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Executive Orders

EXECUTIVE ORDER EWE-77-4

WHEREAS, Executive Order No. 33, issued on April 16, 1973, directs the Interdepartmental Health Policy Commission to establish a Committee on Statewide Planning for Nursing; and

WHEREAS, the Committee on Statewide Planning for Nursing has met insurmountable difficulties in attempting to fulfill its purposes stated in Executive Order No. 33; and

WHEREAS, these difficulties have been the result of funding and budgetary problems outside the control of the Committee; and

WHEREAS, it has become apparent to the members of the Committee on Statewide Planning for Nursing that the Committee is unable to complete adequately the study for which it was created; and

WHEREAS, the Board of Regents will soon perform some of the same functions as the Committee on Statewide Planning for Nursing pursuant to a Federal grant for comprehensive educational planning for nursing and allied health professions; and

WHEREAS, the members of the Committee have requested that the Committee be released from its charge.

NOW, THEREFORE, I, EDWIN EDWARDS, Governor of the State of Louisiana, hereby rescind Executive Order No. 33, issued on April 16, 1973.

FURTHERMORE, I hereby direct the State Office of Comprehensive Health Planning to transfer to the Board of Regents all materials and studies the Committee has begun or completed in order to aid the Board of Regents in pursuing the work which the Committee has begun, and to discharge the Committee on Statewide Planning for Nursing.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to have the Great Seal of the State of Louisiana affixed. Done and signed at the Capitol in the City of Baton Rouge on this 2nd day of February, 1977.

EDWIN EDWARDS
Governor of Louisiana

Emergency Rules

DECLARATION OF EMERGENCY

Board of Trustees for Colleges and Universities

At its meeting on January 28, 1977, the Board of Trustees for State Colleges and Universities adopted the following rule, effective immediately:

Extension Beyond Age Sixty-five for Non-classified Personnel

1. The policy of retirement at age sixty-five shall be retained with the option of requesting, on a year by year basis, an extension of service for not more than three years when the applicant shall reach the age of sixty-eight. The applying faculty member shall submit the request for extension of employment by September 30 of the fiscal year in which he/she becomes eligible.
2. Each college or university shall form a Faculty Review Committee composed of five members:
 - a. The current Student Government Association President shall appoint a senior level student from within the appropriate department;
 - b. The faculty shall elect annually from within its ranks seven members. Three of these seven faculty will serve on the Review Committee. In order to arrive at the three committee members, the applying faculty member and the college or university administration will, on a rotating basis, each withdraw two of the seven elected faculty members; and
 - c. The President of the college or university shall appoint one member of the Review Committee who shall serve as chairman.

The Committee shall be charged with the responsibility of interviewing the applicant, recording testimony from any interested faculty or student of the college or university, or any person called upon to testify before the Committee, and of securing all required application forms including records from two physicians attesting to the mental and physical fitness of the applicant. The Chairman of the Committee shall write the Committee report and forward this to the college or university President.

3. The President shall receive all information from the Review Committee and shall make his recom-

mendation for approval or disapproval and forward all information to the Board of Trustees for State Colleges and Universities for its action.

Policy on Extension Beyond Age Sixty-five for Board Staff

1. The Executive Director of the Board Staff shall make recommendation to the full Board for staff extension of service beyond age sixty-five.

This emergency rule is necessary so that those nonclassified personnel who are eligible for extension beyond age sixty-five will be afforded the opportunity to take advantage of the new policy.

This action was taken in accordance with the emergency provisions of the Administrative Procedures Act and under the authority of Article VIII, Section 6 of the 1974 Louisiana Constitution.

Bill Junkin, Executive Director
Board of Trustees for
Colleges and Universities

DECLARATION OF EMERGENCY

**Department of Health and Human Resources
Office of Family Services**

The Louisiana Department of Health and Human Resources, Office of Family Services, exercised the emergency provision of the Administrative Procedures Act (R.S. 49:953B) to adopt effective December 1, 1975, rate adjustments for Skilled Nursing Facilities, Intermediate Care Facilities I and Intermediate Care Facilities II. The new rates are as follows:

New Rates	SNF	ICF-I	ICF-II
Monthly	\$608.00	\$521.00	\$426.00
Daily	\$ 20.00	\$ 17.12	\$ 14.01

Notice of this change has been mailed to the nursing home administrators.

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

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries

The Louisiana Wildlife and Fisheries Commission has exercised the emergency provision of the Administrative Procedures Act (R.S. 49:953B) to approve the following restricted extension of the 1976-77 trapping season:

WHEREAS, the trapping season on all furbearers in Louisiana for 1976-77 as set by the Louisiana Wildlife and Fisheries Commission ends on February 28, 1977; and

WHEREAS, an overpopulation of muskrat and nutria is evident on the Christian Tract, Vermilion Parish, bounded on the East by McIlhenny Canal, on the North by Belle Isle Bayou, on the West by Belle Isle Island, and on the South by Cross Canal, located in T 15 S, R 2 E.; and

WHEREAS, additional time to trap this section is needed to prevent habitat destruction brought about by the eating, nest building and burrowing habits of these animals; and

WHEREAS, this section of prime "three-cornered grass" habitat, if destroyed by overpopulation, would require ten to fifteen years of ecological secession before returning to production, cutting the annual income of ten to fifteen families and affecting the overall economy of the fur industry;

NOW THEREFORE, be it resolved that the Louisiana Wildlife and Fisheries Commission does hereby extend the trapping season fifteen days beyond February 28, 1977, on the Christian Tract, Vermilion Parish, bounded on the East by McIlhenny Canal, on the North by Belle Isle Bayou, on the West by Belle Isle Island, and on the South by Cross Canal, located in T 15 S, R 2 E.

J. Burton Angelle, Secretary
Department of Wildlife and Fisheries

Rules

RULES

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

(Editor's Note: The following standard contract form, as required in R.S. 40:1269A and Regulation No. 9 of the Structural Pest Control Regulations, was adopted by the Louisiana Pest Control Operator's Association and the Structural Pest Control Commission on January 28, 1977.)

Standard Contract for Treatment of Wood-Destroying Organisms

This contract made this _____ day of _____
_____, 19____, at _____, Louisiana, by and
between _____,
licensed under the Louisiana Structural Pest Control
Law, herein represented by _____,
hereunto duly authorized, hereinafter called the "con-
tractor," and _____

(name of building owner or agent)

who declares himself to be the owner or agent of the
property named, and hereinafter called the "owner."

For and in consideration of the price and sum of
(\$ _____)
dollars, to be paid by the owner as follows: _____
_____, the contractor agrees to service the
property located at _____
for control of _____,
only, for a period of two years under the following
terms and conditions:

1. Should a reinfestation occur in any portion of the building covered by the contract, the contractor agrees to treat such infested portions within thirty days of discovery of such reinfestation without additional charge to the owner.
2. The contractor agrees to exercise care in applying the treatment in order to avoid damage to shrubs or vegetation, but under no circumstances or conditions shall the contractor be responsible for damage to shrubs or vegetation involved in this job, or stains or discoloration to any part of the structure, except those resulting from gross negligence on the part of the contractor.
3. Reticulitermes—Subterranean Termites
 - A. Pier Construction: The contractor shall be responsible only for new damage to visible portions of the foundations, sills, joists, plates and sub-floor where active subterranean termite infestation is discovered six months or more after completion of initial treatment.
 - B. Slab Construction: Due to extreme hazards encountered in existing slab construction and the possibilities of hidden infestation, the contractor cannot be held responsible for any damage to the structure or its contents caused by subterranean termite activity.
4. Coptotermes—Formosan Termites

The termite contractor cannot be held responsible for any damage to the structure or its contents caused by Formosan termite activity. When soil treatment fails to control the Formosan termites, it is then necessary to fumigate the building or to remove the necessary walls, ceilings, etc., in order to find and destroy existing nests. In this situation, the owner of the building will be responsible for the added cost of the additional work.

 - A. Exception: Preventative treatment of pier-type construction paragraph 3A shall apply.
5. Drywood Termites, Powderpost Beetles, Old House Borers, Carpenter Ants, Carpenter Bees and Other Wood-Destroying Insects and Fungi

Due to the nonresidual nature of fumigants, and the fact that a liquid treatment would only be a spot treatment, there is no guarantee against present or future damage caused by drywood termites, powderpost beetles, old house borers, carpenter ants, carpenter bees, and other wood-destroying insects and fungi to the building.

6. The owner warrants full cooperation with the contractor during the life of this contract, and agrees to maintain the area treated free from any factor contributing to infestation, such as wood, trash, lumber, or direct wood-soil contact in the area treated, and agrees not to make any alterations or additions to the structure without notifying the contractor prior to alterations, and agrees to eliminate faulty plumbing, leaks, and dampness from drains, condensation, or leaks from the roof or otherwise into, onto, or under said area treated. At no time will damage caused to any portion of the structure, even by active termites infestation, be the responsibility of the termite contractor in areas where any of the conditions described in this paragraph exist.

Using first class materials, the contractor will commence work _____ and pursue same in a thorough and workmanlike manner under proper and adequate supervision, and complete the work without delay. No fences, garages, or other out-buildings at above address are included in this agreement unless specified in writing in this contract.

No replacements, alterations, or repairs, other than those specified herein, shall be made by the contractor.

The contractor agrees to _____

The owner agrees to indemnify and hold contractor harmless against any and all damages and expenses, including court costs and reasonable attorney's fees, incurred or arising from any claim against the contractor, for damage to the structure or its contents except as provided for under paragraph 3A of this contract.

No cause for action or claim for damages shall be filed in a court of law until an inspection of the property has been made by an inspector of the Louisiana Structural Pest Control Commission to verify the fact that the damage has been caused by the wood-destroying organisms specified in this contract and there is evidence of gross negligence by the contractor in the original treatment or retreatment of said property.

This contract may continue in force on an annual basis after the expiration, at the option of both parties, for the sum of (\$ _____) to be negotiated at the time of the renewal.

Date

Owner/Agent for Owner Lessee

By: _____
Contractor

Consumer's Right to Cancel

If this agreement was solicited at your residence and you do not want the goods or services, you may cancel this agreement by mailing a notice to the seller. The notice must say that you do not want the goods or services and must be mailed before midnight of the third business day after you sign this agreement. The notice must be mailed to _____

If you cancel, the seller must return all of your cash down payment.

Richard Carlton, State Entomologist
Bureau of Entomology and Plant Industry

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 January 27, 1977.

Rule 3.01.70u(5)

Certification requirements for speech education as follows:

A minimum of 30 semester hours to include: Fundamentals of public speaking—three semester hours, Debate—three semester hours, Oral interpretation—three semester hours, Broadcasting—three semester hours, Theatre—three semester hours, Directing—three semester hours, Production—three semester hours.

Requirements to be in effect for incoming freshmen in summer 1978.

Rule 3.01.70u(6)

Certification requirements for parish special education supervisors as follows:

The applicant must hold a valid Type A Louisiana teaching certificate.

The applicant must have had five years of successful

professional school experience, in both regular and special education; three years in special education must have been during the five year period immediately preceding appointment to the supervisory position.

The applicant must hold a master's degree from an accredited institution including twelve semester hours of professional education at the graduate level, nine hours of which shall include courses in supervision, curriculum, and instruction, and three hours in school administration.

The applicant must hold generic certification in Special Education and/or certification in two areas of exceptionality.

These academic requirements are to be met within and not more than a three year period (experiential waiver not acceptable).

Individuals presently serving in this capacity must meet requirements by February 20, 1980, and individuals hired between February 20, 1977, and February 20, 1980, must meet requirements when employed.

Rule 3.01.70p(1)

Revision to Bulletin 746(Revised 1971), page 25, certification requirements for special education teachers.

Deletion of Basic Requirements, parts "d" and "e" which read:

- d. Art for Children—three semester hours
- e. Crafts for Children—three semester hours

Addition of part "d" to read:

- d. Elective—six semester hours
Prescribed by the attending university in an academic area directly related to special education.

Rule 3.01.70u(7)

Certification requirements for persons with demonstrated records of achievement in the arts as follows:

1. There must be a written request indicating that the person will be employed once the certification is granted.
2. There must be substantive evidence of artistic and/or creative accomplishment over an extended period of time.
3. There must be some evidence of substantial professional recognition.
4. The person holding such certification is not eligible for tenure.
5. Ancillary certification for artists must be renewed either annually or at time of reemployment.

Rule 6.00.13 Substitute teaching allowed by retired teacher.

Adoption of Act 619, Regular Session 1976, as policy for teachers in the retirement systems in the vocational-technical schools and special education schools under the Board's jurisdiction.

Rule 3.01.50

Adoption of Bulletin 741, Handbook for School Administrators, Part II, Revised 1977.

Earl Ingram, Director
Board of Elementary and
Secondary Education

RULES

Commission on Fire Fighting Personnel Standards and Education

Requirements for Becoming Commission Certified

Fire Apparatus Drivers/Operators

Chapter 1 – Administration

1-1 Scope.

This standard identifies the professional levels of competence required of the Fire Apparatus Driver/Operator.

It specifically covers the requirements for drivers and driver/operators of fire department pumpers, aerial ladder apparatus, and elevating platform apparatus.

1-2 Purpose.

The purpose of this standard is to specify, in terms of performance objectives, the minimum requirements of professional competence required for service as a Fire Apparatus Driver/Operator. (It is not the intent of this standard to restrict any jurisdiction from exceeding these minimum standards. Evaluation of actual driving exercise is dependent on the jurisdiction having authority and is variable to the type of apparatus and geographical area.)

This standard shall cover the requirements for drivers; driver/operators of fire department pumpers, aerial ladder apparatus, and elevating platform apparatus; and tiller operators.

1-3 General.

1-3.1 All fire fighters who drive fire department vehicles or apparatus shall meet the objectives specified in Chapter 2 of this standard.

1-3.2 The fire fighter shall meet all the requirements of Chapters 1, 2, and 3 of this standard before being certified as a Fire Apparatus Driver/Operator.

1-3.3 The fire fighter shall also meet the requirements of Fire Fighter II as specified by the Commission before being certified as a Fire Apparatus Driver/Operator.

1-3.4 The fire apparatus driver/operator who is required to operate an apparatus equipped with an aerial ladder shall also meet the requirements of Chapter 4 of this standard.

1-3.5 The fire apparatus driver/operator who is required to operate the tiller shall also meet the requirements of Chapter 5 of this standard.

1-3.6 The fire apparatus driver/operator who is required to operate an apparatus equipped with an elevating platform shall also meet the requirements of Chapter 6 of this standard.

1-3.7 Each of the performance objectives for the fire apparatus driver/operator shall meet the following criteria: It shall be performed swiftly, safely, and with competence. Each objective shall be met in its entirety.

1-3.8 It is not required for the objectives to be mastered in the order they appear. The city, parish, regional, or State training program shall establish the instructional priority. The training program content to prepare individuals to meet the performance objectives of this standard shall meet or exceed that approved by the Commission.

1-3.9 Performance of objectives for qualification covered by this standard shall be evaluated and verified by two Commission certified fire instructors.

1-4 Definitions

1-4.1 Aerial Ladder Apparatus: A piece of fire apparatus with a permanently mounted, power operated aerial ladder.

1-4.2 Demonstrate: To show by actual use, illustration, simulation, or explanation.

1-4.3 Elevating Platform Apparatus: A piece of fire apparatus with permanently mounted, power operated booms of articulating construction; or telescoping construction; or a combination of articulating and telescoping construction; and with a passenger carrying platform attached to the uppermost boom.

1-4.4 Fire Apparatus: The emergency vehicles of the fire department or fire brigade used for fire suppression which, in this standard, includes fire department pumpers, aerial ladder apparatus, and elevating platform apparatus.

1-4.5 Fire Apparatus Driver/Operator (A): The Fire Fighter II who has demonstrated the knowledge of, and

the ability to perform the objectives specified in Chapters 1, 2, and 3, of this standard.

1-4.6 Fire Brigade: The organization that provides fire rescue and fire suppression services, and may provide fire prevention services to nongovernmental agencies.

1-4.7 Fire Department: The organization that provides fire rescue, fire suppression, and fire prevention services to governmental or nongovernmental agencies.

1-4.8 Fire Department Pumper: A piece of fire apparatus with a permanently mounted fire pump with a rated discharge capacity of five hundred gallons per minute or greater.

1-4.9 Fire Department Vehicle: Any motorized vehicle that is assigned to the fire department.

1-4.10 Fire Fighter II: The member of a fire department or a fire brigade who has fulfilled the requirements of Fire Fighter II, as specified by the Commission.

1-4.11 Fire Pump: Any pump mounted permanently on a piece of fire apparatus, with a rated discharge capacity of five hundred gallons per minute or greater.

1-4.12 Identify: To physically select, indicate, or explain verbally or in writing, using standard terms recognized by the Fire Service.

1-4.13 Objective: A goal that is achieved through the attainment of a skill, knowledge, or both, which can be observed or measured.

1-4.14 Qualified: Having satisfactorily completed the requirements of the objectives.

1-4.15 Safely: To perform the objective without injury to self or to others, or damage to fire department vehicles and equipment.

1-4.16 Swiftly: The time, as determined by the authority having jurisdiction, that it takes a qualified fire apparatus driver/operator to perform the objective satisfactorily.

1-4.17 Tiller Aerial Ladder Apparatus: A tractor-trailer aerial ladder apparatus with a steering wheel connected to the third axle for maneuvering the rear portion of the apparatus.

1-4.18 With Competence: Possessing knowledge, skills, and judgment needed to perform indicated objectives satisfactorily.

1-4.19 Commission: Commission on Fire Fighting Personnel Standards and Education.

1-4.20 Fire Apparatus Driver/Operator (B): The Fire Fighter II who has demonstrated the knowledge of, and the ability to perform the objectives specified in Chapters 1, 2, 3, and 4 of this standard.

1-4.21 Fire Apparatus Driver/Operator (C): The Fire Fighter II who has demonstrated the knowledge of, and the ability to perform the objectives specified in Chapters 1, 2, 3, and 5 of this standard.

1-4.22 Fire Apparatus Driver/Operator (D): The Fire Fighter II who has demonstrated the knowledge of, and the ability to perform the objectives specified in Chapters 1, 2, 3, and 6 of this standard.

Chapter II—All Fire Department Vehicles

2-1 Preventive Maintenance.

2-1.1 The fire apparatus driver/operator shall demonstrate the performance of routine tests, inspections, and servicing functions required to assure the operational status of fire department vehicles, including: (a) battery check, (b) braking system, (c) coolant system, (d) electrical system, (e) fueling, (f) lubrication, (g) oil levels, (h) tire care, and (i) tools, appliances, and equipment.

2-1.2 The fire apparatus driver/operator shall demonstrate the recording and reporting, as specified by the authority having jurisdiction, of all servicing functions.

2-2 Driving/Operating.

2-2.1 The fire apparatus driver/operator shall be legally licensed to drive fire department vehicles, except during instructional periods.

2-2.2 The fire apparatus driver/operator shall be subject to periodic medical evaluation, as specified by the authority having jurisdiction, to determine physical ability adequate for performance of duties as an operator of fire department vehicles.

2-2.3 The fire apparatus driver/operator shall demonstrate, in writing, the correct performance of addition, subtraction, multiplication, and division problems as specified by the authority having jurisdiction.

2-2.4 The fire apparatus driver/operator shall identify all State and local laws, including rules and regulations governing the safe driving and operation of all fire department vehicles of the authority having jurisdiction, including fire department vehicles on emergency response.

2-2.5 The fire apparatus driver/operator, given a fire department vehicle, shall identify all gages and demonstrate their usage.

2-2.6 The fire apparatus driver/operator, given a fire department vehicle shall demonstrate the following driving tests: (a) serpentine, (b) alley dock, (c) opposite alley pull in, (d) diminishing clearance, (e) straight line, and (f) turn around.

2-2.7 The fire apparatus driver/operator shall identify and demonstrate the theory and principles of defensive driving techniques particularly as related to emergency response driving.

2-2.8 The fire apparatus driver/operator shall identify emergency response conditions and explain proper procedures for each, shall legally and safely drive, position, and operate assigned fire department vehicle of the authority having jurisdiction.

2-3 Driving/Operating, Emergency Vehicles.

2-3.1 The fire apparatus driver/operator who is assigned to drive/operate any fire department emergency vehicle shall also meet the requirements of Sections 2-1 and 2-2.

2-3.2 The fire apparatus driver/operator shall identify all State and local laws, including rules and regulations governing the safe driving and operation of all fire department vehicles of the authority having jurisdiction, on emergency response.

2-3.3 The fire apparatus driver/operator shall identify and demonstrate the theory and principles of defensive driving techniques related to emergency response driving.

2-3.4 The fire apparatus driver/operator, under emergency response conditions, shall demonstrate the legal and safe driving, positioning, and operating of assigned fire department vehicles of the authority having jurisdiction.

Chapter III—Apparatus Equipped with a Fire Pump

3-1 General

3-1.1 The fire apparatus driver/operator shall demonstrate the performance of routine tests, inspections, and servicing functions required to assure the operational status of fire department pumpers, including: (a) battery check, (b) booster tank level (if applicable), (c) braking system, (d) coolant system, (e) electrical system, (f) fueling, (g) lubrication, (h) oil levels, (i) pump, (j) tire care, and (k) tools, appliances, and equipment.

3-1.2 The fire apparatus driver/operator shall identify the operating principles of single stage and multiple stage centrifugal fire pumps.

3-1.3 The fire apparatus driver/operator, given pump models or diagrams, shall identify the major components and trace the flow of water through single stage and multiple stage centrifugal pumps.

3-1.4 The fire apparatus driver/operator shall identify the percentages of rated capacity, rated pressures, and the capacity in gallons per minute at the rated pressures a fire department pumper is designed to deliver.

3-1.5 The fire apparatus driver/operator, given a fire department pumper and the necessary equipment, shall demonstrate an annual pumper service test.

3-1.6 The fire apparatus driver/operator shall identify the following conditions that may result in pump damage or unsafe operation, and identify corrective measures such as: (a) cavitation, (b) leaking fuel, oil, or water, (c) over-heating, (d) unusual noises, (e) vibrations, and (f) water hammer.

3-1.7 The fire apparatus driver/operator, given a fire department pumper, shall demonstrate the following driving tests: (a) serpentine, (b) alley dock, (c) opposite

alley pull in, (d) diminishing clearance, (e) straight line, and (f) turn around.

3-2 Water Supply

3-2.1 The fire apparatus driver/operator shall identify incrustation, tuberculation, and sedimentation; and the effects on the carrying capacities of water mains.

3-2.2 The fire apparatus driver/operator shall identify the types of hydrants used within the jurisdiction, including descriptions of: (a) connection size and type of thread of discharge openings, (b) construction and operation of drain valve, (c) direction of operation of the main valve, (d) internal diameter of hydrant barrel, (e) maximum friction loss in the hydrant, and (f) procedures and policies of hydrant locations.

3-2.3 The fire apparatus driver/operator shall identify the size of mains and the available fire flows in various areas specified by the authority having jurisdiction.

3-2.4 The fire apparatus driver/operator shall identify problems related to flows from dead end water mains.

3-2.5 The fire apparatus driver/operator, given reference material, shall identify and explain the approximate pressure-discharge relationship for various water pipe sizes.

3-2.6 The fire apparatus driver/operator shall identify the pipe sizes used in water distribution systems for residential, business, and industrial districts served by the authority having jurisdiction.

3-2.7 The fire apparatus driver/operator shall identify at least two causes of increased resistance or friction loss with water flowing in water mains.

3-3 Sprinklers and Standpipes.

3-3.1 The fire apparatus driver/operator, given a check valve on the fire department connection to an automatic sprinkler system, shall demonstrate the direction of flow of water through the valve.

3-3.2 The fire apparatus driver/operator shall demonstrate the method specified by the authority having jurisdiction for augmenting water supplies to sprinkler systems and for determining if water is actually being discharged into the system.

3-3.3 The fire apparatus driver/operator, given specific information on a sprinkler system, shall identify the number of sprinkler heads that can be adequately supplied with water by various capacity rated fire department pumps.

3-3.4 The fire apparatus driver/operator, given specific information on a sprinkler system, shall demonstrate the minimum hose layouts and pump discharge pressure required to adequately supply that sprinkler system.

3-3.5 The fire apparatus driver/operator shall demonstrate the method specified by the authority having jurisdiction for supplying water to a dry standpipe system.

3-3.6 The fire apparatus driver/operator shall demonstrate the method specified by the authority having jurisdiction for supplementing water supplies to a standpipe system and for determining if water is actually being discharged into the system.

3-4 Hydraulic Calculations

3-4.1 The fire apparatus driver/operator shall demonstrate the principles of friction loss as they relate to: (a) internal diameter of hose, (b) length of hose line, (c) manner in which hose lines are laid, (d) physical condition of hose, (e) pressure, (f) use of appliances, (g) use of multiple hose lines, (h) use of various nozzles, and (i) velocity of flow.

3-4.2 The fire apparatus driver/operator shall demonstrate knowledge of the principles of pressure and identify the following types of fluid pressure encountered in the fire service: (a) flow pressure, (b) negative pressure, (c) normal operating pressure, (d) residual pressure, and (e) static pressure.

3-4.3 The fire apparatus driver/operator shall identify the following terms that relate to the basic principles of fire service hydraulics: (a) atmospheric pressure, (b) capacity, (c) displacement, (d) flow (gallons per minute), (e) friction loss, (f) head pressure (back pressure), (g) hydrant pressure, (h) net engine pressure, (i) nozzle reaction, (j) pounds per square inch, (k) pump discharge pressure, (l) vacuum, (m) velocity, and (n) water hammer.

3-4.4 The fire apparatus driver/operator shall demonstrate the use of proportions in mathematical calculations as required to solve fire department pumper hydraulics problems.

3-4.5 The fire apparatus driver/operator shall identify and demonstrate the determination and use of square roots as required to solve fire department pumper hydraulic problems.

3-4.6 The fire apparatus driver/operator shall identify and demonstrate the use of fractions, percentages, and decimal fractions in mathematical calculations as required to solve fire department pumper hydraulic problems.

3-4.7 The fire apparatus driver/operator shall demonstrate the use of simple algebraic formulas required to solve fire department pumper hydraulic problems.

3-4.8 The fire apparatus driver/operator, given a series of fire ground situations and using the written formulas specified by the authority having jurisdiction, shall determine: (a) nozzle or pump discharge pressures when the length and size of hose, and size of nozzle are given, (b) water flow in gallons per minute when the

diameter of the orifice and pressure at the orifice are given, (Note: to be performed using smooth bore, straight stream nozzles), (c) the friction loss in the supply and attack lines, used by the authority having jurisdiction, when the gallons per minute flow is given, (d) friction loss in siamesed lines when size of hose and gallons per minute are given, (e) friction loss in wyed lines when size of hose and gallons per minute flow are given, (f) friction loss in multiple lines when the size of hose and gallons per minute flow are given, and (h) estimated remaining available volume from a hydrant while pumping a given volume.

3-4.9 The fire apparatus driver/operator, given a series of fire ground situations, shall calculate correct pump discharge pressure, gallons per minute, friction loss, and nozzle pressure, using mental formulas specified by the authority having jurisdiction.

3-4.10 The fire apparatus driver/operator, given a series of fire ground situations involving various operating pressures, shall demonstrate the formula for calculation of nozzle reaction of hand and master streams used by the authority having jurisdiction.

3-4.11 The fire apparatus driver/operator, given the necessary information, shall compute the maximum lift of a fire department pumper.

3-5 Apparatus Systems.

3-5.1 The fire apparatus driver/operator shall identify three methods of power transfer from the vehicle engine to the pump.

3-5.2 The fire apparatus driver/operator, given a fire department pumper, shall demonstrate the theory and principle of the pumper priming system, and identify at least one alternative method for priming the pump.

3-5.3 The fire apparatus driver/operator, given a fire department pumper, shall demonstrate the theory and principles of the pumper pressure relief system, or pressure control governor, or both.

3-5.4 The fire apparatus driver/operator, given a fire department pumper, shall identify all gages and demonstrate their usage.

3-5.5 The fire apparatus driver/operator, given a fire department pumper, shall identify the auxiliary cooling system, how it functions, and demonstrate how to operate the system.

3-6 Operations.

3-6.1 The fire apparatus driver/operator, given a fire department pumper used by the authority having jurisdiction, shall demonstrate the method(s) of power transfer from vehicle engine to pump.

3-6.2 The fire apparatus driver/operator, given a fire department pumper and a series of fire ground situa-

tions, shall produce effective hand and master streams specified by the authority having jurisdiction.

3-6.3 The fire apparatus driver/operator, given a fire department pumper, shall identify the principle of drafting water, and demonstrate a systems check when the pumper will not draft.

3-6.4 The fire apparatus driver/operator shall demonstrate how to operate the different types of fire department pumpers used by the authority having jurisdiction. (front mount, amidship, PTO, etc.)

3-6.5 The fire apparatus driver/operator, given a fire department pumper, shall demonstrate, by actual use, procedures for pumping: (a) at maximum delivery rate from the apparatus water tank, (b) from a hydrant, (c) from draft, (d) in a relay operation, and (e) in a tandem pumping operation, 1. two pumpers in parallel, and 2. two pumpers in series.

3-6.6 The fire apparatus driver/operator, given a fire department pumper and a simulated fire scene, shall demonstrate proper maneuvering and positioning of the apparatus to function from the given source of water.

3-6.7 The fire apparatus driver/operator, given a fire department pumper with a multiple stage pump, shall demonstrate the use of the volume/pressure transfer valve under actual pumping conditions.

3-6.8 The fire apparatus driver/operator, given a fire department pumper, shall locate, identify, and demonstrate the operation of all equipment carried on or attached to that fire department pumper.

3-6.9 The fire apparatus driver/operator shall identify the characteristics and limitations of hard intake and soft intake pumper supply hose.

3-6.10 The fire apparatus driver/operator, given a selection of nozzles and tips, shall identify the type, design, operation, nozzle pressure, and flow in gallons per minute for proper operation of each.

3-6.11 The fire apparatus driver/operator, given a fire department pumper, shall demonstrate the operation of the pumper pressure relief system, or the pressure control governor, or both.

3-6.12 The fire apparatus driver/operator, given a fire department pumper, shall demonstrate the operation of the auxiliary cooling system.

Chapter IV—Apparatus Equipped with an Aerial Ladder

4-1 General.

4-1.1 The fire apparatus driver/operator shall demonstrate the performance of routine tests, inspections, and servicing functions required to assure the operational status of fire department aerial ladder apparatus, including: (a) battery check, (b) booster tank level (if applicable), (c) braking system, (d) coolant system, (e)

electrical system, (f) fueling, (g) hydraulic system, (h) lubrication, (i) oil levels, (engine and hydraulic), (j) tire care, and (k) tools, appliances, and equipment.

4-1.2 The fire apparatus driver/operator shall identify the following conditions indicating possible aerial ladder apparatus malfunction(s) and identify corrective measures for overcoming the malfunction(s): (a) leaking fuel, motor oil, hydraulic fluid, or water, (b) overheating, (c) unusual noises, and (d) vibrations.

4-1.3 The fire apparatus driver/operator shall identify the factors affecting the effective range of ladder pipe master streams.

4-1.4 The fire apparatus driver/operator shall identify the causes and hazards of nozzle reaction of ladder pipe master streams.

4-1.5 The fire apparatus driver/operator, given an aerial ladder apparatus and the necessary equipment, shall demonstrate an aerial ladder test.

4-1.6 The fire apparatus driver/operator, given an aerial ladder apparatus shall demonstrate the following driving tests: (a) serpentine, (b) alley dock, (c) opposite alley pull in, (d) diminishing clearance, (e) straight line, and (f) turn around.

4-2 Apparatus Systems.

4-2.1 The fire apparatus driver/operator, given an aerial ladder apparatus, shall identify the principles of that aerial ladder apparatus hydraulic pressure relief system.

4-2.2 The fire apparatus driver/operator, given an aerial ladder apparatus, shall identify all gages and demonstrate their usage.

4-2.3 The fire apparatus driver/operator shall identify the theory and principles and demonstrate the operating procedures of aerial ladder apparatus, in use by the authority having jurisdiction, in the following areas: (a) cable systems (b) communication systems, (c) electrical systems, (d) emergency operating systems, (e) hydraulic systems, (f) locking devices, (g) manual systems, and (h) stabilizing systems.

4-2.4 The fire apparatus driver/operator, given an aerial ladder apparatus, shall identify the theory and principles of the safety systems for the aerial ladders as specified by the manufacturer.

4-2.5 The fire apparatus driver/operator, given an aerial ladder apparatus, shall identify system overrides, and the hazards involved in overriding the systems.

4-3 Operations.

4-3.1 The fire apparatus driver/operator shall demonstrate safe operational limitations of aerial ladder apparatus, in use by the authority having jurisdiction, in the following areas: (a) angle, (b) ground conditions, (c) height, (d) master stream, (e) topography, (f) weather

conditions, and (g) weight load, 1. supported, and 2. unsupported.

4-3.2 The fire apparatus driver/operator shall demonstrate all safety procedures for any given operation involving an aerial ladder apparatus specified by the authority having jurisdiction.

4-3.3 The fire apparatus driver/operator, given an aerial ladder apparatus and a simulated fire scene with the apparatus properly positioned shall demonstrate the applicable procedures for stabilizing the apparatus in the following areas: (a) axle locks (spring locks), (b) braking, (c) outriggers or ground jacks, and (d) wheel chocks.

4-3.4 The fire apparatus driver/operator, given an aerial ladder apparatus in use by the authority having jurisdiction and a simulated fire scene, shall demonstrate proper maneuvering and positioning of the apparatus for rescue and fire fighting operations.

4-3.5 The fire apparatus driver/operator, given an aerial ladder apparatus and a simulated fire scene with the apparatus properly positioned, shall demonstrate operating the aerial ladder in: (a) raising, (b) lowering, (c) extending, (d) retracting, (e) locking, (f) unlocking, (g) rotating, (h) placing to roof, and (i) positioning in window.

4-3.6 The fire apparatus driver/operator shall demonstrate the emergency operating procedures necessary to control aerial ladder apparatus following equipment or power failure.

4-3.7 The fire apparatus driver/operator, given an aerial ladder apparatus, shall demonstrate the method of power transfer from the vehicle or auxiliary engine to the hydraulic or power take-off system for operation of the equipment.

4-3.8 The fire apparatus driver/operator, given an aerial ladder apparatus, shall demonstrate the proper application of lifting and positioning equipment using the aerial ladder.

4-3.9 The fire apparatus driver/operator, given an aerial ladder apparatus, shall locate, identify, and demonstrate the operation of all equipment carried on or attached to that aerial ladder apparatus.

Chapter V—Apparatus Equipped with a Tiller

5-1 Operations.

5-1.1 The fire apparatus driver/operator, given a tiller aerial ladder apparatus, shall demonstrate the signaling system between the tiller operator's position and the driver's compartment.

5-1.2 The fire apparatus driver/operator, given a tiller aerial ladder apparatus, shall demonstrate how to operate the tiller as the apparatus is driven from quarters, and is backed into quarters.

5-1.3 The fire apparatus driver/operator, given a tiller aerial ladder apparatus, shall demonstrate how to

operate the tiller as the apparatus is driven both forward and in reverse, including both right and left ninety-degree turns in both forward and reverse.

5-1.4 The fire apparatus driver/operator, given a tiller aerial ladder apparatus and simulated or actual on-street and off-street conditions, shall demonstrate how to operate the tiller as the apparatus is driven both forward and in reverse in both on-street and off-street conditions.

5-1.5 The fire apparatus driver/operator, given a tiller aerial ladder apparatus and several different simulated fire ground situations, shall identify and demonstrate how to operate the tiller for positioning the apparatus for use of the aerial ladder.

5-1.6 The fire apparatus driver/operator, given a tiller aerial ladder apparatus with a removable tiller operator's position, if this type of tiller apparatus is used by the authority having jurisdiction, shall demonstrate how to clear the tiller assembly in preparation for raising the aerial ladder.

5-1.7 The fire apparatus driver/operator, given a tiller aerial ladder apparatus, shall identify and demonstrate the operations of the tiller operator when the aerial ladder is being lowered into its bed.

5-1.8 The fire apparatus driver/operator, given a tiller aerial ladder apparatus with a removable tiller operator's position, if this type of tiller apparatus is used by the authority having jurisdiction, shall demonstrate how to restore the tiller assembly for road operation after the aerial ladder has been bedded.

Chapter VI—Apparatus Equipped with an Elevating Platform

6-1 General.

6-1.1 The fire apparatus driver/operator shall demonstrate the performance of routine tests, inspections, and servicing functions required to assure the operational status of fire department elevating platform apparatus, including: (a) battery check, (b) booster tank level (if applicable), (c) braking system, (d) coolant system, (e) electrical system, (f) fueling, (g) lubrication, (h) oil levels, (i) tire care, and (j) tools, appliances, and equipment.

6-1.2 The fire apparatus driver/operator shall identify the following conditions indicating possible elevating platform apparatus malfunction(s) and identify corrective measures for overcoming the malfunction(s): (a) leaking fuel, motor oil, hydraulic fluid, or water, (b) overheating, (c) unusual noises, and (d) vibrations.

6-1.3 The fire apparatus driver/operator shall identify the factors affecting the effective range of elevating platform master streams.

6-1.4 The fire apparatus driver/operator shall iden-

tify the causes and hazards of nozzle reaction of elevating platform master streams.

6-1.5 The fire apparatus driver/operator, given an elevating platform apparatus, and the necessary equipment, shall demonstrate the testing of the elevating platform.

6-1.6 The fire apparatus driver/operator, given an elevating platform apparatus, shall demonstrate the following driving tests: (a) serpentine, (b) alley dock, (c) opposite alley pull in, (d) diminishing clearance, (e) straight line, and (f) turn around.

6-2 Apparatus Systems.

6-2.1 The fire apparatus driver/operator, given an elevating platform apparatus, shall identify the principles of that elevating platform apparatus hydraulic pressure relief system.

6-2.2 The fire apparatus driver/operator, given an elevating platform apparatus, shall identify all gages and demonstrate their usage.

6-2.3 The fire apparatus driver/operator shall identify the theory and principles and demonstrate the operating procedures of elevating platform apparatus, in use by the authority having jurisdiction, in the following areas: (a) cable systems (b) communications systems, (c) electrical systems, (d) emergency operating systems, (e) hydraulic systems, (f) manual systems, and (g) stabilizing systems.

6-2.4 The fire apparatus driver/operator, given an elevating platform apparatus, shall identify the theory and principles of the safety systems for the elevating platform and booms as specified by the manufacturer.

6-2.5 The fire apparatus driver/operator, given an elevating platform apparatus, shall identify system overrides and the hazards involved in overriding the systems.

6-3 Operations

6-3.1 The fire apparatus driver/operator shall demonstrate safe operational limitations of elevating platform apparatus, in use by the authority having jurisdiction, in the following areas: (a) angle, (b) ground conditions, (c) height, (d) master stream, (e) topography, (f) weather conditions, and (g) weight load.

6-3.2 The fire apparatus driver/operator shall demonstrate all safety procedures for any given operation involving an elevating platform apparatus specified by the authority having jurisdiction.

6-3.3 The fire apparatus driver/operator, given an elevating platform apparatus and a simulated fire scene with the apparatus properly positioned, shall demonstrate the applicable procedures for stabilizing the apparatus in the following areas: (a) braking, (b) outriggers or ground jacks, and (c) wheel chocks.

6-3.4 The fire apparatus driver/operator, given an elevating platform apparatus in use by the authority having jurisdiction and a simulated fire scene, shall demonstrate proper maneuvering and positioning of the apparatus for rescue and fire fighting operations.

6-3.5 The fire apparatus driver/operator, given an elevating platform apparatus and a simulated fire scene with the apparatus properly positioned, shall demonstrate using the elevating platform in: (a) raising, (b) lowering, (c) extending (if applicable), (d) retracting (if applicable), (e) locking, (f) unlocking, (g) rotating, (h) placing to roof, and (i) positioning at window.

6-3.6 The fire apparatus driver/operator shall demonstrate the emergency operating procedures necessary to control elevating platform apparatus following equipment or power failure.

6-3.7 The fire apparatus driver/operator, given an elevating platform apparatus, shall demonstrate the method of power transfer from the vehicle or auxiliary engine to the hydraulic or power take-off systems for operation of the equipment.

6-3.8 The fire apparatus driver/operator, given an elevating platform apparatus, shall demonstrate the proper application of lifting and positioning equipment using the elevating platform.

6-3.9 The fire apparatus driver/operator shall demonstrate all safety procedures for any given operation involving an elevating platform apparatus, as specified by the authority having jurisdiction.

6-3.10 The fire apparatus driver/operator, given an elevating platform apparatus, shall locate, identify, and demonstrate the operation of all equipment carried on or attached to that elevating platform apparatus.

Jimmy Chapman, Executive Director
Commission on Fire Fighting Personnel
Standards and Education

RULES

Department of Health and Human Resources Office of Family Services

The Department of Health and Human Resources, Office of Family Services, has adopted the policy statements on employment and training in the Indo-Chinese Refugee Assistance Program which were mandated by the U.S. Department of Health, Education and Welfare by Social and Rehabilitative Services' Action Transmittal 76-160 published October 22, 1976. The policy is as follows:

I. Employment or Training Requirements

A. All employable refugees who apply for or

receive cash assistance, and all employable members of the assistance unit of which they are a part, shall register for employment with the Louisiana State Employment Service (LSES), and shall accept an employment or training opportunity from any source, in the same manner as required for each recipient of Aid to Families with Dependent Children (AFDC). An individual is considered employable unless one of the following exemptions applies:

1. An individual who is under age 16, or who is under age 21 and is attending school or training full time, or who is age 21 or over and is attending school or training except that training shall be limited to less than one year.
2. A person who is ill, incapacitated, or over 65 (verification of illness or incapacitation is required).
3. A person whose presence in the home is required because of illness or incapacity of another member of the household (verification is required).
4. A mother or other caretaker of a child under the age of 6 who is caring for the child; or
5. A mother or other caretaker of a child, when the nonexempt father or other non-exempt adult relative in the home is registered and has not refused to accept employment without good cause.

Inability to communicate in English does not make the refugee "unemployable."

- B. As an applicant for assistance, an employable refugee shall not, during thirty consecutive calendar days immediately prior to the receipt of aid, have voluntarily quit a job for the purpose of receiving assistance, or refused to apply for or accept an appropriate offer of employment. The dependent family of such an ineligible applicant may, however, apply for and receive cash assistance.
- C. As a recipient of assistance under the refugee assistance program, an employable refugee shall not, while in receipt of aid, have voluntarily quit for the purpose of receiving assistance, or refused to apply for or accept an appropriate offer of employment or employment-related

training meeting any applicable minimum wage requirement.

D. Appropriate Work and Training Criteria: The determination of "appropriate work" shall be made in accordance with the following criteria:

1. Appropriate work may be temporary, permanent, full-time, part-time, or seasonal work if such work meets the other work standards of this document.
2. The wage shall meet or exceed the Federal or State minimum wage law, whichever is applicable, or if such laws are not applicable, the wage shall not be less favorable than the wage normally paid for similar work in that labor market but in no event shall it be less than three-fourths of the minimum wage rate.
3. The daily hours of work and the weekly hours of work shall not exceed those customary to the occupation.
4. No individual shall be required to accept employment if:
 - (i) The position offered is vacant due to a strike, lockout, or other bona fide labor dispute;
 - (ii) The individual would be required to work for an employer contrary to the conditions of his existing membership in the union governing that occupation. However, employment not governed by the rules of a union in which he has membership may be deemed appropriate.

In addition to meeting these criteria, for training to be appropriate, the quality of the training must meet local employers' requirements so that the individual will be in a competitive position within the local labor market. The training must also be likely to lead to employment which will meet the appropriate work criteria, as defined in this document.

The following additional standards must be met before an employable adult cash assistance recipient can be required to accept a work or training assignment:

1. The job or training assignment must be

related to the physical and mental capability of the individual to perform the task on a regular basis. Any claim of adverse effect on physical or mental health shall be based on an adequate medical testimony from a physician or licensed or certified psychologist indicating that participation would impair the individual's physical or mental health.

2. The total daily commuting time to and from home to the work or training site to which the individual is assigned shall not normally exceed two hours, not including the transporting of a child to and from a child care facility, unless a longer commuting distance and time is generally accepted in the community, in which case the round trip commuting time shall not exceed the generally accepted community standards.
3. When child care is required, and provided by this agency, it must meet the standards governing the receipt of such care under the State's Title XX program and must be available during the hours the individual is working or engaged in training or English language instruction plus any additional necessary commuting time. Day care which is obtained by the applicant or recipient is treated as a work-related expense and is not required to meet these standards.

Provision of child care services is limited to those refugees in training, except for such other child care as may be provided in accordance with the Title XX plan. Employed refugees are expected to purchase day care services if needed, and such expenses shall be treated as work-related expenses.

4. The work or training site to which the individual is assigned must not be in violation of applicable Federal, State and local health and safety standards.
5. Assignments shall not be made which are discriminatory in terms of age, sex, race, creed, color, or national origin.

II. Sanctions

Refusal of an employable adult recipient to register with the Employment Service or to accept or

continue an employment or training opportunity without good cause shall result in the following actions:

- A. The service worker shall provide counseling within seven days intended to provide the refugee with an understanding of the implications of his refusal to accept employment or training, and to encourage the refugee's acceptance of such opportunity. Only one such counseling session is required but additional counseling may be provided.
- B. If the employable refugee recipient continues to refuse an offer of employment or training, assistance will be terminated thirty days after the date of his original refusal. The refugee shall be given at least ten days written notice of the termination of assistance prior to expiration of thirty-day period and the reason therefor. This sanction shall be applied in the following manner:
 1. If the assistance unit includes other individuals, then the grant shall be reduced by the amount included on behalf of that refugee. In addition, if the employable refugee is a caretaker relative, assistance in the form of protective or vendor payments will be provided to the remaining members of the assistance unit.
 2. If such individual is the only individual in the assistance unit, the grant shall be terminated.
 3. The refugee's sponsor, or the voluntary resettlement agency where there is not a sponsor, will be notified of the action taken in Item 1 or 2, above.
 4. A decision by the refugee to accept employment or training, made at any time within the thirty-day period after the date of the original refusal, shall result in the continuation of assistance without interruption if the refugee continues to meet the income and other requirements for continued assistance.
 5. An employable refugee may reapply for assistance thirty days after the termination of assistance because of refusal to accept or continue employment or training. He shall be advised of this right, but he must take the initiative in making the reapplication.

III. Training Requirements for Employed Refugee Recipients

In the instance of a refugee who is employed and receiving supplementary assistance, the following is applicable:

- A. Require part-time training such as English language or skill training, if available and determined appropriate, if the refugee is employed part-time (less than one hundred hours per month), as a condition for continued receipt of assistance.
- B. Encourage, but not require, part-time English language or skill training if the refugee is employed full-time (one hundred or more hours per month).

To determine whether English language training is available to Indo-Chinese refugees, a check shall be made with the parish school board, or if applicable, the local office of Associated Catholic Charities.

IV. Receipt of Assistance While Attending School

- A. All employable refugees not exempt as defined in Section I-A, above, "Employment or Training Requirements," are required to register for work and to accept appropriate work or training with the exception stated in Item B, below.
- B. A full-time student who is 21 years of age or older and who is currently receiving cash assistance at the time of the effective date of this bulletin shall be allowed to finish the current semester.
- C. Full-time attendance in a college program for a person age 21 or over is not considered appropriate training unless:
 1. The individual will finish his degree within one year.
 2. The program has a definite short-term employment objective (less than one year) and the program is approved by this agency or as part of an employability plan for the refugee.
 3. The individual is an Indo-Chinese professional who is attending college to become relicensed in his profession, in which case continued attendance shall be approved up

to September 30, 1977, if such course of study is not completed earlier.

- D. A refugee of any age who is otherwise eligible shall not be denied cash assistance while enrolled and participating in a training program which is part of an approved employability plan. Training shall be intended to have a definite short-term employment objective of less than one year. Indo-Chinese refugees enrolled in a training program operated by Associated Catholic Charities shall meet the requirement of having an approved employability plan.

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

RULES

Commissioner of Insurance

The Commissioner of Insurance, after proper notice and hearing, has made the following amendment to Rule 2. The unnumbered paragraph immediately after Section 6 is deleted and the following is substituted in lieu thereof:

Health care providers who qualify as self-insurers shall be surcharged for participation in the Patient's Compensation Fund on the basis of the rates approved for the Residual Malpractice Insurance Authority.

Sherman A. Bernard
Commissioner of Insurance

RULES

Offshore Terminal Authority

Amendments to General Rules and Regulations

At a meeting of the Board of Commissioners of the Offshore Terminal Authority held on Thursday, January 27, 1977, at 2:00 p.m. in the Executive Suite, 29th Floor, International Trade Mart, New Orleans, the Authority's General Rules and Regulations were amended as follows:

1. By amending subparagraph 2 of subsection "a" of Section 4 to read as follows:

"2 - Afford all interested persons reasonable op-

portunity to submit data, views, or arguments, orally or in writing. In case of substantive rules, opportunity for oral presentation or argument will be granted if requested by a bona fide association or organization having an interest in the proposed rules, or by a governmental subdivision or agency, or by a committee of either house of the Legislature to which the proposed rule change has been referred under the provisions of this Section. The Authority will consider fully all written and oral submissions respecting the proposed rule. Upon adoption of a rule or rules, the Authority, if requested to do so in writing by an interested person either prior to adoption or within thirty days thereafter, will issue a concise statement of the principal reasons for and against its adoption. An individual interested in orally presenting a position on an issue which does not require a separate public hearing, may be allowed to do so at a public meeting of the Board of Commissioners, at the discretion of the Board."

2. By adding a new subparagraph 3 to subsection "a" of Section 4 as follows:

"3 - Submit a report relative to such rule change to the House Committee on Transportation, Highways, and Public Works and the Senate Committee on Transportation, Highways, and Public Works, at the same time as such rule change is submitted to the Department of the State Register prior to the notice of the intended action as provided in this Section. The report shall contain (a) a copy of the rule as it is proposed for adoption, amendment, or repeal, (b) 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, (c) the specific citation of the enabling legislation purporting to authorize the adoption, amending, or repeal of the rule, and (d) a statement of the circumstances which require adoption, amending, or repeal of the rule."

3. By renumbering subparagraphs 2, 3, 4, and 5 of subsection "a" of Section 4, as subparagraph 3 and subsections "b," "c," and "d," respectively.

4. By adding new subsections "f" and "g" to Section 8 as follows:

"f - Records and documents, in the possession of the Authority 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 the Authority and shall not be subject to subpoena by any person or other State or Federal agency.

“g – 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 the Authority through a voluntary agreement between the Authority 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.”

* * * *

Amendment to the Environmental Protection Plan

Add the following subparagraphs to subsection “h” of Section 4 of Chapter 5:

“(11) Avoid interference with existing water circulation patterns by breaking spoil banks at appropriate locations along pipeline canals during construction, and by removing residual spoil banks and back-filling pipeline canals with material removed during excavation following completion of construction of pipelines;

“(12) Continue existing water circulation patterns by installing and maintaining bulkheads at all pipeline canal crossings of major waterways, and where directed by the Authority.”

Shepard F. Perrin, Jr., Executive Director
Offshore Terminal Authority

RULES

School Employees Retirement System

**Rules for the Administration
of Act 416 of 1976**

1. This system will recognize only that retirement service credit in those State, municipal, and parochial retirement systems domiciled in the State of Louisiana and which were created under the laws of the State of Louisiana or created by the Louisiana Legislature for employees covered under these systems.
2. Withdrawal of funds from any system voids the reciprocal recognition of service agreement.
3. Withdrawal from any system where the recognized service in another system was necessary to make an individual eligible for membership voids the membership of such individual as well as the reciprocal recognition of service agreement.

4. Repayment of refunds, and interest thereon, to reestablish service credit must be paid in full to all systems named in the application before the application for reciprocal recognition of service credit will be accepted as a valid application, regardless of when submitted.
5. Recognition of creditable service for the purposes of this Act does not include recognition or acceptance for any other purpose than those enumerated and specified in Act 416 of 1976 Regular Session.
6. “Lump sum benefit” as used in this Act shall refer to the supplementary allowance provided in R.S. 17:913C.
7. The last beneficiary designation on file in this agency will be the beneficiary of record for this system whether filed before or after the repayment of a refund or a reciprocal recognition of service agreement.
8. Recognized creditable service from other systems and creditable service in this system will be converted to whole years and partial years, with partial years expressed as a percentage of a year.
9. The service referred to in paragraph F(2) refers only to those systems where the years of service determines the percentage benefit; e.g. after twenty years a person may retire with sixty percent of his best three years, or after twenty-five years a person may retire with seventy-five percent of his best three years, etc. and, therefore, is not applicable to benefits or computations of benefits from this system.
10. “Pro rata portion” and “proportion” used in this Act shall be based on the maximum benefit in each system.

Edward A. McCormick, Secretary-Treasurer
School Employees Retirement System

RULES

Tax Commission

Personal Property Rules and Regulations

For appraising personal property the following criteria or guidelines shall be used:

- I. “Guidelines for Ascertaining the Fair Market Value of Business and Industrial Personal Property” shall

be used to assess all personal property except oil and gas producing property. Guideline tables shall be updated based on the cost indexes as of October 1, 1976, and each four years thereafter.

- II. "Guidelines for Ascertaining the Fair Market Value of Oil and Gas Producing Property" shall be used to assess only oil and gas producing property.
- III. Each assessor shall subscribe to the updated version of the "Louisiana Property Assessment Manual for Assessing Officials", Volume 2, Personal Property, published by Hunnicut and Associates, Inc., which is to be used to verify the information submitted on the annual property tax report or only where cost cannot be obtained from the taxpayer. *(Ed: This Section supercedes and replaces that paragraph under the heading "Personal Property Manual" which was previously adopted and promulgated in Vol. 2, No. 11 of the Louisiana Register, page 359.)*
- IV. Leased personal property shall be reported by and assessed to the lessor in the taxing district where the property is located on January 1 of each year. The lessee shall be required to furnish the owner's name and address. The fair market value of such leased personal property shall be determined in the same manner as any other personal property.
- V. Leasehold improvements are expenditures by the lessee to real or personal property to make the property adaptable to his use. The fair market value of such leasehold improvements shall be determined in the same manner as other real or personal property. Leasehold improvements shall be reported by and assessed to the lessee in the taxing district where the property is located as of January 1 of each year.
- VI. Inventory shall be valued at cost or the purchase price at the point of origin plus the carrying charges to the point of destination. The assessed value shall be based upon fifteen per cent of the average annual inventory cost for the preceding calendar and/or fiscal year. Any inventory that existed less than a full year shall be averaged for the months it had situs at the reported location.

Definitions

"Composite multiplier" is a factor obtained by multiplying the index (1976=100%) times percent good.

"Depreciation" is loss in value due to any cause. It is the difference between the value of a structural improvement or piece of equipment and its reproduction or replacement cost as of the date of valuation.

"Economic life" is the normal useful life of the property as experienced by a particular business or industry.

"Economic obsolescence" is loss in value due to causes outside the property and independent of it, and not included in the tables.

"Effective age" of a property is its age as compared with other properties performing like functions. It is the actual age less the age which has been taken off by facelifting, structural reconstruction, removal of functional inadequacies, modernization of equipment, etc. It is an age which reflects a true remaining life for the property, taking into account the typical life expectancy of building or equipment of its class and usage. It is a matter of judgment, taking all factors into consideration.

"Functional obsolescence" is loss in value due to lack of utility or desirability of part or all the property, inherent to the improvement or equipment. Thus a new structure or piece of equipment may suffer depreciation when built.

"Inventory" is defined as raw materials, work in process, finished goods or supplies.

"Percent good" equals one hundred percent less the percentage of cost represented by depreciation. It is the present value of the structure or equipment at the time of appraisal, divided by its replacement cost.

"Physical depreciation" is loss in value due to physical deterioration.

"Remaining life" is the normal remaining life expectation. It is the length of time the structure or equipment may be expected to continue to perform its function economically.

Guidelines for Ascertaining the Fair Market Value of Business and Industrial Personal Property

To assist assessors in ascertaining the fair market value of business and industrial personal property and to insure reasonable adherence to the constitutional mandate of uniformity, the following procedures and guidelines shall be used:

1. Acquire the original cost as capitalized on accounting records, of the following types of property by year of acquisition:
 - a. Production or process machinery and equipment.
 - b. Research machinery and equipment.
 - c. Factory transportation or heavy construction equipment (fork lifts, bull dozers, cranes, etc.).

- d. Office furniture and equipment.
- e. Store or warehouse furniture and fixtures.

2. Ascertain the "economic life" of the type of property or business from the attached guideline of economic lives or from discussions with the property owner.
3. Multiply original cost of property by the appropriate composite multiplier.
4. Deduct allowances for obsolescence, if any. Obsolescence due to functional inadequacies, economic influence, or advances in technology should be considered and allowed only after consultation with the property owner and a review of the relevant factors.

The result of the above procedure is a reasonable estimate of the fair market value of the property taking into consideration all appropriate valuation factors.

It should be emphasized that "economic lives" and the resultant "composite multiplier" are representative of the particular business or industry and should be used unless evidence to the contrary is furnished. If the assessor has reason to believe that the "average economic lives" are not applicable in a particular case, he should exercise the appraiser's prerogative and use his best judgment in establishing a more appropriate economic life after consultation with the property owner.

Suggested Guideline for Ascertaining Economic Lives of Business and Industrial Personal Property

The following alphabetical list includes most of the principal activities and types of machinery and equipment used in business throughout this state. The years shown represent an estimate of the average economic life of the equipment as experienced by the particular business or industry. The actual economic life of the assets of the business under appraisal may be more or less than the guidelines shown. The assessor must use his best judgment in consultation with the property owner in establishing the economic life of the property under appraisal. (Source: State of Washington)

Business Activity/Type of Equipment	Average Economic Life In Years	Use Table No.
Agricultural machinery and equipment	10	4
Aircraft (other than public service co's.)	10	4
Aircraft manufacturing-machinery and equipment	15	6

Business Activity/Type of Equipment	Average Economic Life In Years	Use Table No.
Aluminum industry-machinery and equipment	20	7
Amusement devices (pinball machines)	15	6
Apparel manufacturing equipment	20	7
Automobile repair machinery and equipment	10	4
Bakeries, candy and confections	15	6
Barber and beauty shops	10	4
Biscuit manufacturers	20	7
Blue printing, photo-stating and mimeographing	12	5
Bowling lanes: alleys	10	4
automatic pinsetters and equipment	10	4
Brewery machinery and equipment	20	7
Cannery machinery and equipment	20	7
Cement manufacturing and machinery	20	7
Chemical industry machinery and equipment	15	6
Clay and brick, and concrete products machinery and equipment	20	7
Construction industry: building construction	8	3
marine construction	8	3
road construction	8	3
rock crushing and asphalt paving equipment	8	3
Container manufacturing	20	7
Dairy industry	15	6
Department stores	12	5
Dispensing machines-cigarettes, pop, etc.	10	4
Distilling machinery and equipment	15	6
Drilling rigs	15	6
Dry cleaning and laundry equipment	15	6
Electrical transmission and distribution	25	8
Fertilizer manufacturing equipment	8	3
Floating equipment motor vessels (other than public service co's.)	12	5
barges (other than public services co's.)	20	7
Flour, cereal and grain milling	20	7
Foundry machinery and equipment	20	7
Fruit bins and cargo pallets	10	4

Business Activity/Type of Equipment	Average Economic Life In Years	Use Table No.	Power generation machinery		
			gasoline and diesel steam	12	5
			Professional equipment	25	8
Golf course equipment	10	4	Pulp and paper manufacturing machinery	10	4
Hatchery equipment	12	5		20	7
Hotel furniture and equipment	12	5	Radio and television: broadcasting equipment	10	4
Ice and refrigeration machinery	20	7	service and repair equipment	10	4
Iron and steel industry	25	8	tower	15	6
Laundry and dry cleaning equipment (coin-op only)	5	2	Rental equipment (all types)	8	3
Laundry and dry cleaning equipment	15	6	Research equipment	3	1
Leather products machinery and equipment	15	6	Restaurants, bars and soda fountains	10	4
Libraries-professional	25	8	Retail stores	12	5
Logging machinery and equipment	10	4	Service station equipment	12	5
Lumber and wood products industry: logging machinery and equipment	10	4	Shoes and leather products manufacturing machinery	15	6
sawmill machinery and equipment (large)	25	8	Soft drink manufacturing machinery	15	6
portable sawmills and equipment	12	5	Sugar cane refining machinery	20	7
plywood and veneer plant machinery	20	7	Telephone operating equipment	15	6
woodworking machinery and equipment (furniture manufacturing, etc.)	20	7	Textile, tent and awning equipment	20	7
Machine shop machinery and equipment	20	7	Theatre equipment	15	6
Meat packing machinery and equipment	20	7	Tire recapping equipment	15	6
Metal products and processing equipment	20	7	Unlicensed vehicles	5	2
Mining and quarry machinery and equipment	20	7	Warehouse equipment	15	6
Mortorial service equipment	15	6	Wholesale stores	15	6
Motel furniture and equipment	10	4			
Neon signs	10	4			
Newspaper, printing machinery and equipment	15	6			
Nursing home furnishings	12	5			
Nursery and greenhouse equipment	15	6			
Office equipment	10	4			
Office furniture	15	6			
Outdoor advertising structures: "signs"—poster panels and bulletin boards	15	6			
Packing and sorting equipment (food)	20	7			
Paint and varnish manufacturing machinery	15	6			
Petroleum products: refining	20	7			
bulk stations	25	8			
Photography equipment	10	4			
Pipe lines (other than public service co's.)	25	8			

Cost Indexes—National Average (Source—Marshall and Swift)			
Year	1926=100	1976=100	
1976	477.4	1.000	
1975	444.3	1.074	
1974	398.4	1.198	
1973	344.1	1.387	
1972	332.1	1.438	
1971	321.3	1.486	
1970	303.3	1.574	
1969	285.1	1.675	
1968	273.2	1.747	
1967	262.9	1.816	
1966	252.5	1.891	
1965	244.9	1.949	
1964	241.8	1.974	
1963	239.2	1.996	
1962	238.5	2.002	
1961	237.2	2.013	
1960	237.7	2.008	
1959	234.9	2.032	
1958	231.0	2.067	
1957	225.1	2.121	
1956	208.8	2.286	
1955	190.6	2.505	
1954	184.6	2.586	
1953	182.5	2.616	
1952	180.5	2.645	

Guidelines for Ascertaining the Fair Market Value of Business and Industrial Personal Property

Age	Table No. 1		Table No. 2		Table No. 3		Table No. 4		Table No. 5		Table No. 6		Table No. 7		Table No. 8	
	3 Years		5 Years		8 Years		10 Years		12 Years		15 Years		20 Years		25 Years	
	% Good C.M.**		% Good C.M.		% Good C.M.		% Good C.M.		% Good C.M.		% Good C.M.		% Good C.M.		% Good C.M.	
1	70	70	85	85	90	90	92	92	94	94	95	95	97	97	98	98
2	49	53	69	74	79	85	84	90	87	93	90	97	93	100	95	102
3	34	41	52	62	67	80	76	91	80	96	85	102	90	108	93	111
4			34	47	54	75	67	93	73	101	79	110	86	119	90	125
5			23	40*	43	62	58	83	66	95	73	105	82	118	87	125
6					33	49	49	73	58	86	68	101	78	116	84	125
7					26	41	39	61	50	79	62	98	74	116	81	127
8					22	40*	30	50	43	72	55	92	70	117	78	131
9							24	42	36	63	49	86	65	114	75	131
10							21	40*	29	53	43	78	60	109	71	129
11									24	45	37	70	55	104	68	129
12									22	43	31	60	50	97	64	125
13											26	51	45	89	60	118
14											23	46	40	80	56	112
15											21	42	35	70	52	104
16													31	62	48	97
17													27	54	44	88
18													24	49	39	79
19													22	45	34	70
20													21	45	30	64
21															26	59
22															23	58
23															21	54
24															20	52
25															20	53

* Actual C. M. less than 40; minimum indicated.

**Composite Multiplier (Index Times % Good).

The Tax Commission has also amended rules previously adopted and promulgated. The changes are:

1. In the Louisiana Register, Volume 2, Number 11, dated November 20, 1976, on page 359, delete the headings "Addenda No. 1" and "Oil and Gas Property," and the three paragraphs immediately following and substitute in lieu thereof:

Guidelines for Ascertaining the Fair Market Value of Oil and Gas Producing Properties

The following guidelines reflect "fair market value" on oil and gas property. Use these fair market values, as shown in these guidelines, for reporting property covered by LAT 12 form. Use an attachment if necessary.

Properties not covered by these guidelines should be reported on the appropriate form showing applicable information. Use an attachment if necessary.

The assessment of oil and gas producing properties shall be made in accordance with the Louisiana Constitution of 1974, Article VII, Section 18 and in accordance with guidelines adopted by the Tax Commission and applied uniformly throughout the state.

2. On page 360, delete the first paragraph and insert in lieu thereof:

All permanently abandoned wells shall be reported only the first year after abandonment, however, no assessment shall apply. The Louisiana Department of Conservation's serial numbers must be provided. A work permit is not acceptable.

C. Gordon Johnson, Chairman
Tax Commission

RULES

Teachers' Retirement System

Rules for the Administration of Act 416 of 1976

1. This system will recognize only that retirement service credit in those State, municipal, and parochial retirement systems domiciled in the State of Louisiana and which were created under the laws of the State of Louisiana or created by the Louisiana

Legislature for employees covered under these systems.

2. Withdrawal of funds from any system voids the reciprocal recognition of service agreement.
3. Withdrawal from any system where the recognized service in another system was necessary to make an individual eligible for membership voids the membership of such individual as well as the reciprocal recognition of service agreement.
4. Repayment of refunds, and interest thereon, to reestablish service credit must be paid in full to all systems named in the application before the application for reciprocal recognition of service credit will be accepted as a valid application, regardless of when submitted.
5. Recognition of creditable service for the purposes of this Act does not include recognition or acceptance for any other purpose than those enumerated and specified in Act 416 of 1976 Regular Session.
6. "Lump sum benefit" as used in this Act shall refer to the supplementary allowance provided in R.S. 17:635(2).
7. The last beneficiary designation on file in this agency will be the beneficiary of record for this system whether filed before or after the repayment of a refund or a reciprocal recognition of service agreement.
8. Recognized creditable service from other systems and creditable service in this system will be converted to whole years and partial years, with partial years expressed as a percentage of a year.
9. The service referred to in paragraph F(2) of Act 416, refers only to those systems where the years of service determines the percentage benefit; e.g. after twenty years a person may retire with sixty percent of his best three years, or after twenty-five years a person may retire with seventy-five percent of his best three years, etc. and, therefore, is not applicable to benefits or computations of benefits from this system.
10. "Pro rata portion" and "proportion" used in this Act shall be based on the maximum benefit in each system.

Carleton C. Page, Secretary-Treasurer
Teachers' Retirement System

Notices of Intent

NOTICE OF INTENT

Department of Agriculture Bureau of Entomology and Plant Industry

Notice is hereby given that the Louisiana Department of Agriculture, Bureau of Entomology and Plant Industry, intends to amend the supplement to the Sweet-potato Weevil Quarantine and Regulation, under authority of Parts 2 and 3 of Chapter 12 of Title 3 of the Louisiana Revised Statutes of 1950.

The purpose of the amendment is to list revised quarantined areas in the state. A copy of the proposed amendment to the supplement is available at Room 622, 333 Laurel Street, Baton Rouge, Louisiana.

All interested persons may submit their views and opinions, in writing, on or before March 10, 1977, to the following address: Mr. Richard Carlton, State Entomologist, Bureau of Entomology and Plant Industry, Box 44153, Baton Rouge, Louisiana 70804.

Richard Carlton, State Entomologist
Bureau of Entomology and Plant Industry

NOTICE OF INTENT

Board of Trustees for Colleges and Universities

In accordance with the laws of the State of Louisiana and with reference to the provisions of Title 30 of the Louisiana Revised Statutes of 1950, as amended, and under the authority of Article VIII, Section 6 of the 1974 Constitution, a public hearing will be held in the Garden Level Auditorium, One American Place, Baton Rouge, Louisiana, beginning at 9:30 a.m. on March 25, 1977.

At such hearing the Board will consider amendment to:

- A. Part I, Bylaws of the Board of Trustees for State Colleges and Universities, and specifically Article III, Section 1, Election of Officers.
- B. Part II, General Operating Procedures, and specifically Section 2.7, Committees.

- C. Part VII, Faculty and Staff Policies and Procedures, and specifically Section 7.1. (New policy will supercede Section 7.1 B and C.)
- D. Part IX, Athletic Policies, and specifically Section 9.11A(5), Tickets and Passes.

The Board of Trustees for State Colleges and Universities shall accept written comments until 5:00 p.m., Friday, March 11, 1977, at the following address: Board of Trustees for State Colleges and Universities, P.O. Box 44307, Capitol Station, Baton Rouge, Louisiana 70804.

The public is made aware of the proposed policies and procedures in compliance with R.S. 49:951-968.

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

Bill Junkin, Executive Director
Board of Trustees for
Colleges and Universities

NOTICE OF INTENT

Board of Cosmetology

The Louisiana State Board of Cosmetology proposes to amend its regulations as follows:

In the Board's publication "Administrative Regulations," delete the last four lines of page 17 and the first nine lines of page 18, which comprise Rule IV-H-17, and insert in lieu thereof the following:

17. Continuing Education for Professional Cosmetologists

Minimum tuition fee, fifteen dollars per day. Notarized cosmetologist's registration must be sent to Board office, with current license or a copy thereof. Registration fee twenty-five dollars. Course must consist of hours set by the school. Cosmetologist should be attired professionally. School must notify Board of guest teacher.

The Board proposes to adopt the above proposed rule at a meeting to be held at 10:00 a.m. April 6, 1977, at the Chateau Capitol Hotel, 201 Lafayette Street, Baton Rouge.

Interested persons may submit written comments on

the proposed rule through March 7, 1977, to: Louisiana State Board of Cosmetology, Colonial Bank Building, Room 412, 2714 Canal Street, New Orleans, Louisiana 70119.

Muriel B. Amedee, Executive Secretary
Board of Cosmetology

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 March 24, 1977, meeting, the following policies, procedures, and regulations. Public notification made herein indicates no final approval.

1. No out-of-state graduate credit will be accepted by the Bureau of Higher Education and Teacher Certification for salary increment purposes, or for satisfaction of any teacher certification requirements if such credit is earned in a program conducted in a state other than that in which the granting institution is located. Any graduate credit earned at an out-of-state university, housed in state, which is acceptable in writing by a Louisiana graduate dean will be accepted by the Bureau of Higher Education and Teacher Certification.

The Board will accept written comments until 4:30 p.m., March 7, 1977, at the following address: State Board of Elementary and Secondary Education, P.O. Box 44064, Capitol Station, Baton Rouge, Louisiana 70804.

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

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

Earl Ingram, Director
Board of Elementary and
Secondary Education

NOTICE OF INTENT

Department of Health and Human Resources Office of Family Services

The Department of Health and Human Resources, Office of Family Services proposes to adopt Standards for Payments to Skilled Nursing Facilities and Intermediate Care Facilities I and II Participating in the Louisiana Medical Assistance Program. The proposed standards are an effort by the Office of Family Services to set forth the minimum payment standards for Skilled Nursing Facilities and Intermediate Care Facilities I and II. The primary objective of the standards is to clarify the standards for payments and to make them compatible with current laws and Federal regulations and to ensure that the application of the standards is uniform statewide.

Copies of the proposed Standards for Payments to Skilled Nursing Facilities and Intermediate Care Facilities I and II participating in the Louisiana Medical Assistance Program may be obtained without cost from the Office of Family Services, Medical Assistance Program, 755 Riverside Mall, Baton Rouge, Louisiana 70804, or by contacting the public assistance line at telephone number 1-800-272-9868.

Interested persons may submit comments orally or in writing until 1:00 p.m., March 7, 1977, to Mr. Roy E. Westerfield, Assistant Secretary, Office of Family Services, Department of Health and Human Resources, P.O. Box 44065, Baton Rouge, Louisiana 70804.

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

NOTICE OF INTENT

Department of Health and Human Resources Office of Family Services

The Department of Health and Human Resources, Office of Family Services, proposes to require participation in Title XVIII (Medicare) to be a requirement for participation in Title XIX (Medicaid) as a Skilled Nursing Facility (SNF). Current SNF providers which do not participate in Medicare will be expected to qualify for Medicare participation by the expiration date of their current agreement. All new SNF providers will be required to participate in Title XVIII as a prerequisite for Title XIX certification.

On July 1, 1973, the Division of Income Main-

tenance, now the Office of Family Services, required Skilled Nursing Facilities' qualification for participation in Title XVIII to be a prerequisite for participation in Title XIX. On September 24, 1974, via Department of Health, Education, and Welfare (DHEW) Policy Information Memo No. 75-4, the Office of Family Services received an opinion from the Department of Health, Education, and Welfare, Office of General Counsel, stating "...that a policy requiring SNFs to participate in Medicare as a prerequisite to participation under the Title XIX plan is inconsistent with Sections 1902(a)(23), 1902(a)(33)(B), and 1910 of the Act is not permissible." This interpretation nullified the policy of July, 1973.

Similarly on June 11, 1976, the Office of Family Services was informed via Action Transmittal, SRS-AT-76-95(MSA), of another opinion from DHEW's Office of General Counsel regarding this matter. More specifically, the opinion rendered reads as follows:

"...while the Federal government cannot itself mandate that all Title XIX providers also participate in Title XVIII since this would be illegal infringement upon the State's right to certify Title XIX providers, so can the Federal government not prohibit States from refusing to certify otherwise qualified SNFs if they do not participate in Title XVIII."

This new opinion gives the Office of Family Services the authority to reinstate its policy of July, 1973 which required Title XVIII participation by SNFs as a prerequisite for Title XIX participation.

Comments on the proposed revision of this policy may be submitted in writing or orally until 1:00 p.m., March 7, 1977, to: Mr. Roy Westerfield, Assistant Secretary, Office of Family Services, Department of Health and Human Resources, Post Office Box 44065, Baton Rouge, Louisiana 70804.

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

NOTICE OF INTENT

Department of Health and Human Resources Office of Family Services

The Louisiana Department of Health and Human Resources, Office of Family Services proposes to adopt rate adjustments for Skilled Nursing Facilities, Intermediate Care Facilities I and Intermediate Care Facilities II as follows:

New Rates	SNF	ICF-I	ICF-II
Monthly	\$608.00	\$521.00	\$426.00
Daily	\$ 20.00	\$ 17.12	\$ 14.01

Interested persons may submit comments orally or in writing until 4:30 p.m. March 7, 1977, to Mr. Roy E. Westerfield, Assistant Secretary, Office of Family Services, Department of Health and Human Resources, P. O. Box 44065, Baton Rouge, Louisiana 70804.

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

NOTICE OF INTENT

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

The Louisiana Department of Health and Human Resources proposes to make major revisions to Chapter VIII of the State Sanitary Code as that Chapter relates to public water supplies.

The revisions are being made to bring Louisiana Drinking Water Regulations into compliance with the National Interim Primary Drinking Water Regulations promulgated by the United States Environmental Protection Agency (EPA) pursuant to applicable provisions of the Safe Drinking Water Act, P.L. 93-523, 40FR11990.

A public hearing is scheduled for 10:00 a.m., March 8, 1977, at the Education Building, Room 203, Baton Rouge, Louisiana.

Written comments and/or requests may be mailed to the Louisiana Department of Health and Human Resources, Office of the Secretary, P.O. Box 44215, Baton Rouge, Louisiana 70804 prior to the hearing.

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

NOTICE OF INTENT

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

The Department of Health and Human Resources

proposes to adopt rules and regulations under the authority granted to the Secretary by R.S. 40:2131 et seq. The proposed rules comprise a set of standards under which ambulatory surgical centers must be licensed by the Department of Health and Human Resources.

The standards are being enacted pursuant to the requirements of the Administrative Procedures Act of Louisiana as amended.

Interested persons may submit written comments until 4:30 p.m., March 7, 1977, to the following address: Licensing and Certification Section, Department of Health and Human Resources, P.O. Box 3767, Baton Rouge, Louisiana 70821.

Copies of these proposed standards may be obtained by writing to the above address.

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

NOTICE OF INTENT

Board of Nursing

The Louisiana State Board of Nursing hereby gives notice that at its March 24-25, 1977, meeting, it intends to amend its policies, procedures, regulations, standards, and criteria for nursing education programs.

Public notification made herein indicates no final approval.

The public is made aware of the proposed changes in compliance with R.S. 49:951-966.

Interested persons may submit written comments until 4:30 p.m. March 11, 1977, to the Louisiana State Board of Nursing, 907 Pere Marquette Building, 150 Baronne Street, New Orleans, Louisiana 70112.

Merlyn M. Maillian, R.N.,
Executive Director
Board of Nursing

NOTICE OF INTENT

Offshore Terminal Authority

Notice is hereby given, in accordance with R.S.

49:953, that the Offshore Terminal Authority proposes to amend further its Environmental Protection Plan (hereinafter called "the Plan").

The purpose of amending the Plan is to eliminate definitions which are no longer necessary or useful; to add such definitions and other provisions as may be necessary to update the Plan and make it consistent with the regulatory requirements governing deepwater ports under the Deepwater Port Act and the regulations and license issued pursuant thereto; to eliminate provisions which have become incorrect or inappropriate due to developments which have occurred since their enactment; and to restructure the internal organization of the Plan by relocating and/or restructuring certain of its provisions.

These amendments will be considered at the next regular meeting of the Authority's Board of Commissioners which will be held in the Executive Suite, 29th Floor, International Trade Mart, New Orleans, at 2:00 p.m. on March 29, 1977.

Copies of the proposed amendments may be obtained from, and written comments on the proposed amendments by interested persons may be submitted to the Offshore Terminal Authority, 1130 International Trade Mart, New Orleans 70130, telephone, (504)568-4678.

Shepard F. Perrin, Jr., Executive Director
Offshore Terminal Authority

NOTICE OF INTENT

Board of Practical Nurse Examiners

Pursuant to Louisiana Revised Statutes 49:951 et seq., notice is hereby given that the Louisiana State Board of Practical Nurse Examiners proposes to consider a complete revision and reorganization of its administrative rules, minimum requirements and regulations relating to the practice of practical nursing in the State of Louisiana, at its next regularly scheduled meeting on March 25, 1977.

All interested parties may submit their views and opinions, in writing, on or before March 21, 1977, to: Helen W. Sheehan, R.N., Executive Director, Louisiana State Board of Practical Nurse Examiners, 1408 Pere Marquette Building, 150 Baronne Street, New Orleans, Louisiana 70112.

Helen W. Sheehan, R.N., Executive Director
Board of Practical Nurse Examiners

NOTICE OF INTENT

Board of Regents

Notice is hereby given that the Louisiana Board of Regents proposes to discuss at its meeting of February 24, 1977, and to adopt, at its March 24, 1977, meeting, policy pertaining to regulations and procedures for making payments to nonpublic institutions of higher education for educating Louisiana residents pursuant to Act 562 of the 1975 Regular Session of the Louisiana Legislature as amended by Act 491 of 1976 and further amended by Act 522 of the 1976 Regular Session of the Louisiana Legislature.

The proposed policy is available for public inspection between the hours of 8:00 a.m. and 4:30 p.m., on any working day, at the Louisiana Board of Regents, Suite 1530, One American Place, Baton Rouge, Louisiana.

Interested persons may submit their views and opinions through March 7, 1977, to the Louisiana Board of Regents, P.O. Box 44362, Capitol Station, Baton Rouge, Louisiana 70804, telephone (504)389-5206.

William Arceneaux, Commissioner
of Higher Education
Board of Regents

NOTICE OF INTENT

Department of Revenue and Taxation

Notice is hereby given in accordance with the requirements of R.S. 36:954B, Act 513 of the 1976 Regular Session, of the implementation of the Plan for Reorganization, dated December 1, 1976, for the Department of Revenue and Taxation.

The agencies and effective dates of transfer or abolition are:

- I. Transfer as provided in R.S. 36:802 at 12:01 a.m., May 1, 1977: Public Administrator for the Parish of Orleans (R.S. 9:1581-9:1590; 9:1551-9:1552).
- II. Transfer as provided in R.S. 36:802 at 12:01 a.m., July 1, 1977: Louisiana Tax Commission (R.S. 47:1831-47:836; 47:1951-47:2000).
- III. Abolished and transferred as defined in Part IV of Chapter 14 of Title 36 of Louisiana Revised Statutes of 1950 and as provided in R.S. 36:459C at 12:01 a.m., May 1, 1977: the Department of Revenue (R.S. 47:1501-47:1690 and generally, Title 47 of the Louisiana Revised Statutes of 1950).

The Governor, the Joint Legislative Committee on Reorganization, the Commissioner of Administration, and the Secretary of the Department of Revenue and Taxation have given their approval to this notice of intent and its implementation.

Documents relating to this notice of intent will be available for public inspection beginning March 20, 1977, at the Office of the Undersecretary of the Department of Revenue and Taxation, which is located in Room 402, Capitol Annex Building, Baton Rouge, Louisiana.

Edwin Edwards, Governor
State of Louisiana

Edmund Reggie, Chairman
Joint Legislative Committee on
Reorganization of the Executive
Branch

Charles E. Roemer, II, Commissioner
Division of Administration

Shirley McNamara, Secretary
Department of Revenue and Taxation

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 hold a public hearing on March 8, 1977, at 10:00 a.m. in House Committee Room 2 on the ground floor of the State Capitol Building in Baton Rouge, Louisiana for the purpose of:

- (1) Opening and reading all sealed bids received for the "Public Service Properties Appraisal Proposal" provided for by Act No. 703 of the Regular Session of 1976;
- (2) Adopting a form for the "Application for Land Use Value."

Interested parties may also inspect a copy of the proposed form at least fifteen days prior to the 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 the scheduled hearing. All written matter should be addressed to the Louisiana Tax

Commission, P. O. Box 44244, Baton Rouge, Louisiana 70804.

Those desiring to be heard at the hearing will be given a reasonable opportunity to do so.

C. Gordon Johnson, Chairman
Tax Commission

NOTICE OF INTENT

Board of Veterinary Medicine

The Louisiana Board of Veterinary Medicine proposes to meet at 8:00 p.m. March 8, 1977, at the Sheraton Hotel, 4728 Constitution Drive, Baton Rouge, for the purpose of adopting the following proposed amendments to its rules and regulations:

1. To require that veterinarians who serve in the Louisiana State University Veterinary Teaching Hospital and Clinics as a clinician of record, i.e. with the primary responsibility for the patient, shall be licensed to practice veterinary medicine in Louisiana. Certain veterinarians with a recognized specialty may be issued a restricted license by the Board to limit their practice to that specialty.

2. To fix the examination fee at fifty dollars, the original registration license fee at ten dollars, and the annual renewal of license fee at twenty-five dollars.

3. To require a self-evaluation examination as a requisite for the relicensing process.

4. To determine the passing grades for the National and State Board examinations.

5. To require all applicants to take a written, practical and/or oral examination to assure proper proficiency in veterinarians licensed to practice in Louisiana.

6. To authorize, preceding the examination for licensure, the issuance of a temporary permit for a period not to exceed one hundred twenty days.

7. To require that written complaints be notarized and that the complainant be willing to testify at a hearing if necessary.

8. To approve a revised form for application for licensure.

Interested persons may submit written comments through March 7, 1977, to the Louisiana Board of Veterinary Medicine, 8778 Goodwood Boulevard, Baton Rouge, Louisiana 70806. Reasonable opportunity for oral comment will be permitted at the Board's March 8 meeting.

Gary B. Beard, D.V.M., Secretary-Treasurer
Board of Veterinary Medicine

NOTICE OF INTENT

Department of Wildlife and Fisheries

Notice is hereby given that the Louisiana Wildlife and Fisheries Commission at its regular meeting on March 29, 1977, to be held at 10:00 a.m. at 400 Royal Street, New Orleans, Louisiana 70130, will consider adoption of rules and regulations relative to the following:

1. Closing date for current season on State oyster grounds.
2. Rules and regulations for bait shrimp season.
3. Proposed 1977 turkey season in the Diamond Island Area—Madison and Tensas Parishes.
4. Creation of a nature trail on the Pearl River Wildlife Management Area, including prohibitions against certain destructive activities and penalties for the commission thereof.

Interested persons may submit written views and opinions to the above address on or before March 15, 1977. Reasonable opportunity for oral comments will be permitted at the Commission's meeting.

J. Burton Angelle, Secretary
Department of Wildlife and Fisheries

Potpourri

Offshore Terminal Authority

At a meeting of the Board of Commissioners of the Offshore Terminal Authority held on Thursday, January 27, 1977, at 2:00 p.m. in the Executive Suite, 29th Floor, International Trade Mart, New Orleans, the Board of Commissioners approved the application of LOOP, Inc., a Delaware corporation, for a license to construct and operate offshore terminal facilities within the

Authority's jurisdiction, and authorized the issuance of a license to LOOP.

The Board also adopted an environmental monitoring program covering the construction and operation of the offshore terminal facilities, and authorized a change in the Authority's domicile from the City of New Orleans to the City of Baton Rouge, upon receipt by the Authority of an appropriate request for such change from the Louisiana Department of Transportation and Development pursuant to the reorganization of State government under the Executive Reorganization Act.

Copies of the license issued to LOOP by the Authority and the environmental monitoring program adopted by the Authority may be obtained from the Offshore Terminal Authority, 1130 International Trade Mart, New Orleans 70130, telephone: (504)568-4678.

Shepard F. Perrin, Jr., Executive Director
Offshore Terminal Authority

Tax Commission

Notice to Bidders

Sealed bids will be received by the Louisiana Tax Commission, P.O. Box 44244, Baton Rouge, Louisiana 70804 until 10:00 a.m. on March 8, 1977, at which time they will be publicly opened and read for:

The appraisal of public service properties for the first year only in accordance with the provisions of the Louisiana Constitution of 1974 and Act No. 703 of the Regular Session of 1976.

Criteria, guidelines, and specifications for the letting of public bids to an independent appraisal firm or firms may be obtained from the above office.

All bidders are required to furnish with the bid proposed, bid security in the amount of five per cent of the bid in the form of bid bond, or a certified check, or bank cashier's or treasurer's check made payable to the Louisiana Tax Commission.

Bid security of unsuccessful bidders will be returned within fifteen days after award of contract.

The Tax Commission reserves the right to waive informalities and to reject any and all bids and to award the contract in whole or in part to one or more firms.

C. Gordon Johnson, Chairman
Tax Commission

Forestry Commission, 15(R)
 Governor's Study Commission on Advance Payment of Sales Taxes (see Sales Taxes, Governor's Study Commission on Advance Payment of)
 Governor's Study Commission on Sales and Use Tax Law (see Sales and Use Tax Law, Governor's Study Commission on)
 Health and Human Resources, Department of:
 Admissions to hospitals, 56(N)
 Aid to Families with Dependent Children Program, 6(ER), 54(N), 72(R)
 Ambulatory surgical centers, licensing of, 85(N)
 Child care, 7(ER), 53(N), 54(N), 72(R)
 Day care services, 8(ER), 53(N), 55(N), 73(R)
 Drinking water regulations, 84(N)
 Family Services, Office of, 6-9(ER), 53-56(N), 62(ER), 83(N), 84(N)
 Health Services and Environmental Quality, Office of, 84(N)
 Hospitals:
 General, mental, and geriatric, 56(N)
 Office of, Bureau of Substance Abuse, 16(R)
 Indo-Chinese Refugee Program, 6-9(ER), 53-56(N), 72(R)
 Management and Finance, Office of:
 Billing procedures for general, mental health and geriatric hospitals, 56(N)
 Licensing and Certification Section, 84(N)
 Medicare-Medicaid, 83(N)
 Sanitary Code, 84(N)
 Skilled nursing facilities:
 Participation in Medicare-Medicaid, 83(N)
 Rate adjustments, 62(ER), 84(N)
 Standards for payment to, 83(N)
 Social Services Program for Individuals and Families (Title XX), 8(ER), 55(N)
 Substance abuse, 16(R)
 Health Planning, Comprehensive, Office of, 61(EO)
 Health Services and Environmental Quality, Office of (see Health and Human Resources, Department of)
 Horse racing, 16-47(R)
 Hospitals, Office of (see Health and Human Resources, Department of)
 Housing and Urban Development Comprehensive Planning Assistance Program (HUD 701), 48(R)
 Hunting:
 Muskrat and nutria, 62(ER)
 Turkey season, 87(N)
 Insurance:
 Commissioner of, 75(R)
 Malpractice self-insurance, 75(R)
 Intermediate care facilities, 62(ER), 83(N), 84(N)
 Indigent Defender Board, 58(N)
 Indo-Chinese Refugee Program, 6-9(ER), 53-56(N), 72(R)

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 Employment Security, Office of, 59(N)
 Labor, Office of, 59(N)
 Management and Finance, 59(N)
 Plan for Reorganization, 58(N)
 Licensing and Certification Section, Office of Management and Finance (see Health and Human Resources, Department of)
 Licensing Board for Contractors, 11(R)
 Long, Huey P., residence of, 3(EO)
 LOOP, Inc., license to construct and operate Louisiana Superport, 59(N), 87(P)
 Management and Finance, Office of (see Health and Human Resources, Department of and/or Labor, Department of)
 Medical Assistance Program, 83(N)
 Milk and dairy products:
 Deceptive pricing, 11(R)
 Distribution and Stabilization Plan No. 1, 11(R)
 Sale of, 11(R)
 Nursing:
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 Committee on Statewide Planning for, 61(EO)
 Education programs, 85(N)
 Practical Nurse Examiners, Board of, 85(N)
 Offshore Terminal Authority, 59(N), 75(R), 85(N), 87(P)
 Oyster season, 87(N)
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 Planning and Technical Assistance, Office of (see Urban and Community Affairs, Department of)
 Policy and Procedure Memoranda:
 No. 62 (Revised), printing procedures, 4
 PPM (see Policy and Procedure Memoranda)
 Prices deceptive, 11(R)
 Property:
 Oil and gas producing, appraisal of, 76-81(R)
 Personal business and industrial, 77(R)
 Publications, State, printing specifications, 5(PPM)
 Purchasing Section, Division of Administration, 4(PPM)
 Racing Commission, 16-47(R)
 Regents, Board of, 61(EO), 86(N)
 Retirement:
 School Employees Retirement System, 76(R)
 Teachers' Retirement System, 81(R)
 Revenue and Taxation, Department of: Plan for Reorganization, 86(N)
 Sales tax:
 Governor's Study Committee on Sales and Use Tax, 2(EO)
 Governor's Study Committee on Advance Payment of Sales Tax, 2(EO)

Sanitary Code, State, 84(N)
 Scholarships:
 Athletic, 9(R)
 Out-of-state, 9(R)
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 School Employees Retirement System, 76(R)
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 Severance taxes, timber and pulpwood, 15(R)
 Skilled nursing facilities, 62(ER), 83(N), 84(N)
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 Southern University, Board of Supervisors of, 60(N)
 State buildings: Major General Raymond H. Fleming
 Memorial Armory, 1(EO)
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 Health and Human Resources, Department of)
 Superport (see Offshore Terminal Authority)
 Sweet-potato weevil regulations, 82(N)
 Tax Commission, 15(R), 60(N), 76-81(R), 86(N), 88(P)
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 Teachers, certification of, 13(R), 52(N), 64(R), 83(N)
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 Timber stumpage values, 15(R)
 Trade: Deceptive pricing, 11(R)
 Trapping, muskrat and nutria, 62(ER)
 Trustees for Colleges and Universities, Board of (see
 Colleges and Universities, Board of Trustees for)
 Tuition, 60(N)
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