 10:00 a.m. in the Conservation Hearing Room, Ground Floor, State Land and Natural Resources Building, corner of North Street at Riverside Mall, Baton Rouge, Louisiana, for the purpose of receiving comments and views, oral and written, with respect to the amended provisions of Chapter V and Chapter XXV of the Louisiana Sanitary Code.

The intent to adopt said amendments as well as the content of said amendments was published in the Louisiana Register, Volume 2, Number 8, dated August 20, 1976.

Oral presentations will be limited to five minutes for each person wishing to make such presentation.

William H. Stewart, M.D.
Commissioner and State Health Officer

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