

§337. Application Review

A. After the deadline for applications, the Division of Administration shall forward copies of the applications, together with any available description of the job, to the board members. A special meeting of the board shall be called within 10 days after the deadline for application.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:2313.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Engineers Selection Board, LR 1:271 (June 1975), amended LR 6:12 (January 1980), repromulgated LR 9:551 (August 1983).

§339. Final Applicant Selection

A. The board shall make its final selection from the submitted applications. The board reserves the right to require interviews, or additional information, in excess of that required in the official advertisement, when it deems necessary.

B. The final selection shall occur no later than 60 days following the official advertisement.

C. Upon the final selection of the applicant, the chairman shall notify the Division of Administration, Facility Planning and Control Department, said notification to be made in accordance with the terms of Act 721.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:2313.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Engineers Selection Board, LR 1:271 (June 1975), amended LR 6:12 (January 1980), LR 9:551 (August 1983).

§341. Selection Procedure

A. Selection procedure is as follows:

1. user agency will give scope of project;
2. call for discussion of applications;
3. board will take weighted vote. Each member shall vote for a first, second, and third choice from the firms under consideration. A ballot without all three choices indicated shall not be considered;
4. in the event that, during the selection of a designer for a particular project, the first ballot is unanimous for the first place choice, the selection shall be awarded to that firm, and a second ballot will not be necessary;
5. select firm from the two firms with most votes on a one-vote basis.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:2313.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Engineers Selection Board, LR 6:12 (January 1980), amended LR 9:551 (August 1983), LR 11:1077 (November 1985), LR 17:661 (July 1991), LR 22:345 (May, 1996).

§343. Severability

A. If any provision or items of these rules or the application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications of these rules

which can be given effect without the invalid provision, items, or applications, and to this end, the provisions of these rules are hereby declared severable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:2311.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Engineers Selection Board, LR 1:271 (June 1975), amended LR 6:13 (January 1980), repromulgated LR 9:551 (August 1983).

Chapter 5. Landscape Architects Selection Board

Subchapter A. Organization

§501. Name

A. The name of the board is the "Louisiana Landscape Architects Selection Board," hereinafter referred to as "board," and its domicile shall be in Baton Rouge, LA.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:2311.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Landscape Architects Selection Board, LR 1:311 (July 1975), repromulgated LR 5:78 (April 1979).

§503. Authority

A. The Louisiana Landscape Architects Selection Board shall be organized in accordance with the provisions of Act 721, 1975 Regular Legislative Session (R.S. 38:2310 through R.S. 38:2316, Revised Statutes of 1950) effective date September 12, 1975, as amended by Act 525, 1976 Regular Legislative Session.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:2311.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Architects Selection Board, LR 1:311 (July 1975), amended LR 5:78 (April 1979).

§505. Objective

A. The objective of this board is to provide a system for the procurement of services rendered by landscape architects, licensed to practice in the state of Louisiana, that is impartial, equitable, and in the best public interest of the citizens of Louisiana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:2311.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Landscape Architects Selection Board, LR 1:311 (July 1975), amended LR 5:78 (April 1979).

§507. Members

A. The board shall be composed of five members, serving terms in accordance with the provisions of the authority stated in §503.

B. Any member desiring to resign from the board shall submit his resignation, in writing by registered mail, to the governor of Louisiana and the president of the Louisiana Society of Landscape Architects with copies addressed to the chairman of the board. The effective date of resignation shall be the date of registered mailing to the governor's office.

C. The filling of a board vacancy for the unexpired term due to resignation, or death, or removal from office by just cause shall be made in accordance with the provisions of the authority stated in §503.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:2311.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Landscape Architects Selection Board, LR 1:312 (July 1975), amended LR 5:78 (April 1979).

§509. Officers

A. The officers of this board shall be a chairman and a secretary, elected by the board at the first regular meeting following each January 1 and July 1.

B. The duties of the chairman shall be as follows:

1. be the presiding officer at meetings of the board;
2. call meetings of the board;
3. coordinate the activities of the board;
4. appoint all committees and serve as an ex officio member thereof;
5. be responsible for implementing all orders and resolutions of the board; and
6. have the authority to issue the official advertisement of the intent of an agency to contract for design services.

C. The duties of the secretary shall be as follows:

1. in the event of absence or incapacity of the chairman, assume his duties as outlined above;
2. authenticate by his signature, when necessary, all acts, orders, and proceedings of the board, including the minutes; and
3. tabulate and record the results of all balloting at the meetings.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:2311.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Landscape Architects Selection Board, LR 1:312 (July 1975), amended LR 5:78 (April 1979).

§511. Meetings

A. A regular meeting of the board shall be held on the last Friday of January and July, in the State Capitol Building.

B. Special meetings may be called by the chairman or shall be called upon the written request of a simple majority of the total membership of the board. Except in cases of emergency, at least three days notice shall be given for special meetings.

C. A simple majority of all members of the board shall constitute a quorum.

D. All meetings shall be held in public. There will be no participation at the meetings other than from members of the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:2311.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Landscape Architects Selection Board, LR 1:313 (July 1975), amended LR 5:78 (April 1979).

§513. Committees

A. Committees, standing or special, shall be appointed by the chairman of the board as he shall deem necessary to carry on the work of the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:2311.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Landscape Architects Selection Board, LR 1:313 (July 1975), amended LR 5:78 (April 1979).

§515. Parliamentary Authority

A. The rules contained in the current edition of *Robert's Rules of Order, Newly Revised*, shall govern the board, except as modified herein or as provided for in §519.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:2311.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Landscape Architects Selection Board, LR 1:313 (July 1975), amended LR 5:78 (April 1979).

§517. Voting

A. Only the votes of members present at the meeting shall be counted in the board's official actions. Proxy votes are not allowed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:2311.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Landscape Architects Selection Board, LR 5:78 (April 1979).

§519. Amendment to Rules

A. These rules may be amended in accordance with the Louisiana Administrative Procedure Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:2311.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Landscape Architects Selection Board, LR 1:313 (July 1975), amended LR 5:78 (April 1979).

Subchapter B. Selection Procedure

§525. Application

A. Any applicant (proprietorship, partnership, corporation, or joint venture of any of these) meeting the requirements of Title 38 of the Louisiana Revised Statutes of 1950, R.S. 38:2310 through R.S. 38:2316, may submit an application for selection consideration for a particular project upon which official advertisement has been published. The information submitted shall contain data concerning its experience, previous projects undertaken, present state projects now being performed, scope and amount of work on hand, and any other information that the board deems appropriate.

B. The Louisiana Landscape Architects Selection Board adopts the use of Form LA-1 as the format for submitting a firm's experience to the board. In this Form LA-1, the principal listed in 2 A shall be defined as follows.

*Principal*Xa licensed landscape architect who has the right and authority to exercise control over the project; who shares in profits, losses, and responsibility for incurred liabilities.

The board has the right to require proof of compliance with the above definition. Only the form shall be sent to Facility Planning and Control and any supporting data may be sent to the board members individually.

C. Consultants may be listed, at the option of the applicant.

D. All applications to be considered shall be received by the board at the office of Facility Planning and Control Department during the time prescribed in the advertisement.

E. The board may, at its option and with the concurrence of the Division of Administration and the user agency, conduct design competitions in accordance with nationally accepted professional standards. Final selection of the applicant from among the competition submissions will be made within 30 days of deadline date of receipt of the entries. No closed competitions will be allowed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:2311.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Landscape Architects Selection Board, LR 1:314 (July 1975), amended LR 5:78 (April 1979).

§527. Application Review

A. After the deadline for applications, the Division of Administration shall forward copies of the applications, together with any available description of the job, to the board members. A meeting of the board shall be called within 30 days after the deadline for application. A list of three to five applicants will be developed by each board member to use for final selection.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:2311.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Landscape Architects Selection Board, LR 1:314 (July 1975), amended LR 5:79 (April 1979).

§529. Selection Procedure

A. The selection procedure shall be as follows:

1. the chairman shall provide a tabular listing of all projects under consideration to include a short title, location, and estimated cost. Projects shall be listed in descending order by estimated cost; the projects with the highest estimated cost listed first;

2. user agency shall give scope of project and make recommendations with supporting data of a firm or firms for the project under consideration;

3. discussion of applications and recommendation by the board members;

4. the board shall then take a vote. Each board member present shall, by written ballot, vote for up to three applicants. This vote is a weighted vote:

- a. first choiceXthree points;
- b. second choiceXtwo points;
- c. third choiceXone point;

5. the secretary shall tabulate these ballots aloud and report the results of the balloting to the board;

6. in case of a tie for nomination, there shall be a run-off election to reduce the nominees to two in accordance with procedures prescribed in Paragraph 4 of this Subsection;

7. the two applicants receiving the most votes shall be considered nominated, then be voted on by written ballot, each board memberXone vote;

8. the results of this balloting shall be announced by the secretary. The applicant selected must receive a majority vote;

9. in case no applicant receives a majority vote for selection, a discussion will be held, and new balloting for selection shall take place as specified in §529.A.3.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:2311.

HISTORICAL NOTE: Promulgated by the Office of Governor, Landscape Architects Selection Board, LR 1:311 (July 1975), amended LR 5:79 (April 1979).

Subchapter C. Severability

§535. Severability

A. If any provision or item of these rules or the application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications of these rules which can be given effect without the invalidated provisions, items, or applications, and to this end, the provisions of these rules are hereby declared severable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:2311.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Landscape Architects Selection Board, LR 1:315 (July 1975), repromulgated LR 5:79 (April 1979).

Chapter 9. Veterans' Affairs

Subchapter A. Veterans' Affairs Commission

§901. Officers

A. The Veterans' Affairs Commission shall be composed of nine members who are honorably discharged veterans, citizens of the United States of America and of this state, and who are qualified voters.

B. The chairman and vice chairman of the commission shall be elected at the first meeting following the governor's appointment of the total commission or at the first meeting held following July 1 in even-numbered years.

C. The elected chairman of the commission shall appoint committee chairman at the first meeting following his election.

AUTHORITY NOTE: Promulgated in accordance with R.S. 29:251.2, 29:253.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Department of Veterans' Affairs, LR 7:486 (October 1981).