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# Emergency Rules

## DECLARATION OF EMERGENCY

### State Board of Elementary and Secondary Education

The State Board of Elementary and Secondary Education at its meeting on June 25, 1981, exercised those powers conferred by the emergency provisions of the Administrative Procedures Act, R.S. 49:953B, and adopted the following as an emergency rule:

The Board approved Revised Act 754 Regulations (1981) with amendments and directed that these Regulations be advertised as an Emergency Rule to be effective July 1, 1981.

These Revised Act 754 Regulations (1981) are presently being advertised as Notice of Intent to adopt; however, if the normal rule-making procedure is followed, implementation of the Regulations will not be effective until August 20, 1981. This emergency adoption is requested in order for the school systems to know what to expect and how to conduct their special education programs for the coming school year.

James V. Soileau  
Executive Director

## DECLARATION OF EMERGENCY

### Board of River Port Pilots Commissioners

This Board of River Port Pilot Commissioners for the Port of New Orleans has modified its rules as set forth hereinafter, which change in rules takes effect on June 15, 1981.

The rules modified read as follows:

SECTION 1. All applications for admission to the Crescent River Port Pilot apprenticeship program must be in writing, signed by the applicant and presented to the Secretary of this Board. All applications must be accompanied by satisfactory evidence of compliance by the applicant with the following requirements prior to the examination of the application by the Board:

a) Applicants for the apprenticeship program must be of good moral character. Evidence of a clear police record will be considered, but the Board reserves the right to examine other sources of information as to the applicant's character.

b) Applicants for the apprenticeship program must have been registered voters of the State of Louisiana continuously for at least one year prior to submission of the application.

c) The applicant must possess a high school diploma or a General Equivalency Degree prior to submission of an application to the apprenticeship program.

d) The applicant must not have reached his fortieth birthday prior to the inception of balloting of the Pilot Association on his application for admission to its apprenticeship program.

e) The applicant to the apprenticeship program must submit with his application proof that he holds an unlimited license as Master of River, Steam or Motor Vessels, or a license as a third mate of ocean, steam, or motor vessels of any gross tons upon any oceans issued by the United States Coast Guard, or a Bachelor's Degree or diploma granted by a college or university accredited by the American Association of Colleges and Secondary Schools.

Each applicant must hold a first class pilot license on the Mississippi River from Southport to the Head of the Passes, and for the Inner Harbor Navigation Canal (Industrial Canal) from the Mississippi River to Lake Pontchartrain. Each applicant must have held such first class pilot license for a period of at least six months,

and have worked in a licensed position as master, mate or pilot aboard a vessel or vessels for a period of at least six months of documented time prior to commencement of his apprenticeship.

f) The applicant for the apprenticeship program must be examined by a physician, clinic or group of physicians of the Board's choosing in respect of the applicant's physical condition prior to being certified as a candidate for the apprenticeship program. The examination report must reflect that the applicant's physical condition is satisfactory to the Board commensurate with the work and responsibilities attendant to pilotage.

The Board shall have no expense or responsibility for the examinations or their results. The applicant submitting to such examinations will hold the Board harmless from any responsibility for any injury or loss incurred as a result of the examination or the reliance by the Board or any others on the results of such examination.

SECTION 2. a) Before receiving a commission, each apprentice must have served a minimum of nine months of apprenticeship in his proposed calling, handling deepwater vessels over the operating territory of the River Port Pilots under the tutelage of not less than 20 commissioned River Port Pilots. The apprentice must set forth in detail the names of the vessels handled, dates handled, draft, tonnage, between what points so moved, and the names of the supervising commissioned River Port Pilots. No petitioner shall be permitted to be examined for licensing who has not made at least 18 trips on the operating territory of the River Port Pilots between Pilottown and the City of New Orleans during each of the nine months of his apprenticeship and served at least one week of each month of the apprenticeship engaged in harbor shifting, docking work and pilotage on the Mississippi River Gulf Outlet. The apprenticeship work must be certified to by the Pilot Association conducting the apprenticeship program during the program. This Board reserves the right to review apprenticeship programs in progress and to make recommendations as to assignments which should be undertaken by the apprentice. This Board reserves the right to reject any apprenticeship program as to any apprentice or to require satisfactory completion of additional or extended apprenticeship.

b) Before completion of the apprenticeship, the apprentice must have endorsements on his United States Coast Guard Licenses as a first class pilot on the Intracoastal Waterway from the Inner Harbor Navigation Canal to and including Michoud, Louisiana, and the Mississippi River Gulf Outlet from its junction with the Intracoastal Waterway to Light 78. Also, prior to completion of the apprenticeship program, the apprentice holding a Bachelors Degree and First Class Pilots License must obtain a license as a Master of Rivers, Steam, or Motor Vessels issued by the U.S. Coast Guard.

SECTION 3. Those applicants who have satisfactorily complied with all of the provisions of Sections 1 and 2, shall be examined by the Board as to their knowledge of pilotage and their proficiency and capability to serve as commissioned River Port Pilots. This examination shall be given in such manner and shall take such form as the Board may, in its discretion, from time-to-time elect.

SECTION 4. Those applicants who satisfactorily complete the examination given by the Board shall be certified to the Governor for his consideration in appointments to commissions as River Port Pilots.

Pursuant to R.S. 49:953 B, this Board of Commissioners has determined that this rule making is emergency in nature, requiring an adoption of the rule changes without prior notice or hearing. The basis for this Board's determination of emergency is the congruence of Louisiana Public Service Commission Order T-14274 mandating the commissioning of 20 Crescent River Port Pilots, together with the determination of the Crescent River Port Pilots Association to open its apprenticeship program for the com-

missioning of new Crescent River Port Pilots in satisfaction of that said Public Service Commission Order. That apprenticeship program would commence prior to the effective date of these proposed rules, should this Board of Commissioners not act on this emergency. The Board of Commissioners has determined that it is to the manifest interest of the people of the State of Louisiana and the shipping industry that entry level qualifications for Crescent River Port Pilots be changed as reflected in these rules to assure that such apprentices will possess those higher standards of qualification and experience which this Board of Commissioners has determined to be necessary to the safe and efficient operation of the Port of New Orleans. Should these modified rules not have been adopted prior to the commencement of that apprenticeship program aforesaid, those proposed pilot apprentices could be accepted for commissioning with lower entry level qualifications or the apprentice program might itself be delayed in derogation of the order of the Public Service Commission.

Captain Gerald L. Jeane  
President

# Rules

## RULE

### Department of Commerce Office of Financial Institutions

Under authority granted by R.S. 6:902 B, the Commissioner of Financial Institutions has adopted the following rule for the purpose of providing a means by which State Chartered Savings and Loan Associations may have authority consistent with that granted Federal Associations by Federal Home Loan Bank Board Rules and Regulation 545.6-4a, which was published on page 24148, Volume 46 of the Federal Register dated April 30, 1981.

#### Rule

Notwithstanding any limitations imposed by Chapter 9, Title 6, Louisiana Revised Statutes, State Chartered Savings and Loan Associations are hereby authorized to make, purchase and participate in adjustable mortgage loan instruments authorized Federal Associations by Federal Home Loan Bank Regulation 545.6-4a. For the information and guidance of State Chartered Associations, the Federal Home Loan Bank Board Regulation is outlined below:

#### I. Adjustable Mortgage Loan Instruments

(a) **Authorization.** (1) Associations making, purchasing, participating or otherwise dealing in loans pursuant to § 545.6-2(a) of this Part may use adjustable mortgage loan instruments as described in this Section. (2) This regulation is promulgated pursuant to the plenary and exclusive authority of the Board to regulate all aspects of the operations of Federal associations, as set forth in § 5(a) of the Home Owners' Loan Act of 1933, as amended. This exercise of the Board's authority is preemptive of any state law purporting to address the subject of a Federal association's ability or right to make, purchase, participate, or otherwise deal in adjustable mortgage loans, or to directly or indirectly restrict such ability or right.

(b) **Description.** (1) An adjustable mortgage loan is a loan that permits adjustment of the interest rate. Adjustments to the interest rate may be implemented through changes in the payment amount and/or through adjustments to the outstanding principal loan balance or the loan term, provided that the total loan term

may not exceed 40 years, and shall reflect the movement of one of the indices authorized by paragraph (c) of this Section. (2) Adjustments to the principal loan balance are permissible only if the initial payment amount is sufficient to fully amortize the loan and if the payment amount is adjusted at least every five years to a level sufficient to amortize the loan at the then-existing interest rate and principal loan balance over the remaining term of the loan. (3) For purposes of determining compliance with the loan-to-value limitations set out in § 545.6-2(a) of this Part, the Board will assume continued compliance where the original loan-to-value ratio met the requirements of § 545.6-2(a). (4) Prepayment in full or in part of the outstanding principal loan balance may be made without penalty at any time.

(c) **Index.** (1) Adjustments to the interest rate of an adjustable mortgage loan shall correspond directly to the movement of an index authorized by subparagraph (2) of this paragraph, subject to such rate-adjustment limitations, if any, as an association may provide. The amount of a rate adjustment shall reflect the difference between the initial index value and either the index value most recently available as of the date of rate adjustment, if the payment is not simultaneously adjusted, or the index value most recently available as of the date of notification of a payment adjustment. Where the movement of the index permits an interest-rate increase, the association may decline to increase the interest rate by the indicated amount, and the association may decrease the interest rate at any time.

(2) For the purpose of adjusting the interest rate, an association may use any interest-rate index that is readily verifiable by the borrower and is beyond the control of the association. An association may use:

(i) The national average mortgage contract rate for major lenders on the purchase of previously-occupied homes, as computed monthly by the Board, published in the Board's *Journal*, and made available in news releases;

(ii) The average cost of funds to FSLIC-insured savings and loan associations, either for all Federal Home Loan Bank Districts or for a particular District or Districts, as computed semi-annually by the Board, published in the Board's *Journal*, and made available in news releases;

(iii) The monthly average of weekly auction rates on United States Treasury bills with a maturity of three months or six months, as published in the *Federal Reserve Bulletin* and made available by the Federal Reserve Board in Statistical Release G.13(415) during the first week of each month;

(iv) The monthly average yield on United States Treasury Securities adjusted to a constant maturity of one, two, three, or five years, as published in the *Federal Reserve Bulletin* and made available by the Federal Reserve Board in Statistical Release B.13(415) during the first week of each month; or

(v) Any other interest-rate index that meets the requirements of this subparagraph (c) (2).

(d) **Costs or fees.** The borrower may not be charged any costs or fees in connection with regularly-scheduled adjustments to the interest rate, the payment, the outstanding principal loan balance, or the loan term.

(e) **Notice to borrower of payment adjustment.** At least 30 but not more than 45 days before adjustment of the payment, the association shall send written notification to the borrower containing the following information:

(1) The fact that the payment on the loan with the association, secured by a mortgage or deed of trust on property located at the appropriate address, is scheduled to be adjusted on a particular date;

(2) The outstanding balance of the loan on the adjustment date, assuming timely payment of the remaining payments due by that date;

(3) The interest rate on the loan as of the adjustment date, the index value on which that rate is based, the period of time for which that interest rate will be in effect, the next following payment adjustment date, and the rate adjustment dates, if any, between the upcoming payment adjustment date and the next following payment adjustment date;

(4) The payment amount as of the payment adjustment date;

(5) The date(s), if any, on which the rate was adjusted since the last payment adjustment, the rates on each such rate adjustment date, and the index values corresponding to each such date;

(6) The dates, if any, on which the outstanding principal loan balance was adjusted since the last payment adjustment, and the net change in the outstanding principal loan balance since the last payment adjustment;

(7) The fact that the borrower may pay off the entire loan or a part of it without penalty at any time; and

(8) The title and telephone number of an association employee who can answer questions about the notice.

(f) **Disclosure.** An applicant must be given, at the time of receipt of an application, or upon request, a disclosure notice in the following form:

**IMPORTANT INFORMATION ABOUT THE ADJUSTABLE MORTGAGE LOAN - PLEASE READ CAREFULLY**

You have received an application form for an adjustable mortgage loan ("AML"). The AML may differ from other mortgages with which you are familiar.

**GENERAL DESCRIPTION OF ADJUSTABLE MORTGAGE LOAN**

The adjustable mortgage loan is a flexible loan instrument. Its interest rate may be adjusted by the lender from time to time. Such adjustments will result in increases or decreases in your payment amount, in the outstanding principal loan balance, in the loan term, or in all three (see discussion below relating to these types of adjustments). Federal regulations place no limit on the amount by which the interest rate may be adjusted either at any one time or over the life of the loan, or on the frequency with which it may be adjusted. Adjustments to the interest rate must reflect the movement of a single, specified index (see discussion below). This does not mean that the particular loan agreement you sign must, by law, permit unlimited interest rate changes. It merely means that, if you desire to have certain rate adjustment limitations placed in your loan agreement, that is a matter you should negotiate with the lender. You may also want to make inquiries concerning the loan terms offered by other lenders on AMLs to compare the terms and conditions.

Another flexible feature of the AML is that the regular payment amount may be increased or decreased by the lender from time to time to reflect changes in the interest rate. Again, Federal regulations place no limitations on the amount by which the lender may adjust payments at any one time, or on the frequency of payment adjustments. If you wish to have particular provisions in your loan agreement regarding adjustments to the payment amount, you should negotiate such terms with the lender.

A third flexible feature of the AML is that the outstanding principal loan balance (the total amount you owe) may be increased or decreased from time to time when, because of adjustments to the interest rate, the payment amount is either too small to cover interest due on the loan, or larger than is necessary to pay off the loan over the remaining term of the loan.

The final flexible feature of the AML is that the loan term may be lengthened or shortened from time to time, corresponding

to an increase or decrease in the interest rate. When the term is extended in connection with a rate increase, the payment amount does not have to be increased to the same extent as if the term had not been lengthened. In no case may the total term of the loan exceed 40 years.

The combination of these four basic features allows an association to offer a variety of mortgage loans. For example, one type of loan could permit rate adjustments with corresponding changes in the payment amount. Alternatively, a loan could permit rate adjustments to occur more frequently than payment adjustments, limit the amount by which the payment could be adjusted, and/or provide for corresponding adjustments to the principal loan balance.

**INDEX**

Adjustments to the interest rate of an AML must correspond directly to the movement of an index, subject to such rate-adjustment limitations as may be contained in the loan contract. If the index has moved down, the lender must reduce the interest rate by at least the decrease in the index. If the index has moved up, the lender has the right to increase the interest rate by that amount. Although taking such an increase is optional by the lender, you should be aware that the lender has this right and may become contractually obligated to exercise it.

(Name and description of index to be used for applicant's loan, initial index value (if known) or date of initial index value, a source or sources where the index may be readily obtained by the borrower, and the high and low index rates during the previous calendar year.)

Key terms of \_\_\_\_\_ Federal Savings and Loan Association's adjustable mortgage loan

Following is a summary of the basic terms on the type of AML to be offered to you. This summary is intended for reference purposes only. Important information relating specifically to your loan will be contained in the loan agreement.

(Provide summary of basic terms of the loan, including the loan term, the frequency of rate changes, the frequency of payment changes, the maximum rate change, if any, at one time, the maximum rate change, if any, over the life of the loan, the maximum payment change, if any, at one time, minimum increments, if any, of rate changes, and whether there will be adjustments to the principal loan balance, in the following format:

- Loan Term . . . . .
- Frequency of rate changes . . . . .
- Frequency of payment changes . . . . .

**HOW YOUR ADJUSTABLE MORTGAGE LOAN WOULD WORK**

**Initial interest rate**

The initial interest rate offered by \_\_\_\_\_ Federal Savings and Loan Association on your AML will be established and disclosed to you on (commitment date, etc.) based on market conditions at the time.

(Insert a short description of each of the key terms of the type of AML to be offered to the borrower, using headings where appropriate.)

**Notice of payment adjustments**

\_\_\_\_\_ Federal Savings and Loan Association will send you notice of an adjustment to the payment amount at least 30 but not more than 45 days before it becomes effective. (Describe what information the notice will contain.)

**Prepayment penalty**

You may prepay an AML in whole or in part *without penalty at any time* during the term of the loan.

## **Fees**

You will be charged fees by \_\_\_\_\_ Federal Savings and Loan Association and by other persons in connection with the origination of your AML. The association will give you an estimate of these fees after receiving your loan application. However, you will not be charged any costs or fees in connection with any regularly-scheduled adjustment to the interest rate, the payment, the outstanding principal loan balance, or the loan term initiated by the lender.

### **EXAMPLE OF OPERATION OF YOUR TYPE OF AML**

(Set out an example of the operation of the type of AML to be offered to the borrower, including, where appropriate, the use of the table)

(g) Transition period. Until July 31, 1981, associations may continue to make, purchase, participate or otherwise deal in variable-rate mortgage loans pursuant to § 545.6-4(c) of this Part or in renegotiable rate mortgage loans pursuant to § 545.6-4(a) of this Part, as those Sections were constituted prior to April 30, 1981.

## **II. Rescission**

(a) This rule rescinds rules published in Volume 6, Number 12, *Louisiana Register*, dated December 20, 1980 and Volume 7, Number 4, *Louisiana Register*, dated April 20, 1981, pertaining to Renegotiable Rate Mortgages (RRM's), effective July 31, 1981.

(b) Until July 31, 1981, State Chartered Savings and Loan Associations may continue to make, purchase, participate or otherwise deal in Renegotiable Rate Mortgages as outlined in the rules referred to in Section II (a) above.

Hunter O. Wagner, Jr.  
Commissioner of Financial Institutions

## **RULE**

### **Department of Health and Human Resources Office of Family Security**

The Department of Health and Human Resources, Office of Family Security, shall adopt a rule to implement the Low Income Energy Assistance Program to assist low income households with the high cost of energy.

Eligible households are those with liquid assets such as cash on hand, checking and savings accounts, stock, bonds and credit shares, valued at \$1,500 or less for a single person household and \$3,000 for a multi-person household. Additionally, total monthly income shall not be more than \$276 for a single person household and \$451 for a multi-person household. Eligible households shall be paying for a cooling utility or paying rent which includes an unspecified amount for utilities and shall not be a resident of Low Rent Public Housing or Section 8 Public Housing. Finally, persons under the age of 60 who apply for cooling assistance at the local OFS office shall provide a statement from a medical doctor verifying the applicant's need for cooling assistance.

Applications for assistance will be accepted from August 3, 1981 through August 31, 1981. Payments will be made in the month of September, 1981 to automatic eligibles and to eligible households who apply for cooling assistance at the local OFS office. It is estimated that payments in the month of September to eligible recipients will range from \$55 to \$70 depending upon income and household size.

George A. Fischer,  
Secretary  
Department of Health and Human Resources

## **RULE**

### **Department of Insurance Division of Property and Casualty**

The Department of Insurance, Division of Property and Casualty, has adopted a rule pursuant to the provisions of Louisiana R.S. 22:2 and Act 520 of the 1978 Regular Session of the Louisiana Legislature.

The purposes of the rule are to accomplish a degree of uniformity in maintenance of solvency as respects a vehicle mechanical breakdown insurer and to establish guidelines relative to trade practices of such insurers.

## **RULE 6**

### **Section 1 - Authority**

This rule is adopted by the Commissioner of Insurance pursuant to the authority vested in him by Chapter 1, Title 22, Section 2, Louisiana Revised Statutes of 1950 as amended, and Act 520 of the 1978 Regular Session of the Louisiana Legislature.

### **Section 2 - Purpose**

The purpose of this rule is to adopt provisions and uniform guidelines for their interpretation as authorized specifically by Act 520 of the 1978 Regular Session of the Louisiana Legislature. It is designed to facilitate and implement the provisions of that Act. It is intended to supplement and not alter in any manner certain provisions of the Act. A further purpose is to establish reasonable guidelines pertaining to reserves and the adequacy of those reserves, to maintain solvency as respects vehicle mechanical breakdown insurers doing business in this state.

### **Section 3 - Applicability**

Those provisions shall be applicable to any and all entities which may be defined as a "vehicle mechanical breakdown insurer" under the provisions of Act 520 of the 1978 Regular Session of the Louisiana Legislature. The term shall include any person or other entity which receives any fee or compensation for administration of a mechanical breakdown program.

### **Section 4 - Definitions**

When used in this rule, the following words or terms have the meaning described in this section.

(1) "Vehicle mechanical breakdown insurer" means any person or organization, whether domestic, foreign or alien that issues or attempts to issue vehicle mechanical breakdown policies as defined herein.

(2) "Vehicle mechanical breakdown insurance policy" means any contract, agreement, or other instrument whereby a person other than the owner, seller, or lessor of a vehicle assumes the risk of and/or the expense portion thereof for the mechanical breakdown or mechanical failure of a motor vehicle and shall include those agreements commonly known as vehicle service agreements or extended warranty agreements.

(3) "Insurer" means any property or casualty insurer duly authorized to transact vehicle physical damage insurance in this state under provisions of the Louisiana Insurance Code other than Sections 1800 through 1810.

(4) "Commissioner" means the Commissioner of Insurance for the State of Louisiana.

### **Section 5 - Qualifications**

1. Evidence must be submitted to the Commissioner of Insurance that the applicant is a solvent corporation, incorporated under the laws of Louisiana, or another state, district, territory or possession of the United States of America. That evidence must be submitted as required by Form VMB-1 furnished by the Commissioner of Insurance and must be to his satisfaction.

2. The applicant shall furnish such proof as necessary to the commissioner that the directors and management of the company are competent and trustworthy and are capable of successfully managing its affairs in compliance with law. That information

shall be submitted on form VMB-2 which is furnished by the Commissioner.

3. The applicant shall make the deposit required by Louisiana R.S. 22:1804. Should the applicant furnish a surety bond it shall be in the style of Form VMB-4 which is furnished by the Commissioner. Such bond must be written by a company that is lawfully authorized to transact surety insurance in this state.

4. The applicant must complete and file form VMB-4 "Consent to Service and Appointment of Registered, Resident Agent" with the Commissioner. The Commissioner shall provide the applicable forms.

5. No applicant shall be licensed unless it maintains reserves as required by Section 6 of this Rule.

6. Upon meeting these requirements to the satisfaction of the Commissioner, a Certificate of Authority to do business in this state will be issued.

#### Section 6 - Reserves

##### A. Reserving

1. The reserve to be maintained on policies issued covering new vehicles shall be one which generates an unearned premium reserve of not less than the unearned premium reserve which is generated by applying the reverse sum of the digits earnings method to each policy issued covering a new vehicle.

2. The reserve to be maintained on policies issued on used vehicles shall be a reserve of not less than the unearned premium reserve which is generated when the "straight line" or pro-rated earnings method is applied to each policy issued on a used vehicle.

##### B. Premium Definition

1. In items 1 and 2 above, the unearned premium reserves generated shall be those which are generated when the earnings method is applied to the net premium (after commissions to agents) received by the vehicle mechanical breakdown insurer.

##### C. Reinsurance

1. Should any vehicle mechanical breakdown insurer reinsure all or a portion of its risks through another insurance company, the sum of the reserves maintained by said reinsurance company (for the risk in question) and the reserves maintained by the vehicle mechanical breakdown insurer shall equal not less than the reserve required in Section A. Further, such reinsurance shall be admissible toward achieving required reserves only when said reinsurance is with a company or companies that are approved to do business in this state either as a domestic, admitted, or surplus lines insurer.

2. The Commissioner shall have the right to examine any reinsurance documents or agreements that may be made between vehicle mechanical breakdown insurers and any such approved company and shall have the power to secure such financial information as he deems necessary from said approved reinsurer.

D. At such time as authority is required to conduct the business of vehicle mechanical breakdown insurer, the applicant shall fully disclose the reserving method used or to be used by the vehicle mechanical breakdown insurer and shall also disclose any reinsurance agreements which are in existence. Further, if at any time during the conduct of business the mechanical breakdown insurer changes its method of reserving or alters its reinsurance arrangements, if any, written notice shall be given to the Insurance Commissioner.

#### Section 7

A. Each vehicle mechanical breakdown insurer shall on or before the fifteenth day of March of each year submit to the Commissioner a report signed by the President and Secretary which shall certify the premiums received by said insurer for the proceeding year. That report shall be audited by a certified public accountant and shall be attested to by him. In conjunction with, and to be submitted at the same time, a complete audited financial statement on the mechanical breakdown insurer shall be made. Such audited finan-

cial statement shall fully disclose the reserving method used and any reinsurance arrangements in force. Additionally, the audited reports shall contain the following:

1. Auditor's report
2. Balance Sheet
3. Statement of Income and Retained Earnings
4. Statement of Shareholder's Equity
5. Statement of Changes in Financial Position
6. Notes to Financial Statements, which disclose all significant accounting practices.

B. The accounting method used shall not allow for the deferring of acquisition costs, but shall recognize those costs in the period in which they were incurred.

C. The audited statement required shall cover the operations of the mechanical breakdown insurer only. A statement of a holding company, or other parent company, which includes in it the operations of the mechanical breakdown insurer shall not be acceptable to the Commissioner.

#### Section 8 - Penalty for Non-compliance

A. Non-compliance with the provisions of this Rule may result in the suspension, revocation or non-renewal of the Certificate of Authority issued by the Commissioner of Insurance pursuant to the provisions of Act 520 of the 1978 Regular Session of the Louisiana Legislature.

#### Section 9 - Severability

If any of the provisions of this rule are held invalid, such invalidity shall not effect other provisions which can be given effect without the invalid item and to this end provisions of this rule are hereby declared severed.

Sherman A. Bernard  
Commissioner of Insurance

### RULE

#### Department of Natural Resources Office of Environmental Affairs Environmental Control Commission

The Louisiana Environmental Control Commission has adopted, with the approval of the House and Senate Natural Resources Committees, the fee schedule mandated by LRS 30:1065.B pertaining to permits, licenses, registrations and variances issued or required by the Nuclear Energy Division of the Office of Environmental Affairs.

Prior to adoption, public hearings before the Environmental Control Commission were held in June and July 1980, followed by additional hearings in January and February 1981. The House and Senate Natural Resources Committees approved the fee schedule in June, 1981.

During fiscal year 1981 - 1982, the Nuclear Energy Division will render an invoice for the entire fiscal year to all licenses and registrants for the appropriate amount, as determined by records of the Division and the newly adopted fee schedule.

Those individuals who desire copies of the fee schedule may contact the Nuclear Energy Division, Box 14690, Baton Rouge, Louisiana, 70898. Telephone (504) 925-4518.

B. Jim Porter,  
Assistant Secretary

### RULE

#### Department of Natural Resources Office of Environmental Affairs Environmental Control Commission

The following revisions to the Air Quality Regulations were approved June 25, 1981.

**Regulations Revisions**

Revise Section 22.22.1(A) of the Air Quality Regulations to read as follows:

A. Gasoline tank trucks and their vapor collection systems shall not sustain a pressure change of more than three inches of water (0.75 k Pa) in five minutes when pressurized to 18 inches of water (4.5 k Pa) or evacuated to six inches of water (1.5 k Pa) using the test procedure described in Title 40, Code of Federal Regulations, Part 60, Appendix A, Method 27.

Revise Section 22.22.2(A) of the Air Quality Regulations to read as follows:

A. Loading and unloading operations at gasoline terminals shall not produce a reading equal to or greater than 100 percent of the lower explosive limit (LEL, measured as propane) at 2.5 centimeters around the perimeter of a potential leak source as detected by a combustible gas detector using the test procedure described in Title 40, Code of Federal Regulations, Part 60, Appendix A, Method 25(A) and 25(B).

Revise the last sentence in Section 22.19.2(B) of the Air Quality Regulations to read as follows:

...The procedural checks described in 22.19.1(A)(B) and (D) must be performed.

Addition to the Fee System:

Automobile, Truck and Van assembly more than 100 vehicles per day.

|      |      |                            |                                     |
|------|------|----------------------------|-------------------------------------|
| SICC | 3711 | New Permit Application     | 22.5¢/Car Annual Capacity           |
|      |      | Major Modification to Line | 13.5¢/Car Annual Capacity           |
|      |      | Minor Modification to Line | 4.5¢/Car Annual Capacity            |
|      |      | Minor Equipment ACD        | \$1,000<br>4.5¢/Car Annual Capacity |

Small Facility

|      |      |                         |                 |
|------|------|-------------------------|-----------------|
| SICC | 3711 | New Plant as above      | \$2,000 minimum |
|      |      | Major Line Modification | 1,600 minimum   |
|      |      | Minor Line Modification | 400 minimum     |
|      |      | Minor Equipment Changes | 100 minimum     |
|      |      | ACD                     | 400 minimum     |

**PROPOSED SIP REVISIONS**

Add to Page 21A of Louisiana SIP  
Revisions for ozone abatement

The plan submitted between March and November 1979 and conditionally approved by the Environmental Protection Agency in February 1980, projects attainment of the oxidant standard by December 31, 1982. This is being accomplished without the additional hydrocarbon reductions resulting from the installation of secondary seals on volatile organic compound storage tanks with external floating roofs. Consequently, since the plan shows attainment by December 31, 1982 and the plan is conditionally approved, the Air Quality Division intends to allow the emissions abated by the use of secondary seals to be banked by the emitter, if so desired. The emitter must enter into an enforceable agreement with the Commission, (which becomes part of the state implementation plan) before the reductions can be credited to his account. The Department specifically reserves the right to establish and govern the conditions under which a banked offset may be used. The banked offset is the property of the person making the deposit.

**PROPOSED AIR QUALITY REGULATION REVISIONS**

Add a new Section 23.4.4 reading as follows:

**23.4.4 Opacity Limitation**

1) The emission of smoke from the recovery furnace shall be controlled so that the shade or appearance of the emission is not

darker than 30 percent average opacity as to obscure vision to a degree equivalent to the above (See Table 4) except that emitted may have an average opacity in excess of 30 percent for not more than one six-minute period in any 60 consecutive minutes.

2) The opacity of emissions from smelt dissolver vents and lime kilns shall be regulated by the provisions of Section 19.5.1 of these regulations.

3) The opacity of boiler fueled by bark, alone or in combination with other fuels, shall be regulated by the provisions of Section 18.2 of these regulations.

Add a new Section 23.4.1.1 reading as follows:

23.4.1.1 Compliance. Owners or operators of recovery furnaces shall conduct source test quarterly pursuant to the provisions in Table 4 to confirm particulate emissions are less than that specified in Section 23.4.1 (1). The results shall be submitted to the Division as specified in Sections 17.12 and 8.5.1.

B. Jim Porter  
Assistant Secretary

**RULE**

**Department of Natural Resources  
Office of the Secretary  
Division of State Lands**

Rules and Regulations  
to Implement  
Act 645 of 1978

(As defined in L.R.S. 41:1131  
and L.R.S. 41:1701 through 1714)  
Revised 7-81

Permits Issued Under  
Act 645 of 1978

Permits may be granted to owners of land contiguous to and abutting navigable waterbottoms belonging to the State to construct landfills either for the purpose of reclaiming or recovering land lost through erosion by action of the water body if said erosion occurred on and after July 1, 1921, or for the purpose of maintaining an encroachment on non-eroded State lands. Land reclaimed shall be subject to the procedures as set forth in "General Regulations - Boundary Agreements" of these Rules and Regulations. Landfills constructed on non-eroded State lands shall be subject to the procedures as set forth in "General Regulations - Leases" of these Rules and Regulations.

Permits may also be granted for the construction and/or maintenance of commercial and non-commercial structures which are permanently attached to public lands by pilings or other means. Such structures shall include, but not be limited to wharves, piers, storage docks, camps, warehouses, residences, bulkheads, restaurants, dams, bridges, etc. Exempted from permit requirement are commercial and non-commercial wharves and piers less than 50 linear feet whose surface area does not exceed 150 square feet, unless part of another encroachment unduly interferes with public interests, navigation or fishery. Structures constructed on State lands shall be subject to the procedures as set forth in "General Regulations - Leases" of these Rules and Regulations.

General Regulations  
Issued Under Act 645 of 1978

**1. Submitting Procedures**

Applicant shall notify the Secretary of the Department of Natural Resources in writing of his intent to apply for a permit for work contemplated. Such letter shall contain a description of the proposed physical work to be performed, materials to be used and



identity of the body of water involved. Upon receipt of applicant's letter, the Secretary shall forward the appropriate permit form to the applicant with a copy of these regulations.

Upon completion of the appropriate form the applicant shall:

a. Send the form together with all required attachments, as set forth in Application Requirements, to the governing authority of the parish or parishes within which the work or structures will be located;

b. Apply to the U.S. Corps of Engineers for the appropriate federal permit, and in the event that the Corps of Engineers declines jurisdiction over the proposed work, and does not publish notice;

c. Cause to have published at least once, in the case of a reclamation permit, notice of the application in the official journal of the parish or parishes. All other permit applications shall not require public notice except upon request of the governing authorities of the parish.

## 2. Fees

Fees for permits are as follows:

a. An application for a permit shall be accompanied by a non-refundable administrative and processing fee of \$50.00;

b. In the event that review of the application requires special work in the field such as special field examination or survey, the applicant shall be required to pay for such special work, the price of which shall be fixed by the Secretary based on his estimate of the cost of special work to the State. The Secretary shall notify the applicant of the estimated cost of such special work and shall not proceed until the estimated cost of same is paid.

## 3. Approval of Local and Other State Authorities

No permits shall be issued nor shall any work commence until the application has first been approved by the governing authority of the parish wherein the property is located, Office of Public Works, Department of Wildlife and Fisheries, State Mineral Board, Coastal Management Section (if the project is in the coastal zone) and such other parochial or State agencies which may have jurisdiction over such matters. Coordination and dissemination among the several agencies will be performed by the Secretary of the Department of Natural Resources.

## 4. Objections and Public Hearings

Objections shall be received by the Secretary of the Department of Natural Resources for a period of 30 days from date of published notice, to correspond with the delays established by the U.S. Corps of Engineers. In the event that opportunity for public hearing is deemed necessary by either the State, through the Secretary of the Department of Natural Resources, or the U.S. Corps of Engineers, all efforts will be made by the State to accommodate the applicant by holding one hearing together with the federal authorities at whatever time and place the latter stipulates.

At the end of the prescribed period for objections, or after the public hearing if necessary, the governing authority of the parish or parishes shall either approve or object to the application, with reasons, and forward their determination to the Secretary of the Department of Natural Resources, together with all required attachments and evidence of publication of notice by either the Corps of Engineers or the applicant, for processing as provided herein.

## 5. Reasons for Denial or Limitation

No reclamation, encroachment or lease shall be allowed if in the determination of the Office of Public Works, Department of Wildlife and Fisheries, State Mineral Board or the Secretary of the Department of Natural Resources, such activity would obstruct or hinder the navigability of any waters of the State, impose undue or unreasonable restraints on the State or public rights which have vested in such areas pursuant to Louisiana law, or result in un-

acceptable adverse impacts to the environment of the coastal zone, and to that extent the land area sought to be reclaimed, or the structure or construction, may be limited.

## 6. Hold Harmless

All permits and leases approved and issued hereunder shall be conditioned upon applicant's agreement to hold the State of Louisiana and her agencies and subdivisions harmless for applicant's acts or omissions in reclaiming and maintaining eroded lands and constructing or maintaining any structures and bulkheads, though the permit or lease for the same subsequently expires or is revoked.

## 7. Encumbrances

A permit will be issued subject to and encumbered with any right-of-way or servitude, or any mineral, geothermal, geopressure, or any other lease acquired or granted by the State for a lawful purpose while the reclaimed land was an eroded area. Nothing in these regulations shall prevent the leasing of State lands or waterbottoms for mineral or other purposes.

## 8. Maximum Permit Term

All permits issued pursuant to these provisions shall be effective for a period not to exceed two years from the date of issuance and shall thereupon expire. All work remaining or any additional work may be completed only by a new permit application.

## 9. Verification of Work

Upon completion of the project, the applicant is required to submit verification of the work completed to the Secretary of the Department of Natural Resources within 60 days. For work completed subsequent to a reclamation or landfill permit, the applicant is required to submit a certified map or plat prepared by a professional land surveyor currently registered by the State Board of Registration for Professional Engineers and Land Surveyors as verification. For work completed subsequent to a structure permit, the applicant is required to submit an affidavit on the form provided as verification.

## 10. Vested Rights

No permit or lease shall be construed to vest any proprietary rights or title in any private owner except as to lands actually reclaimed and maintained, pursuant to Act 645 of 1978. Eroded lands contiguous to the coast of the Gulf of Mexico as defined in the Decree of the United States Supreme Court dated July 16, 1975, in *United States vs. Louisiana*, No. 9 Original, may be reclaimed under reclamation permits, out to the coastline.

## 11. Boundary Agreements

After fulfilling the requirements for verification of work completed pursuant to a reclamation permit, the applicant and the Secretary of the Department of Natural Resources shall enter into an agreement fixing the definitive boundary between the reclaimed land area and the waterbottoms. No definitive boundary shall be fixed nor shall title be vested unless and until proof is made that the reclaimed land is raised to a minimum height of six inches above mean high water and is stabilized along the newly created bank or shore by masonry, concrete mats, riprap, sheet piling, bulkheads, or similar constructions to reasonably insure permanence as required by law.

## 12. Leases

After fulfilling the requirements for verification of work completed pursuant to a landfill or structure permit, the applicant and the Secretary of the Department of Natural Resources shall enter into a lease agreement to operate or maintain the encroachment. Bulkheads constructed without fill, commercial and non-commercial wharves and piers less than 50 linear feet whose surface area does not exceed 150 square feet, which do not interfere with public navigation and fishery or are not part of another encroachment, are exempt from this leasing provision. Such leases will not be subject to competitive bidding except in

those cases where the best interest of the State and applicant will be served. The consideration for such leases shall be based upon the size and nature of the encroachment. Structures such as piers, wharves, etc., would be assessed \$100 dollars for the first 500 square feet and 10 cents per square foot thereafter. Pilings situated on State waterbottoms and not supporting any additional structure (i.e., anchor piles, pile dolphins, etc.) would be assessed \$100 plus \$10 for each piling. When such pilings exist independent of and in addition to any other structures subject to lease based on square footage, lease price will be computed at the rate of \$10 per piling. In no instance shall the consideration be less than \$100 per annum. Leases entered into shall be for a term of five years and subject to renewal by lessee for nine successive terms. In no case shall the maximum term of such leases exceed 50 years. At the end of a 50-year maximum period, lessees may apply for a new lease for the subject encroachment.

13. Copies to Local Governments

A copy of the permit issued, along with the pertinent plats attached and the documentation required to be submitted 60 days after completion of work shall be filed with the clerk of court of the parish or parishes affected. A copy of the above shall also be furnished the assessor of the parish or parishes for assessment purposes.

Application Requirements  
Issued Under Act 645 of 1978

Applications must be submitted in triplicate to the Secretary of the Department of Natural Resources, and each application must include the following:

1. Application form as provided by the Department of Natural Resources with approval of the parish governing authority clearly indicated thereon;
2. A certified deed of ownership\* (of the lands contiguous to public lands);
3. If the applicant is not the owner, a certified copy of the deed or other instrument\* under which the owner holds title plus written permission for the applicant to carry out the project. NOTE: Should the encroachment be located wholly upon State waterbottoms and not proximate to any bank or shore, no deed of ownership or written permission need be furnished provided that the letter of intent contain details of ingress and egress for such structure;
4. Map or plat showing:
  - a. Location of the activity site including section, township and range;
  - b. Louisiana Grid Coordinates of all corners and angle points (for reclamation and landfill permits only);
  - c. Name of waterway;
  - d. All applicable political (parish, town, city, etc.) boundary lines;
  - e. Name of and distance of local town, community or other identifying location;
  - f. Names of all roads in the vicinity of the site;
  - g. Graphic scale; and
  - h. North arrow.
5. Plan view showing:
  - a. Existing shorelines;
  - b. Ebb and flood in tidal waters and direction of flow in rivers;
  - c. Mean high water line;
  - d. Mean low water line;
  - e. Water depth around the project;
  - f. Extent of land area reclaimed or filled shown in square feet (for reclamation and landfill permits only);
  - g. Extent of encroachment beyond the applicable water lines;
  - h. Waterward dimensions from an existing permanent

fixed structure or object; and

- i. Location of structures, if any, in navigable water immediately adjacent to the proposed activity.
6. Elevation and/or section view showing:
  - a. Same water elevations as in the plan view;
  - b. Depth at waterward face of proposed work;
  - c. Dimensions from applicable water lines for proposed float or pile supported platform;
  - d. Graphic or numerical scale;
  - e. Detailed drawings of construction including plot plan, cross section and profile.
7. Non-refundable administrative and processing fee of \$50.00.
8. Letter of intent.

\*Only one certified copy of deed or instrument is required.

If the proposed project falls under the United States Army Corps of Engineers jurisdiction and permit(s) are being sought from that agency, the applications submitted to the Corps of Engineers may be submitted to the Department of Natural Resources in lieu of the above, providing that all copies are clear and legible and the Corps permit application does in fact contain all of the information described above.

Where a permit application contemplates any form of land-fill or reclamation, the map or plat submitted must be prepared by a professional land surveyor currently registered by the State Board of Registration for Professional Engineers and Land Surveyors.

Michael S. Bourgeois  
Director

**RULE**

**Department of Public Safety  
Office of State Fire Marshal**

In accordance with the notice of intent published in the April 20, 1981 *Louisiana Register* and the hearing held on May 5, 1981, I hereby adopt the following administrative ruling:

L.A.C. 17-41 Plans and Specifications  
for a New Building

4.1 As of August 1, 1981, the plans and specifications for every structure built or remodeled in the State of Louisiana must be drawn in accordance with the requirements of the 1976 edition of the Life Safety Code of the National Fire Protection Association and, for all high-rise buildings, Section 506 Special Provisions for High-Rise Buildings of the Standard Building Code 1979 edition of the Southern Standard Building Congress.

L.A.C. 17-2.2 All inspections of buildings constructed or remodeled after January 1, 1980, will be made utilizing the requirements set forth in the 1976 edition of the Life Safety Code of the National Fire Protection Association and Section 518, Special Provision for High-Rise, of Chapter 4 of the 1974 amendments to the 1973 Southern Standard Building Code; except that for buildings constructed with plans and specifications submitted for approval to the Office of State Fire Marshal on or after July 1, 1981, all such high-rise buildings should be inspected in accordance with Section 506 Special Provision for High-Rise of the 1979 Edition of the Standard Building Code of the Southern Standard Building Congress.

Carrol L. Herring  
State Fire Marshal

**RULE**

**Department of the Treasury  
Board of Trustees  
State Employees  
Group Benefits Program  
(Herein called the Program)**

Group Coverage: Self insured and self-funded-medical  
Group Contract Holder: Governmental agencies of the State of Louisiana (herein called the agencies and eligible political subdivisions)  
Group Contract Issuer: The Board of Trustees, State Employees Group Benefits Program (herein called the board)  
Contract Signed: Contract to Take Effect:

This contract is between the contract holder and the Board of Trustees and shall be construed in accordance with the law of the State of Louisiana.

The board shall be entitled to rely upon the signatures of the designated representatives of each of the agencies as acting for the agency as to any and all matters pertaining to this contract.

In consideration of the payment of contributions by the contract holder in the amounts and at the times hereinafter provided, the Program herein agrees with the contract holder, subject to the terms appearing on this and the following pages of this contract including, if any, the riders, endorsements and amendments to this contract which are signed by the board to pay benefits in accordance with the terms of this contract. The obligations and the rights of all persons under this contract shall be determined in accordance with the terms of this contract without regard to the terms of any prior agreement or of any instrument amending or supplementing or replacing any such agreement.

In witness whereof the board has signed this contract at Baton Rouge, Louisiana.

**SCHEDULE OF BENEFITS**

**BASIC BENEFITS**

Hospital Benefits:  
Hospital daily room and board rate, to 120 days,  
Average semi-private, to ..... \$ 60.00  
Hospital miscellaneous ..... 900.00  
Surgical Benefits (per schedule), to ..... 750.00  
Second Opinion:  
Per disability ..... 50.00  
Per year ..... 100.00  
In-Hospital Medical Benefits:  
Daily rate, to ..... 8.00  
Maximum, to 120 days ..... 960.00  
Supplemental Emergency Accident Benefits ..... 500.00  
Diagnostic X-ray and Laboratory Benefits:  
Each accident, to ..... 100.00  
All sicknesses, per calendar year ..... 100.00

**MAJOR MEDICAL BENEFITS**

Deductible Amount, each calendar year:  
Per person ..... 100.00  
Maximum per family ..... 300.00  
Percentages Payable, each calendar year:  
First \$5,000 of eligible expenses ..... 80%  
Eligible expenses in excess of \$5,000 ..... 100%  
Charges for alcoholism or out-patient  
psychiatric care ..... 50%\*  
Lifetime Maximum:  
Active Employees under age 70 and eligible  
dependents under age 65 ..... 100,000.00  
Automatic restoration ..... 4,000.00  
Active Employees over age 70  
dependents over age 65 ..... 50,000.00

Automatic restoration ..... 2,000.00  
Retired Employees and eligible  
dependents under age 65 ..... 100,000.00  
Automatic restoration ..... 4,000.00  
Retired Employees and eligible  
dependents over age 65 ..... 50,000.00  
Automatic restoration ..... 2,000.00  
Hospital Room and Board:  
Average semi-private to ..... 80.00

\*Percentage payable for treatment of alcoholism or nervous or mental disability while not hospital confined is limited to 50 percent. Outpatient psychiatric treatment is further limited to 50 visits per calendar year, one visit per day, with a maximum reimbursement of \$20.00 per visit.

**CATASTOPHIC ILLNESS ENDORSEMENT**

All eligible expenses are payable at 100 percent.

Maximums for any one disease per lifetime:

\$10,000 Maximum

(a) 70 percent, or \$7,000 for in-patient hospital expenses

(b) Thirty percent, or \$3,000 for out-patient and professional expenses

\$5,000 Maximum

(a) Seventy percent, or \$3,500 for in-patient hospital expenses

(b) Thirty percent, or \$1,500 for out-patient and professional expenses

**ARTICLE 1  
GENERAL PROVISIONS**

**I. DEFINITIONS**

A. The term *Program* as used herein shall mean the State Employees Group Benefits Program as administered by the Board of Trustees for the benefit of employees and their eligible dependents.

B. The term *Plan* as used herein shall mean employee and/or dependent Basic and Major Medical Coverage and employee and/or dependent Catastrophic Medical Coverage.

C. The term *participating employer* as used herein shall mean a State agency. Participating employer shall also mean a political subdivision which has executed an adoption instrument, if required, or has otherwise agreed to participate in the Program on behalf of its employees.

D. The term *adoption instrument* as used herein shall mean the agreement between a political subdivision and the State Employees Group Benefits Program for entrance into the Program.

E. The term *employee* as used herein shall mean a full-time employee of a participating employer, who works 30 hours or more a week; provided, however, that an employee whose full-time occupation normally requires less than 30 hours per week shall also be considered a full-time employee.

F. The term *Covered Person* as used herein shall mean an Active or Retired Employee, or his eligible dependent, for whom the necessary application forms have been completed and for whom the required contribution is being made.

G. The term *dependent* as used herein shall mean any of the following persons who are enrolled for coverage as dependents, provided they are not also covered as an employee:

1. The Covered Employee's legal spouse;
2. Any unmarried children from date of birth to 19 years of age, dependent upon the employee for support;
3. Any unmarried children over 19 years of age, but under 24 years of age, who are enrolled as full-time students and who depend upon the employee for support;
4. Any dependent parent of an employee or of an employee's legal spouse, if living in the same household and if fully

dependent upon the employee or upon the employee's legal spouse and who are, or will be, claimed as a dependent on the employee's federal income tax in the current or next tax year, and has resided with the Covered Employee for the period of 12 consecutive months immediately prior to date of such enrollment. The Program will require an affidavit stating the Covered Employee intends to include the parent as a dependent on his federal income tax return for the current or next tax year.

H. The term *children* as used herein shall mean:

1. Any natural or legally adopted children of the employee and/or legal spouse dependent upon the employee for support;
2. Such other children for whom the employee has legal custody, and who live in the household of the employee; and,
3. Grandchildren dependent on the employee for support, living in the household of the employee, and who are or will be included on the employee's federal income tax return as a dependent. The Program will require a copy of the tax form or an affidavit stating that the Covered Employees intends to include the child as a dependent on his federal income tax return for the current or next tax year.

I. The term *date acquired* as used herein shall mean the date a dependent of a Covered Employee is acquired in the following instances and on the following dates only:

1. Legal Spouse - date of marriage;
2. Children
  - a. Natural or legally adopted children - the date of birth or the date of judgment granting adoption;
  - b. Other children living in the household of the Covered Employee who are, or will be included as a dependent on the employee's federal income tax return - the date of the court order granting legal custody.
  - c. Grandchildren dependent upon the employee for support, living in the household of the employee, and who are or will be included as a dependent on the federal income tax return;
    - (1) The date of the court order granting legal custody, or
    - (2) The first date on which the grandchildren come to live with and become dependent on the Covered Employee for support.
3. Parents - one year from the date the parent(s) began residing with and became dependent upon the employee.

J. The term *employee coverage* as used herein shall mean medical benefits provided hereunder with respect to the employee only.

K. The term *dependent coverage* as used herein shall mean medical benefits provided hereunder with respect to the employee's dependents only.

L. The term *occupational disease* as used herein means a disease which arises from, is contributed to, caused by, or a consequence of any disease which arises out of or in the course of any employment or occupation for compensation or profit.

However, if the Program is presented with satisfactory evidence proving that the individual concerned is covered as an employee under any workmen's compensation law, occupational disease law, or other legislation of similar purpose, but the disease involved is not covered under the applicable laws or doctrine, then such disease shall, for the purpose of this policy, be regarded as a non-occupational disease.

M. The term *occupational injury* as used herein means an accidental bodily injury which arises from, is contributed to, caused by, or a consequence of any injury which arises out of or in the course of any employment or occupation for compensation or profit.

However, if the Program is presented with satisfactory evidence proving that the individual concerned is covered as an employee under any workmen's compensation law, occupational disease law, or other legislation of similar purpose, but the injury

involved is not covered under the applicable laws or doctrine, then such injury shall, for the purposes of this policy, be regarded as a non-occupational injury.

N. The term *accidental bodily injury* as used herein shall mean a localized abnormal condition of the body, internal or external, which was induced by trauma and occurred through an event that was unforeseen and unexpected.

O. The term *disability* as used herein shall mean that the Covered Person, if an employee is prevented, solely because of a non-occupational injury or disease, from engaging in his regular or customary occupation and is performing no work of any kind for compensation or profit; or, if a dependent is prevented, solely because of a non-occupational injury or disease, from engaging in substantially all the normal activities of a person of like age in good health.

P. The term *hospital* as used herein shall mean an institution which meets all the following requirements:

1. Holds a license as a hospital (if licensing is required in the State), and is accredited by the Joint Commission for the Accreditation of Hospitals. If located outside the territorial United States, the hospital must be licensed by the country in which it is located.
2. Operates primarily for the reception, care, and treatment of sick, ailing, or injured persons as in-patients;
3. Provides 24-hour nursing service by licensed nurses;
4. Has a staff of one or more licensed physicians available at all times;
5. Provides organized facilities for diagnosis;
6. Requires compensation from its patients for the services rendered; and
7. Is not, primarily an institution for rest, the aged, drug addicts, alcoholics, the treatment of pulmonary tuberculosis, or a nursing home.

Q. The term *room and board* as used herein shall mean not only the hospital charges for room and board, but also other expenses which are charged regularly at a daily or weekly rate by the hospital as a condition of occupancy.

R. The term *physician* as used herein shall mean the following:

1. A duly licensed medical doctor (M.D.);
2. Doctor of dental surgery (D.D.S., D.M.D.);
3. Doctor of osteopath (D.O.);
4. Licensed podiatrist;
5. Licensed psychologist meeting the requirements of the National Register of Health Service Providers in Psychology;
6. Licensed chiropractor, legally entitled to practice in the state in which the service is performed; or
7. Board certified, licensed social worker who is a member of an approved clinical social work registry or is employed by the United States, the State of Louisiana, or a Louisiana Parish or municipality, provided such person is performing professional services as a part of the duties for which he is employed.

Such persons must engage in private practice, and render a charge to the Covered Person for his professional services.

The term "physician" does not include any intern, resident, or fellow enrolled in a residency training program regardless of any other title by which he is designated or his position on the medical staff of the hospital. A senior resident, for example, who is referred to as an assistant attending surgeon or an associate physician, is considered a resident since the senior year of the residency is essential to completion of the training program. Provided, however, that effective October 1, 1977, charges made by a physician, as defined herein, who is on the faculty of a State medical school, or on the staff of a State hospital, will be considered a covered expense if such charges are made in connection with the treatment of an injury or sickness covered under this Plan and further pro-

vided that such physician would have charged a fee for such services in the absence of this provision.

It is the specific intent and purpose of the Program to exclude reimbursement to the Covered Person for services rendered by an intern, resident, or fellow enrolled in a residency training program regardless of whether the intern, resident, or fellow was under the supervision of a physician or regardless of the circumstances under which services were rendered.

The term "physician" shall not include a practicing medical doctor in the capacity of supervising interns, residents, senior-residents, or fellows enrolled in a training program, who does not personally perform a surgical procedure or provide medical treatment to the Covered Person.

S. The term *diagnostic x-ray and laboratory* (DXL) as used herein shall mean a procedure requiring a specimen or a procedure that produces a finished photoplate, tape or graph.

T. The term *incurred date* as used herein shall mean the date upon which the particular service or supply is rendered or obtained. In the absence of due proof to the contrary, when a single charge is made for a series of services, each service shall be deemed to bear a prorated share of the charge.

U. The term *reasonable expense* as used herein shall mean the usual, necessary, reasonable, and customary fee or charge for the services rendered or the supplies furnished in the area where such services are rendered or such supplies are furnished, provided such services or supplies are recommended and approved by a physician other than the Covered Person.

V. The term *sickness* as used herein shall include, but not be limited to, a surgical procedure performed for the purpose of sterilization, whether voluntary or of medical necessity, and all necessary medical care, treatment and confinement related to such surgery.

W. The term *calendar year* as used herein shall mean that period commencing at 12:01 a.m., January 1, standard time, at the address of the employee, or the date the Covered Person first becomes covered under the Plan and continuing until 12:01 a.m., standard time, at the address of the employee on the next following January 1. Each successive "calendar year" shall be the period from 12:01 a.m., January 1, standard time, at the address of the employees to 12:01 a.m., the next following January.

X. The term *Medicare* as used herein shall mean the health insurance available through any present or future laws enacted by the Congress of the United States, including but not limited to Public Law 89-97, known and described as Medicare, and including any amendments to such law.

## EMPLOYEES TO BE COVERED

### A. Employee Coverage

1. Employee — A person as defined in Article 1, Section I (E).

2. Husband and wife, both employees — In the event the husband and wife are both eligible for coverage under the Program as employees, all eligible dependent children will be enrolled as dependents of the husband and the husband may also enroll his wife as a dependent. **IN NO EVENT MAY A PERSON BE ENROLLED SIMULTANEOUSLY AS AN EMPLOYEE AND AS A DEPENDENT UNDER THE PROGRAM.** If a covered spouse chooses at a later date to be covered separately, and is eligible for coverage as an employee, that person will be a Covered Employee effective the first day of the month after such election. In no event shall this change in coverage increase the benefits to the employee or dependent.

3. Effective dates of coverage — Each employee who makes a written request to his participant employer for employee coverage, by completing the applicable enrollment forms, and agrees to make the required payroll contributions to his participant

employer is subject to the terms of Item (4) of Section II, A, and is to be effective for employee coverage on the first day of the month coinciding with, or next following the completion of one month's service, provided, however, that no employee coverage shall in any event become effective unless the employee makes such request within 30 days after the date of employment. Any such request for coverage after 30 days of employment will be subject to the terms of Item (1) of Section II, D.

4. Deferral rule — In any instance in which an employee is confined, by reason of disease, illness, or injury at home, in a hospital, nursing home, or elsewhere, on the date the employee would otherwise become covered under this Plan, the effective date of the employee's coverage under this Plan shall be deferred until the date such employee returns to active work for one full day at his customary duties and place of employment.

### B. Retired Employee Coverage

1. Eligibility — Each retired employee of a participant employer shall be eligible for Retired Employee coverage under this Plan provided the retired employee meets all of the following requirements:

a. Was a Covered Employee, as defined by the terms of this contract immediately prior to the date of retirement;

b. Upon retirement immediately received retirement benefits from an approved State or State governmental agency retirement plan; or, if not eligible for participation in such a plan, was employed prior to September 16, 1979, has 10 years of continuous service and has reached the age of 65, or if employed after September 16, 1979, has 10 years of State service and has reached the age of 70.

2. Effective date of coverage — Retired Employee coverage will be effective on the first of the month following the date of retirement, provided the employee and the employer have agreed to make and are making the required contributions.

3. Active employment by a participant employer following retirement from a participant employer.

An employee retired from one participant employer may be covered as an Active Employee of another participant employer or as a Retiree of the agency from which he retired, but not both. Upon termination of employment from the latter participant employer, such employee may return to the retirement group of his original participant employer. (Life coverage may be at a level no higher than that carried at the time of retirement from the original participant employer.)

### C. Dependent Coverage

1. Eligibility — A dependent of an eligible employee shall be eligible for dependent coverage on the latter of the following dates:

a. The date the employee becomes eligible as defined in Article I, Section II, A (3).

b. The date the Covered Employee acquires a dependent as defined in Article I, Section I (F);

2. Effective dates of coverage — Dependents of an employee who makes written application for dependent coverage and agrees to make the required contributions to his participant employer are to be covered for dependent benefits on the date the employee becomes eligible to carry dependent coverage or the date the employee makes such request, whichever is later. All applications for dependent coverage shall be subject to the terms of Item (3) of this Section II, A. However, if a dependent is confined by reason of disease, illness, or injury at home, in a nursing home, hospital, or elsewhere, on the date he would otherwise become covered under the Plan; the effective date of that dependent's coverage under this Plan shall be deferred until the date hospital confinement terminates or disability ends, whichever is later.

### D. Pre-Existing Condition

1. Overdue application — The terms of the following para-

graphs shall apply to all eligible employees who apply for coverage after 30 days from the date the employee became eligible for coverage and to all eligible dependents for whom the application for coverage was not completed within 30 days from the date acquired.

a. The effective date of coverage shall be:

(1) The first of the month following the date of the receipt by the State Employees Group Benefits Program of all required forms, if such forms are received by the State Employees Group Benefits Program prior to the fifteenth of the month.

(2) The first of the second month following the date of the receipt by the State Employees Group Benefits Program of all required forms, if such forms are received by the State Employees Group Benefits Program after the fifteenth of the month.

b. The Program will require that all overdue applicants complete a Statement of Health form and sign an Acknowledgment of Preexisting Condition form.

c. Hospital expenses and other medical expenses incurred during the first 24 months that coverage for the employee and/or dependent is in force under this contract will not be considered as covered medical expenses if they are in connection with a disease or injury for which the Covered Person received treatment, services, or was prescribed drugs, during the 12-month period immediately prior to the effective date of such coverage.

2. Political subdivisions — The terms of the following paragraph shall apply to all new employees, and dependents of new employees of political subdivisions when application for coverage is made within 30 days of the date of employment.

Hospital expenses and other medical expenses incurred during the first 12 months that coverage for the employee and/or dependent is in force under this contract will not be considered as a covered medical expense if they are in connection with a disease, illness, or injury for which the Covered Person received treatment, services, or was prescribed drugs during the three-month period immediately prior to the effective date of such coverage.

### III. CONTINUED COVERAGE

A. Leave of Absence — If an employee is allowed an approved leave of absence by his employer, he may retain his coverage for a period up to but not to exceed one year; provided, however, that if such leave of absence is without pay, the employee will be required to pay the full contribution, employee and employer portions, to the employer without lapse. Failure to do so shall result in cancellation of coverage.

B. Disability — Employees who have applied for and have been granted a "waiver of premium" for Basic or Supplemental Life Insurance may continue health coverage for the duration of such waiver with no increases in health coverage. Provided, however, the employee shall pay the entire contribution to the employer unless he is receiving a Disability Retirement Income from a State or political subdivision Retirement Plan.

C. Surviving Dependents — Benefits under this contract for the Covered Dependents of a deceased covered Employee shall terminate at the end of the calendar month in which the employee's death occurred unless the surviving covered dependents elect to continue coverage, at their own expense. Application for such continued coverage must be made within 60 days following the Covered Employee's death.

1. The surviving spouse of an Active or Retired Employee may continue coverage until the spouse is eligible for health insurance coverage through an employer-sponsored medical plan, or until remarriage, whichever occurs first; provided, however, a surviving spouse who was effective as a surviving spouse prior to July 1, 1977, and had other group coverage at that time, will be allowed to remain as a Covered Person.

2. The surviving children of an Active or Retired Employee may continue coverage until they are eligible for coverage by any

employer-sponsored medical plan, or until attainment of the termination date for children, whichever occurs first.

D. Overage Dependents — If an unmarried dependent child is incapable of self-sustaining employment by reason of mental retardation or physical handicap, became incapable prior to the termination age for children as defined in Article 2, Section II, A (3), and is dependent upon the Covered Employee for support, the coverage for such dependent child may be continued under the Plan. Provided, however, the Program receives proof of mental or physical incapacity, and only for so long as such incapacity continues. The Program may request proof of continued incapacity as often as it may deem necessary.

### IV. CHANGE OF CLASSIFICATION

A. Change in Coverage — When, by reason of a change in family status (i.e., marriage, birth of child), the class of coverage is subject to change, such change shall take effect on the date of the change (i.e., marriage date or birthdate), provided application for this change must have been made within 30 days of the date of the change.

In the event a Covered Active Employee does not make application within 30 days of the date he becomes eligible for a changed class of coverage, such change in coverage will be subject to the terms of Article I, Section II, D (b), of these provisions.

A Covered Retired Employee must make application for additional coverage within 30 days of the date he becomes eligible for the additional coverage or NO CHANGE CAN BE MADE.

Any change in the amount of benefits resulting from contract provisions regarding the Covered Person attaining any reduction age, shall become effective July 1 coinciding with or next following the Covered Person's attainment of such age.

B. NOTIFICATION OF CHANGE OR ERROR — IT IS THE RESPONSIBILITY OF THE EMPLOYEE TO NOTIFY THE PROGRAM OF ANY CHANGE OR ERROR IN CLASSIFICATION OF COVERAGE OR ANY OTHER ERROR AFFECTING HIS CONTRIBUTION AMOUNT. ANY SUCH FAILURE LATER DETERMINED SHALL BE CORRECTED ON THE FIRST OF THE FOLLOWING MONTH. ALL REFUNDS OF CONTRIBUTIONS SHALL BE LIMITED TO SIX MONTHS FROM THE DATE NOTICE IS RECEIVED BY THE PROGRAM.

### ARTICLE 2

#### TERMINATION OF BENEFITS

##### I. EMPLOYEE AND DEPENDENT COVERAGE

All benefits of a Covered Person shall terminate under this contract on the earliest of the following dates:

A. On the date the Program terminates;

B. On the date the group or agency employing the Covered Employee terminates;

C. On the contribution due date if the employer fails to pay the required contribution for the Covered Employee, except when resulting from clerical or other inadvertent error;

D. On the contribution due date if the Covered Employee fails to make any contribution which is required for the continuation of his coverage;

E. On the last day of the month of the Covered Employee's death unless otherwise specifically provided herein; or

F. On the last day of the month in which the Covered Employee ceases to be eligible within the classes eligible for coverage under this contract.

##### II. DEPENDENT COVERAGE ONLY

Unless otherwise specifically provided herein, dependent coverage shall terminate under this contract on the earliest of the following dates:

A. On the date the Covered Employee ceases to be covered with respect to himself under this contract, unless otherwise specifically provided herein;

B. When the Covered Employee's dependent, other than

spouse, becomes eligible for coverage as an employee under this contract;

C. On the last day of the month in which the dependent ceases to be an eligible dependent of the Covered Employee as defined in this contract;

D. Upon discontinuance of all dependent coverage under this contract; or

E. On the date the Covered Employee ceases to be included in the classes of employees eligible for dependent coverage under this contract.

ARTICLE 3  
MEDICAL BENEFITS

I. BASIC BENEFITS

A. Hospital Benefits — When accidental bodily injury or sickness requires the Covered Person to be confined to a hospital as a resident patient, and such confinement commences while this coverage is in force, as to such person, the Program will pay the reasonable expense actually incurred for the following hospital services, when consistent with the diagnosis and necessary for the treatment of the condition for which hospitalization is required. Such services must be charged by the hospital and administered and used during such confinement:

1. Hospital room and board, not to exceed the hospital's average semi-private room rate shall be an eligible expense. Payment shall not exceed the maximum amount payable per day, nor the number of days for any one period of confinement as stated in the Schedule of Benefits.

2. Hospital miscellaneous expenses for services and supplies furnished by the hospital during the period for which the daily room and board rate is payable, provided such expenses are not included in the room and board charge, further provided such expenses do not exceed the maximum amount payable for any one period of confinement as stated in the Schedule of Benefits. This benefit will include (1) charges for administration of anesthesia either by a hospital employee or a professional anesthesiologist and (2) ambulance service to and from the hospital to, but not in excess of, \$30.00 per round trip. Specifically excluded are personal convenience items.

Benefits will be payable up to the hospital miscellaneous maximum, as stated in the Schedule of Benefits, for hospital expenses incurred by a Covered Person for surgical procedures performed on an out-patient basis when necessitated by an accidental bodily injury or sickness.

As used in this Basic Benefits Section, *hospital confinement* means a stay or series of stays in a hospital totaling the first 120 days of such stays. These stays shall be deemed to be continuous and constitute a single period of confinement if discharge and readmission to a hospital occurs within a 90 day period provided, however, a Covered Employee, or covered spouse who would otherwise be eligible to be covered as an employee under this contract, shall automatically become eligible for another 120 days when such person returns to work for one full day following discharge from the hospital. In determining the number of days of confinement, the day of admission, and the day of discharge shall be counted together as one day. If the Covered Person is admitted and discharged on the same day, it shall also be counted as one day.

B. Surgical Benefits — When accidental bodily injury or sickness requires the Covered Person to undergo any surgical procedure specified in the "Schedule of Surgical Benefits" and such procedure is performed by a physician while this coverage is in force as to such person, the Program will pay the reasonable expense actually incurred for such surgical procedure, including usual pre-operative and post-operative care, but not to exceed the maximum amount payable for the procedure as specified in such schedule. Surgical benefits shall renew if discharge and readmis-

sion to a hospital are separated by 90 days. Provided, however, the Covered Employee or covered spouse, who would be eligible for coverage in their own right as an employee of a participant employer, may renew benefits by returning to work at least one full day following discharge from the hospital.

Multiple Surgical Procedures:

1. If two or more surgical procedures are performed at different times during the same period of hospitalization, payment will be made for the procedure for which the largest amount is allowed as specified in the Schedule of Surgical Benefits with an additional payment of 50 percent of the next largest amount as specified in the Schedule of Surgical Benefits. Total payment of all surgical procedures shall not exceed the maximum amount specified in the Schedule of Benefits.

2. If two or more surgical procedures are performed at the same time, in immediate succession or under one anesthetic, the maximum benefit shall be the largest of the amounts allowable for any one procedure performed under such circumstances.

Surgical procedures may be performed in the home, hospital, physician's office, or elsewhere.

C. Schedule of Surgical Benefits

SKIN

Tumors, benign, superficial:

|   |          |
|---|----------|
| Excision from face, neck, genitalia, hands, or feet |          |
| One .....   | \$ 30.00 |
| Excision from other body areas                      |          |
| One .....   | 30.00    |

Cysts, excision:

|                      |        |
|----------------------|--------|
| Pilonidal cyst ..... | 225.00 |
| Sebaceous cyst ..... | 15.00  |

Destructive surgery:

|                    |       |
|--------------------|-------|
| Chemosurgery ..... | 37.50 |
| Cryotherapy .....  | 18.75 |

MAMMARY GLANDS

Excision of benign tumors or cysts:

|                                |        |
|--------------------------------|--------|
| Unilateral .....               | 112.50 |
| Bilateral .....                | 187.50 |
| Incisional breast biopsy ..... | 112.50 |

Mastectomy:

|  |        |
|--|--------|
| Partial - unilateral .....                     | 112.50 |
| Partial - bilateral .....                      | 187.50 |
| Total .....                                    | 225.00 |
| Radical, with auxilliary node dissection ..... | 525.00 |

MUSCULOSKELETAL

Amputations:

|   |        |
|---|--------|
| Finger, thumb, or toe (one or more phalanges) |        |
| One .....                                     | 112.50 |
| Thigh, through femur .....                    | 450.00 |

|  |            |            |
|--|------------|------------|
|  | Closed     | Open       |
|  | Reductions | Reductions |

Fractures, simple or compound:

|   |          |          |
|---|----------|----------|
| Ankle   |          |          |
| Malleolus of tibia or fibula .....  | \$ 90.00 | \$150.00 |
| Bimalleolar (Potts) .....   | 150.00   | 225.00   |
| Clavical .....  | 112.50   | 150.00   |
| Elbow, distal end of humerus or proximal end of radius or ulna, one or more bones ..... | 262.50   | 300.00   |
| Femur (except knee) .....   | 300.00   | 337.50   |
| Fibula (except ankle) .....   | 112.50   | 225.00   |
| Finger, thumb or toe  |          |          |
| One .....   | 75.00    | 75.00    |
| Humerus (except elbow) .....  | 187.50   | 225.00   |
| Knee, distal end of femur or proximal end of tibia, one or both bones .....             | 150.00   | 187.50   |
| Radius, including Colles' (except elbow) .....  | 150.00   | 187.50   |



|  |        |        |
|--|--------|--------|
| Radius and ulna (except elbow) . . . . . | 187.50 | 225.00 |
| Tibia (except ankle and knee) . . . . .  | 187.50 | 225.00 |
| Ulna (except elbow) . . . . .            | 150.00 | 187.50 |

CLOSED REDUCTION is the correction of a displacement by manipulation without incision including the application of casts or traction and debridement at fracture site. For a closed reduction of a fracture, with skeletal pinning and external fixation, the maximum benefit is one and one-half times the maximum benefit for a closed reduction.

OPEN REDUCTION is the correction of a displacement by manipulation and incision with or without skeletal traction or metallic fixation.

**EYE, EAR, NOSE, AND THROAT**

|   |          |
|---|----------|
| Extraction of lens for cataract . . . . .                                       | \$600.00 |
| Insertion of intraocular lens prosthesis,<br>with cataract extraction . . . . . | 750.00   |
| Strabismus, operation for   |          |
| One eye . . . . .   | 450.00   |
| Both eyes . . . . .   | 450.00   |
| Each additional operation, one or both eyes . .                                 | 450.00   |
| Removal of foreign body from external auditory canal:                           |          |
| Without anesthesia . . . . .  | 22.50    |
| With anesthesia . . . . .   | 75.00    |
| Removal of impacted cerumen   |          |
| One or both ears . . . . .  | 15.00    |
| Myringoplasty . . . . .   | 600.00   |
| Tympanoplasty . . . . .   | 637.50   |
| Stapedectomy . . . . .  | 750.00   |
| Fenestration operation for otosclerosis . . . . .                               | 750.00   |
| Nasal polyps, removal of one or more, one or more stages:                       |          |
| Unilateral . . . . .  | 52.50    |
| Nasal septum, submucous resection of . . . . .                                  | 225.00   |
| Tonsillectomy with or without adenoidectomy . . . . .                           | 150.00   |
| Laryngoscopy:   |          |
| Indirect with or without biopsy . . . . .                                       | 30.00    |
| Direct diagnostic . . . . .   | 75.00    |
| Direct operative with biopsy . . . . .  | 112.50   |
| Frenectomy . . . . .  | 30.00    |
| Thyroid Gland:  |          |
| Needle biopsy . . . . .   | 37.50    |
| Tyroidectomy, total or subtotal . . . . .                                       | 525.00   |
| Tyroid lobectomy, hemithyroidectomy . . . . .                                   | 450.00   |
| Excision of thyroid adenoma or cyst . . . . .                                   | 300.00   |

**HEART AND BLOOD VESSELS**

|   |        |
|---|--------|
| Coronary Artery Bypass . . . . .  | 750.00 |
| Saphenous vein, long, ligation with or without retrograde<br>injection or distal interruptions: |        |
| Without stripping   |        |
| Unilateral . . . . .  | 150.00 |
| With stripping on same or successive days   |        |
| Bilateral . . . . .   | 375.00 |
| Right heart catheterization . . . . .   | 262.50 |
| Left heart catheterization . . . . .  | 150.00 |
| Combined right heart catheterization and<br>retrograde left heart catheterization . . . . .     | 337.50 |

**CHEST**

|  |        |
|--|--------|
| Thoracotomy, limited, with biopsy<br>of lung or pleura . . . . . | 300.00 |
| Lobectomy:   |        |
| Total, subtotal or segmental . . . . .                           | 750.00 |
| Wedge resection . . . . .  | 600.00 |
| Thoracotomy, for drainage of empyema:                            |        |
| With rib resection . . . . .                                     | 300.00 |
| Bronchoscopy:  |        |
| Diagnostic, with or without biopsy . . . . .                     | 112.50 |

|   |        |
|---|--------|
| Operative removal of tumors or foreign bodies | 187.50 |
|---|--------|

**ABDOMEN**

|   |        |
|---|--------|
| Appendectomy, with or without incision and drainage of appendiceal<br>abscess . . . . . | 300.00 |
| Cholecystectomy, with or without exploration of common duct                             | 450.00 |
| Colon resection:  |        |
| Partial, with or without colostomy . . . . .  | 600.00 |
| Total . . . . .   | 750.00 |
| Gastrectomy, with or without vagotomy:  |        |
| Partial . . . . .   | 600.00 |
| Total . . . . .   | 750.00 |
| Hemiotomy, inguinal or femoral:   |        |
| Single . . . . .  | 262.50 |
| Bilateral . . . . .   | 375.00 |

**PROCTOLOGY AND UROLOGY**

|  |        |
|--|--------|
| Fistulectomy or fistulotomy:   |        |
| Single . . . . .   | 75.00  |
| Fistulectomy or fistulotomy (single or multiple), with<br>incision and drainage of ischiorectal abscess . .    | 300.00 |
| Hemorrhoidectomy, by incision, internal only or both<br>internal and external:                                 |        |
| With or without fistulectomy . . . . .   | 300.00 |
| Hydrocele or varicocele, excision of:  |        |
| Unilateral . . . . .   | 225.00 |
| Ischiorectal abscess, incision and drainage . . . . .  | 75.00  |
| Nephrectomy or heminephrectomy . . . . .   | 600.00 |
| Proctectomy, complete combined abdominal<br>perineal procedure, one or more stages . . . . .                   | 750.00 |
| Prostatectomy:   |        |
| Suprapubic, one or more stages . . . . .   | 600.00 |
| Transurethral, one or more stages including control<br>of post-operative bleeding . . . . .                    | 502.50 |
| Cystoscopy-diagnostic, with or without biopsy:   |        |
| Without ureteral catheterization . . . . .   | 37.50  |
| With ureteral catheterization . . . . .  | 60.00  |
| Operative-transurethral resection of bladder<br>neck or bladder tumors or crushing bladder<br>stones . . . . . | 375.00 |
| Fulguration of bladder tumors or removal<br>of bladder stones without crushing . . . . .                       | 225.00 |

**GYNECOLOGY**

|  |          |
|--|----------|
| Conization of cervix . . . . .   | 60.00    |
| Cystocele, repair of . . . . .   | 262.50   |
| Rectocele, repair of . . . . .   | 225.00   |
| Cystocele and rectocele, repair of . . . . .   | 375.00   |
| Dilation of cervix and curettage of uterus, non-puerperal,<br>with or without electrocauterization,<br>conization or polypectomy . . . . . | 112.50   |
| Hysterectomy, with or without dilation and curettage:  |          |
| Complete (pan-hysterectomy), with or without<br>adnexa . . . . .   | \$450.00 |
| Subtotal or supracervical, with or without adnexa  | 412.50   |
| Radical, for malignancy . . . . .  | 600.00   |
| Salpingectomy, or oophorectomy, or both unilateral or<br>bilateral . . . . .   | 337.50   |
| Uterus, suspension of any type, with or without dilation and<br>curettage or surgery on tubes or ovaries . . . . .                         | 375.00   |

**MATERNITY**

|                            |        |
|----------------------------|--------|
| Vaginal delivery . . . . . | 187.50 |
| Cesarean section . . . . . | 375.00 |

**NEUROSURGERY**

|  |        |
|--|--------|
| Decompression, unilateral or bilateral . . . . .       | 750.00 |
| Excision of brain cyst, neoplasm, or abscess . . . . . | 750.00 |
| Lumbar sympathectomy:                                  |        |



|  |        |
|--|--------|
| Unilateral .....   | 412.50 |
| Bilateral .....  | 562.50 |
| Trephination:  |        |
| Drainage of subdural, epidural or brain abscess or hematoma: |        |
| Initial trephination .....                                   | 562.50 |
| Subsequent needling .....                                    | 75.00  |
| Pneumoventriculography .....                                 | 120.00 |
| Intervertebral disc, excision of:                            |        |
| Without spinal fusion .....                                  | 675.00 |
| With spinal fusion .....                                     | 750.00 |
| Tendons - excision of ganglion .....                         | 150.00 |

Benefits for surgical procedures not listed in the above schedule will be determined by the Program. The determination shall take into consideration the nature and complexity of the particular procedure. All exclusions and limitations of the contract will apply.

D. Dental Surgical Benefits — When accidental bodily injury or sickness requires the Covered Person to undergo any oral surgical procedure listed in the “Schedule of Dental Surgical Procedures,” as herein contained and the procedure is performed by a doctor of dental surgery (D.D.S., D.D.M.) while this coverage is in force as to such person, the Program will pay the reasonable expense actually incurred for such surgical procedure, including the usual pre-operative and post-operative care, not to exceed the maximum amount payable for the procedure as specified in such Schedule. No dental surgical benefits, except those procedures listed in the “Schedule of Dental Surgical Procedures,” will be considered eligible under this provision.

E. Schedule of Dental Surgical Procedures

|   |          |
|---|----------|
| Incision or drainage of:                            |          |
| Abscess, intraoral .....                            | \$ 42.00 |
| Abscess, extraoral .....                            | 180.00   |
| Alveolectomy/Aleoloplasty, per quadrant .....       | 30.00    |
| Removal of ankylosed tooth .....                    | 60.00    |
| Apicoectomy .....                                   | 90.00    |
| Cysts of the jaw (mandible or maxilla) excision of: |          |
| Involving area of one or two teeth .....            | 90.00    |
| Involving area of three or four teeth .....         | 180.00   |
| Involving area of five or more teeth .....          | 270.00   |
| Fibroma, epulis, excision of .....                  | 42.00    |
| Excisional or incisional biopsy .....               | 80.00    |
| Impacted tooth, excision of one .....               | 67.50    |
| two .....   | 135.00   |
| three .....   | 202.50   |
| four .....  | 270.00   |
| Mandibular tori (per quadrant) .....                | 112.50   |
| Torus palatinus excision .....                      | 127.50   |
| Tuberosity reduction                                |          |
| Soft tissue .....                                   | 54.00    |
| Bony .....  | 72.00    |

F. Second Surgical Opinion

1. When an eligible surgical procedure is recommended to a Covered Person, the Program will provide benefits up to but not to exceed the amount specified in the Schedule of Benefits for the purpose of consulting a physician, other than the surgeon who has recommended the surgical procedure, as to the necessity and prudence of such procedure. Diagnostic x-rays and laboratory tests necessary for the second physician to make a reasonable recommendation will be considered eligible expenses under the “Diagnostic X-ray and Laboratory Test” Section of Article 3, Section I, insofar as benefits remain available. Eligible expense in excess of the amount specified in the Schedule of Benefits shall be covered under Article 3, Section II, titled Major Medical Benefits. To be considered an eligible expense under this benefit, the following criteria must be met:

- a. The second physician must not be associated with or in practice with the physician or surgeon recommending the surgery.
  - b. The second physician must be a specialist in the field required by the surgery.
  - c. The second physician must prepare and make available a written statement of advantages and disadvantages of the recommended surgery.
2. The decision as to whether or not the recommended surgery is to be performed and who will perform the surgery shall be the decision of the Covered Person.
3. Exclusions — no payment shall be made under this provision for expense incurred for the following:
- a. Emergency surgical procedures necessitated by an accident.
  - b. Second opinions regarding procedures not covered under the terms of this contract.

G. In-Hospital Medical Benefits — When accidental bodily injury or sickness requires the Covered Person to be confined to a hospital as a resident patient, and such confinement begins while this coverage is in force as to such person, the Program will pay the reasonable expense actually incurred for treatment by a physician during the period for which hospital room and board benefits are payable under the Plan, beginning with the first day of hospital confinement, but not to exceed:

1. One treatment per day, including date of discharge provided such expense is incurred on the date of discharge;
2. The in-hospital medical benefits daily rate as specified in the Schedule of Benefits; or
3. The maximum number of treatments during any one period of hospital confinement as specified in the Schedule of Benefits.

In the event in-hospital treatment is rendered concurrently with surgery, the Covered Person shall be entitled to either benefits for the in-hospital medical benefits or benefits for the surgery as specified in the Schedule of Surgical Benefits, whichever is greater. Benefits shall be payable under this provision, for post-operative treatment by a physician other than the operating physician.

H. Diagnostic X-ray and Laboratory Benefits

1. When accidental bodily injury or sickness requires the Covered Person to incur expense for x-ray or laboratory examinations for the diagnosis of a covered injury or sickness, audiogram, scratch test, or routine Pap smear, and such person is *not confined* in a hospital as a resident patient at the time such expense is incurred, the Program will pay the reasonable expense actually incurred for x-ray or laboratory examinations made or recommended by a physician while this coverage is in force as to such person, but not to exceed:

- a. The maximum amount as specified in the Schedule of Benefits for all such expenses incurred in connection with any one injury; or
- b. The maximum amount as specified in the Schedule of Benefits for all such expenses incurred in connection with all sicknesses during any one calendar year.

2. Exclusions — Expenses incurred for diagnostic x-ray and laboratory examinations under the following circumstances shall not be considered eligible expenses.

- a. Any procedure in connection with any treatment on or to the teeth and gums, unless required due to accidental injury to sound, natural teeth or unless necessitated by a procedure listed in the Schedule of Dental Surgical Procedures;
- b. Any procedure in connection with a routine physical examination or checkup.
- c. Other exclusions and limitations applicable to these benefits as stated in Article 3, Section V, captioned “Exceptions and Exclusions for all Medical Benefits,” hereinafter set forth.

3. The benefits provided under this section may be per-

formed by licensed personnel of a hospital or clinic; in a physician's office, clinic, or in a hospital out-patient department.

#### I. Supplemental Emergency Accident Benefits

1. When accidental bodily injury requires the Covered Person to incur medical or hospital expense within 72 hours of an accident, and services or treatments as a result of such accidental bodily injury are furnished by or at the direction of a physician while this coverage is in force as to such person, the Program will pay the reasonable expense actually incurred, but not to exceed the maximum amount payable as specified in the Schedule of Benefits for any one accidental bodily injury.

The supplemental emergency accident benefits will be provided for expenses actually incurred which are in excess of any amounts otherwise payable under all other benefits sections of Article 3, Section I, Basic Benefits.

2. Covered expenses shall include:

- a. Hospital room and board, including private room charges;
- b. Local ambulance to a hospital;
- c. Physician's charges for medical and surgical care;
- d. Care by a registered nurse or licensed practical nurse, but only during confinement;
- e. Anesthesia and the administration thereof;
- f. Charges for x-ray and laboratory tests, either as an in-patient or out-patient;
- g. Treatment by a physiotherapist;
- h. Drugs and medicines requiring a prescription and dispensed by a licensed pharmacist;
- i. Initial artificial limb(s) or eye(s);
- j. Casts, splints, trusses, crutches, and braces (dental braces are not eligible);
- k. Oxygen and rental of oxygen equipment; and
- l. Rental of wheel chair or hospital type bed.

3. Exclusions — no payment shall be made under supplemental emergency accident benefits with respect to:

- a. Any loss resulting from the contraction of a disease or illness;
- b. Any loss caused or contributed to, by war or any act of war, whether war is declared or not, or by any act of international armed conflict, or conflict involving the armed forces of any international authority; or
- c. Expenses incurred for treatment rendered or examination made after 90 days from the date of the accident. The date of the accident shall be considered day one.

d. Other exclusions and limitations applicable to these benefits are stated in Article 3, Section V, captioned "Exceptions and Exclusions for all Medical Benefits" hereinafter set forth.

J. Coverage After Termination of Basic Benefits — Hospital, medical and surgical benefits payable under Article 3, Section I, Basic Benefits, will also be paid as specified herein when the Covered Person shall incur expense within 90 days after the termination of employment, if from the date of such termination of employment to the date the expense was incurred the Covered Person has been wholly and *continuously disabled* due to the same injury or sickness necessitating the expense incurred.

Unless otherwise specified in the adoption agreement, if termination of coverage is caused by the withdrawal of a participant employer (department, agency, or political subdivision) from the Program, any hospital, medical, surgical, or maternity benefits otherwise payable under this Article 3, Section I, Basic Benefits, will be paid only during the continuation of a hospital confinement commencing prior to the termination date but not longer than 90 days after such date.

#### II. MAJOR MEDICAL BENEFITS

A. Definitions — The general definitions previously indicated in Article I, Section I, of this document entitled "Definitions" are also

applicable to this Major Medical Section. In addition, the following definition shall apply only to this Article 3, Section II, Major Medical Benefits.

1. *Deductible amount* as used herein means:

- a. That amount indicated in the Schedule of Benefits, plus;
- b. Any amounts that are payable under Article 3, Section I, Basic Benefits, of the Plan.

2. *Family unit* shall mean a Covered Employee and all of his covered dependents.

3. The term *out-of-pocket expenses* means the sum of (a) any eligible medical expenses used toward satisfaction of the deductible for that year, not including expenses incurred for non-confined alcoholism or mental and nervous disorders, that satisfied all or part of the deductible; (b) 20 percent of all such eligible medical expenses which exceed the deductible for that calendar year and for which benefits were paid at 80 percent.

B. The deductible amount shall apply with respect to each Covered Person, each calendar year, provided, however:

a. If a Covered Person incurs covered medical expenses during the last three months (October-December) of a calendar year and such expense is used to satisfy all or part of the deductible, for that Covered Person, for that calendar year, such covered expenses shall be used to satisfy all or part of the deductible for the next succeeding calendar year for the Covered Person.

b. In no event shall any family unit be required to satisfy more than three individual deductible amounts during any one calendar year regardless of the number of individuals involved.

c. In the event more than one Covered Person in a family unit is injured in a common accident, only one individual deductible amount will be required to be satisfied during the calendar year in which the accident occurs and the next following calendar year, with respect to the total eligible expenses incurred as a result of the same accident by all such Covered Persons involved.

C. Benefits for Eligible Medical Expenses (except nonconfined alcoholism, or mental and nervous disorders)

When accidental bodily injury or sickness (other than non-confined alcoholism or mental or nervous disorder) require the Covered Person to incur expense for any of the eligible expenses defined herein, and such service or treatment is performed or prescribed by a physician while this coverage is in force with respect to such person, and after the deductible amount, as defined herein, has been satisfied, the Program will pay:

1. Eighty percent of the first \$5,000 of eligible expense;
2. One hundred percent of eligible expenses in excess of \$5,000 for the remainder of the calendar year to the maximum amount as specified in the Schedule of Benefits;

3. As to any Covered Person, any out-of-pocket expenses incurred during the last three months of a calendar year (October-December) will be considered as out-of-pocket expenses for the next succeeding calendar year with respect to such Covered Person.

D. Non-Confining Alcoholism or Mental and Nervous Disorders — If a Covered Person is treated for alcoholism or mental and nervous disorders while not confined in a hospital as a resident patient, benefits shall be limited to 50 percent of the reasonable eligible expense incurred, provided, however, the maximum reimbursement for psychotherapy by a physician shall not exceed the maximum amount as specified in the Schedule of Benefits. Treatment shall be deemed to include prescription drugs.

Payment for non-confining treatment of alcoholism or mental and nervous disorders will be limited to one visit per day and not more than 50 visits per calendar year.

E. Maximum Benefit — Benefits under this Article 3, Section II, Medical Benefits, for covered medical expenses incurred by any one Covered Person during such person's lifetime shall not exceed the maximum Major Medical amount as specified in the Schedule

## of Benefits.

1. The maximum benefit payable shall be reduced on the July 1 coinciding with or next following the Covered Retired Employee's or covered dependent's attainment of age 65 to 50 percent of the remaining lifetime maximum as of the date immediately preceding such July 1. Should the Covered Person be hospital confined on such July 1, the reduction shall be deferred until the date such confinement terminates.

2. The lifetime maximum benefit for an Active Employee over age 65 shall be reduced on the July 1 following retirement or attainment of age 70, whichever is sooner, to 50 percent of the remaining lifetime maximum as of the date immediately preceding such July 1. Should the Covered Person be hospital confined on such July 1, the reduction shall be deferred until the date such confinement terminates.

3. The maximum amount payable is subject to partial and full restoration as indicated in Article 3, Section II, (E), entitled "Restoration and Reinstatement of Lifetime Major Medical Benefits."

## F. Restoration and Reinstatement of Lifetime Major Medical Benefits

1. Restoration — If a Covered Employee, Retired Employee, or dependent receives Major Medical Benefits under this Article 3, Section II, during a given year, the amount of such benefits or the maximum amount as stated in the Schedule of Benefits, whichever is less, shall be restored by the Plan on each January 1.

2. Reinstatement — If a Covered Employee, Retired Employee, or dependent receives Major Medical Benefits under this Article 3, Section II, and such benefits exceed the amount eligible for annual restoration as specified in the Schedule of Benefits, the entire Major Medical lifetime maximum payable with respect to such Covered Person may be reinstated upon receipt by the Program of evidence of insurability satisfactory to the Program, and furnished without cost to the Program.

G. Eligible Expenses — The following shall be considered eligible expense under Major Medical Benefits;

1. The hospital's average semi-private accommodation, not in excess of the maximum as specified in the Schedule of Benefits;

2. Anesthesia and the administration thereof;

3. Surgical dressings, plaster casts, and splints;

4. Diagnostic studies, x-ray examinations and therapy, laboratory examinations, basal metabolism tests, electrocardiograms and electroencephalograms;

5. Radium therapy, radium isotopes, and shock therapy;

6. Blood and blood plasma;

7. Drugs and medicines requiring a prescription and dispensed by a licensed pharmacist, except for birth control medication and dietary supplements;

8. Oxygen and equipment necessary for its administration;

9. Medical and surgical supplies;

10. Intravenous injections and solutions;

11. Services of a physician, except for examinations for the prescription and/or fitting of eyeglasses, contact lens, or hearing aids;

12. Services of a physiotherapist duly licensed under the laws of the State where the service is rendered;

13. Services of a professional registered nurse (R.N.) and of a licensed practical nurse (L.P.N.) duly licensed under the laws of the State where the service is rendered, when medically necessary and prescribed by a physician, provided the nurse(s) are not related to the Covered Person by blood, marriage, or adoption;

14. Services rendered by a doctor of dentistry duly licensed under the laws of the state where the service is rendered for the treatment of accidental injuries to a Covered Person's

sound, natural teeth, when treatment commences within 90 days of such injury or for treatment to other than teeth or gum structures;

15. Rental or purchase of supportive or corrective medical equipment such as a wheel chair, hospital-type bed, trusses, and braces required for the treatment of an injury or illness and prescribed by a physician;

16. Initial prosthetic appliances required as a result of conditions caused only by accidental injury or illness. Subsequent prosthetic appliances shall be eligible only when deemed medically necessary by the attending physician;

17. Professional ambulance service, when used to transport the Covered Person from the place where he is injured by an accident or stricken by a disease, to the first hospital where treatment is given — but no other charge for transportation or travel. In no case will more than \$30.00, less any amount paid under Basic Benefits, be considered as covered medical expense;

18. The first pair of eyeglasses or lenses required as a result of cataract surgery performed while the coverage was in force as to such person;

19. The first two pairs of surgical support hose if deemed by a physician to be medically necessary for the treatment of a physical condition i.e., phlebitis or varicose veins. Additional surgical support hose may be considered an eligible expense at the rate of one pair per six-month period, providing the attending physician considers the continued use of such hose medically necessary for the treatment of the Covered Person.

20. Orthopedic shoes prescribed by a physician and specially built for a Covered Person. Eligible expenses shall not include wedges, cookies, arch supports, or shoes purchased from a shoe store without being specially built; and

21. Acupuncture when rendered by a physician duly licensed under the laws of the state where the service is rendered.

H. Coverage After Termination of Major Medical Benefits — If coverage with respect to a Covered Person terminates while he is totally disabled, any benefits provided under this Article 3, Section II, Major Medical Benefits, for the Covered Person, but for no other family member, will continue to be available for expenses incurred prior to the date of termination and during the uninterrupted continuance of such total, whole, and continuous disability but not beyond the end of the calendar year in which the termination occurred.

I. Treatment of Alcoholism as a Resident Patient — When alcoholism requires the Covered Person to incur expenses while confined as a resident patient at a facility which meets the definition of hospital as defined in Article I, Section I (P), of this contract, the Program will pay benefits in accordance with the Basic Benefits and Major Medical Benefits sections of this contract (Article 3).

When alcoholism requires the Covered Person to be confined as a resident patient in a facility licensed by the Joint Commission on the Accreditation of Hospitals but which does not otherwise meet the definition of hospital as defined in Article I, Section I (P), the Program will pay 50 percent of all eligible expenses, including those of a physician, following the satisfaction by the Covered Person of a separate \$100.00 deductible. This deductible will be in addition to any deductible required under any other provision of this contract. Eligible expenses shall not include:

1. Room and board charges in excess of the maximum amount as specified under Major Medical Benefits in the Schedule of Benefits;

2. Transportation; or

3. Education and rehabilitation material and supplies.

Benefits provided under this provision shall be in lieu of any other benefits of this contract.

## III. CATASTROPHIC ILLNESS ENDORSEMENT

A. Optional at the Election of the Employee — The definitions

indicated in Article I, Section I, entitled "Definitions," are also applicable to the Catastrophic Illness Endorsement. These catastrophic illness benefits are paid prior to benefits available under all other provisions of this contract.

These Benefits will be provided only to those persons who elect this coverage and agree to pay the additional premium therefor. Only those employees and dependents who are covered for Basic Benefits and Major Medical Benefits under this Article 3 (except dependent parents as defined in Article I, Section I, entitled "Definitions"), are eligible for enrollment. An employee or dependent may select coverage under this benefit within 30 days of the date of employment without evidence of good health. If this endorsement is not elected within this 30 day period, the employee or dependent must furnish, without expense to the Program, satisfactory evidence of good health before the coverage will become effective. The effective date of such optional benefits will be determined by the Program following the receipt, by the Program, of a fully completed Statement of Health and any other medical records or statements deemed necessary by the Program.

Only dependents of Covered Employees who elected to participate in the Catastrophic Illness Endorsement shall be considered eligible dependents for purposes of this Article 3, Section III, Catastrophic Illness Endorsement.

**B. Diseases Included** — Benefits will be payable under this provision if, on or after the effective date of the Covered Person's coverage under the policy, such person contracts one of the following diseases:

1. Cancer
2. Poliomyelitis (polio)
3. Leukemia
4. Diphtheria
5. Smallpox
6. Scarlet fever
7. Tetanus (lockjaw)
8. Spinal meningitis
9. Encephalitis (sleeping sickness)
10. Tularemia
11. Hydrophobia (rabies)
12. Sickle cell anemia

**C. Cancer Limitation** — No benefits will be provided hereunder due to, or as a result of cancer if:

1. The Covered Person has ever had cancer before the effective date of his coverage under this provision; or
2. Until after pathological diagnosis thereof as cancer.

**D. Maximum Amounts Payable and Benefit Periods**

1. With respect to all diseases listed above, *except cancer* — The maximum liability of the Program under Section III, E (1), below will be 70 percent of the applicable maximum amount payable as stated in the Schedule of Benefits for any one disease, and the maximum liability of the Program under Section III, E (2), below will be 30 percent of the applicable maximum amount payable as stated in the Schedule of Benefits for any one disease. Benefits shall be available for expenses incurred during the three-year period immediately following the diagnosis of any of the named diseases, and not thereafter. In the event a Covered Person has received the maximum amount payable described herein for any one disease, such person shall become eligible for benefits under the Basic Benefits and Major Medical Benefits sections of the Plan, to the extent that such benefits remain unpaid.

2. With respect *only to cancer* — The maximum liability of the Program under Section III, E(1), below will be 70 percent of the applicable maximum amount payable stated in the Schedule of Benefits during the LIFETIME of the Covered Person, and the maximum liability of the Program under Section III, E(2) below will be 30 percent of the applicable maximum amount payable stated in the Schedule of Benefits during the LIFETIME of the Covered

Person. In the event a Covered Person has received the maximum amount payable described herein for cancer, such person shall become eligible for benefits under the Basic Benefits and Major Medical Benefits sections of the Plan, if any.

**E. Benefits**

1. **In-Patient Benefits** — When a Covered Person receives care and treatment in a hospital for any of the diseases indicated above, and such care and treatment is rendered at the direction of a physician while this coverage is in force as to such person, the Program will pay the reasonable expense actually incurred for any of the following listed services, but not to exceed the maximum amount payable or benefit period specified in the Schedule of Benefits:

- a. Hospital service, including room, board, care by regular hospital attendants, and any hospital apparatus used in the treatment of such disease;
- b. Group or special nursing services — the usual and customary charge for, but not more than three, registered nurses or licensed practical nurses per day, when medically necessary and prescribed by a physician, provided the nurse(s) are not related to the Covered Person by blood, marriage or adoption;
- c. Use of support and mechanical apparatus used in treatment;
- d. Blood transfusions — all charges for blood or plasma and transfusion services;
- e. Drugs and medicines — all expenses incurred for medicines used in the treatment of the disease; and
- f. X-ray and physiotherapy — all such services required for diagnosis and treatment.

1. **Physiotherapy** — all charges for such services rendered by physicians or physiotherapists who are members of or are eligible for membership in the American Physical Therapy Association; and

2. **X-ray** — all charges for such services prescribed by a physician and required for diagnosis and treatment.

2. **Out-Patient Benefits and Professional Services** — When a Covered Person receives care and treatment for any of the diseases indicated above, and such care and treatment is rendered at the direction of a physician while this coverage is in force as to such person, the Program will pay the reasonable expense actually incurred for any of the following listed expenses, but not to exceed the maximum amount payable or benefit period specified in the Schedule of Benefits.

a. Professional fees of the attending physician, consulting physicians, and medical specialist;

b. Professional fees of anesthesiologists not employed by a hospital;

c. Special nursing services — the usual and customary attendance at the patient's home by not more than three registered nurses or licensed practical nurses per day, when medically necessary and prescribed by the physician, provided the nurse(s) are not related to the Covered Person by blood, marriage, or adoption;

d. Drugs and medicines — all expenses incurred for medicines requiring a prescription, used on an out-patient basis for the treatment of the disease;

e. Transportation — the fare for conveyance of the Covered Person and one medical attendant by ambulance, rail, air, or other public carrier directly to any hospital, when the attending physician considers such trip and mode of travel necessary to the proper treatment of the disease; and

f. Orthopedic appliances — the cost of braces, crutches, and one wheel chair.

#### IV. MEDICARE REDUCTION

All benefits for services and supplies payable under all sections of this policy will be reduced when benefits are paid or payable through any present or future laws enacted by the Con-

gress of the United States including but not limited to Public Law 89-97, known and described as Medicare.

The charge for a service or supply will be reduced by whatever amounts are paid or payable by Medicare. All provisions of this contract, including all limitations and exceptions will be applied to the balance, and benefits will be paid accordingly.

#### V. EXCEPTIONS AND EXCLUSIONS FOR ALL MEDICAL BENEFITS

No benefits are provided under this contract for:

A. Cases covered, in whole or in part, by workmen's compensation program. This applies to compensation provided on an expense incurred basis or blanket settlements for past and for future loss;

B. Services or supplies furnished by the Veterans Administration;

C. Services or supplies furnished under the laws of the United States or any state or political subdivision; provided, however, that benefits otherwise payable under the Plan will be payable if the Covered Person is rendered services, for which he is charged, in a publicly owned charity hospital in the State of Louisiana;

D. Convalescent, custodial, or sanitarium care or rest cures;

E. Services rendered for drug addiction and/or conditions resulting therefrom;

F. Intentionally self-inflicted injuries, injuries sustained while in an aggressor role, or any attempt at suicide;

G. Any medical expense incident with or caused by any attempt at a felony or misdemeanor;

H. Expenses incurred in connection with cosmetic surgery, unless necessary for the prompt repair of a nonoccupational injury or sickness which occurs while coverage is in force;

I. Expenses incurred for orthopedic shoes and related items such as wedges, cookies, arch supports or shoes purchased from a shoe store unless custom built for the Covered Person; or

J. Any expense incurred by a member of a Health Maintenance Organization (HMO).

#### VI. COORDINATION OF BENEFITS

A. Definitions as applied to this provision

1. *Plan* — means any Plan providing benefits or services for or by reasons of medical, dental, or vision care or treatment, or healing under:

a. Group insurance;

b. Group practice, group Blue Cross, group Blue Shield individual practice offered on a group basis, or other group prepayment coverage; and

c. Labor management trustee plans, union welfare plans.

2. *Allowable expense* — means any necessary, reasonable, and customary item of expense, at least a part of which is covered under one of the plans covering the person for whom claim is made.

3. *Claim determination period* — means a calendar year. However, if a person is not eligible for benefits under this Plan during all of the calendar year, then the combining period of such person, as to that year, shall be the total period during which he was eligible for benefits.

4. *Program* — means the State Employees Group Benefits Program.

B. *Primary Plan and Secondary Plan* — All benefits provided under this Article 3, Medical Benefits, are subject to coordination of benefits.

This provision is applicable when the total benefits that would be payable by this plan in the absence of any coordination of benefits provision and the total benefits payable under all other Plans insuring a Covered Person, exceed expense incurred during a claim determination period.

One of the two or more plans involved is the primary plan and the other plan(s) are secondary plan(s). The primary plan pays benefits first and without consideration of the other plan(s). The secondary plan(s) then provide the difference up to, but not to exceed, the total allowable expenses. No plan will pay benefits greater than it would have paid in the absence of coordination of benefits.

*Order of Benefit Determination* — If an individual is covered by more than one plan, the order of benefit determination will be as follows:

1. When one of the two plans providing benefits for an individual has no coordination of benefits provision, the plan without the provision is always primary.

2. When two or more plans covering an individual each include a coordination of benefits provision:

a. The plan covering the individual as an employee is primary and the plan covering the employee as an insured dependent is secondary.

b. If the claimant is a dependent child, the plan covering the father as an employee is primary. The plan covering the mother of the child as an employee, will be secondary.

c. The plan which covers the natural father of a child shall be considered the primary plan and the Plan covering the step-father shall be considered the secondary plan.

d. If the situation not covered by a, b, or c, the plan of the employer which has provided the longest continuous coverage will be primary.

C. *Effect on Benefits* — Benefits paid by the secondary carrier shall be reduced to the extent necessary to assure the payment of up to but not to exceed 100 percent of all allowable expenses. Each benefit of the contract will be reduced by the amount that would have been payable in the absence of this provision.

Benefits not paid due to the application may be accrued for a single claim determination period. Such accrued amounts may be used, with respect to that Covered Person only, to provide additional benefits when the combined payment of the primary plan and all secondary plans does not provide 100 percent reimbursement for all allowable expense. This accrued amount shall not carry over to the next claim determination period.

D. *Right to Receive and Release Information* — The Program may release to, or obtain from any company, organization, or person, without consent of or notice to any person, any information regarding any person which the Program deems necessary to carry out this provision, or like terms of any Plan, or to determine how, or if, they apply. Any claimant under this Plan shall furnish to the Program such information as may be necessary to implement this provision.

E. *Facility of Benefit Payment* — Whenever payments, which should have been made under this Plan in accordance with this provision, have been made under any other plans, the Program shall have the right, exercisable alone and in its sole discretion, to pay over to any organization making such other payments any amounts it shall determine to be warranted in order to satisfy the intent of this provision and amounts so paid shall be deemed to be benefits paid under this Plan. To the extent of such payments, the Program shall be fully discharged from liability under this Plan.

F. *Right of Recovery* — Whenever payments have been made by the Program with respect to allowable expenses in excess of the maximum amount of payment necessary to satisfy the intent of this provision, such excess may be recovered from one or more of the following:

Any persons to, or for, or with respect to whom such payments were made, any other insurance companies, or any other organizations.

G. *Cooperation of Employee* — The employee will furnish the Plan, upon request, any information which the Program may

require to implement this provision. Failure to do so shall constitute reason for denial of benefits.

#### ARTICLE 4

#### UNIFORM PROVISIONS

##### I. STATEMENT OF CONTRACTURAL AGREEMENT

This written contract and the individual application of the Covered Employee constitutes the entire contract between the parties. Any statements made by the employer or by any Covered Employee shall, in the absence of fraud, be deemed representations and not warranties. Such statements made for the purpose of effecting coverage may be used to avoid such coverage or reduce benefits only if contained in a written instrument signed by a representative of the State Employees Group Benefits Program or the Covered Employee.

##### II. DEADLINE FOR FILING CLAIMS

Written notice of accidental injury or sickness upon which a claim may be based must be received by the State Employees Group Benefits Program by 4:30 p.m., close of business, on June 30 next following the end of the calendar year in which the medical expenses were incurred. When June 30 is a non-work day, the deadline is automatically extended to 4:30 p.m. of the next regular workday. Each expense shall constitute a separate claim.

Failure to furnish notice of proof of loss within the time period provided shall not invalidate nor reduce any claim if it shall be shown to the satisfaction of the Program that it was not reasonably possible to furnish such notice, and that such notice of proof was furnished as soon as was reasonably possible.

##### III. CLAIM FORMS

The Program shall furnish the personnel offices of all participant employers with claim forms which must be completed prior to submission of each claim for payment. If the Program receives a bill without a completed claim form, the Program has the right to require additional documentation in order to determine the extent of coverage, if any, under this Plan.

The Program, through its physician, shall have the right and opportunity to examine the Covered Person, whose injury or sickness is the basis of claim, when and as often as it may reasonably require during pendency of the claim under this contract.

##### IV. ANNUAL MEDICAL STATEMENT FOR RECURRING PRESCRIPTION DRUGS

The Program shall require a medical statement signed by a licensed physician, at least once a year, for expenses incurred on a continuing basis for prescription drugs and/or medical supplies.

##### V. RIGHT TO SELECT PHYSICIAN OF CHOICE

The Covered Person shall have the sole right to select his own physician, surgeon, and hospital; and a physician-patient relationship shall be maintained.

##### VI. INTERIM PAYMENT

The Program may, at its option, make interim payment for losses incurred on a continuing basis.

##### VII. WRITTEN NOTICE OF DENIAL OF COVERAGE

In the event that the claim of any person shall be denied in full or in part, the Program shall provide to the claimant, upon request, a written notice setting forth in a manner calculated to be understood by the claimant:

A. The specific reason or reasons for the denial;

B. Specific references to the pertinent provisions of this contract upon which the denial is based;

C. A description of any additional material or information necessary for the Program to reconsider the claim and an explanation as to why such material or information is necessary; and,

D. An explanation of the Program's claim review procedure.

##### VIII. CLAIMS REVIEW AND APPEAL

The Program provides for a Claims Review Committee that meets once each month with the executive director of the Program

as chairman. This board committee is responsible for the interpretation of this contract, as well as reviewing and determining the Program position on appeal claims. Requests for appeal must be submitted in writing by the Covered Employee to the executive director of the Program within 90 days of the denial.

##### IX. PAYMENTS TO BENEFICIARY OR ESTATE

Any benefits payable for expenses incurred prior to the death of a Covered Employee shall require one of the following documents in order to pay benefits to the beneficiary or the estate:

A. A notarized copy of the will;

B. In the absence of a will, a certified copy of the court order appointing an administrator or executor of the estate; or

C. In the absence of a will or an order appointing an executor or administrator, a "Request to Pay Proceeds Form" completed in triplicate and notarized. This form can be obtained from the Group Benefits Program's Office.

##### X. LEGAL LIMITATIONS

A. No legal action shall be brought against the Board of Trustees of the State Employees Group Benefits Program to attempt to recover benefits allegedly payable pursuant to this contract prior to the expiration of 60 days after proof of loss has been filed with the Program in accordance with this contract. No such legal action shall be brought against the Board of Trustees, State Employees Group Benefits Program after the expiration of one year from the filing of the proof of loss with the Program in accordance with this contract.

B. If any time limitation contained in this contract regarding notice, the filing of proof of loss, or the commencement of legal action is less than that mandated by the laws of the state in which the Covered Person resided at the time of the effective date of this contract, such limitation is hereby extended to conform with the minimal statutory time limitation.

##### XI. RIGHT TO AND MEANS OF RECOVERY

A. The Program may recover overpayments, as determined by the claims administrator, from the Covered Employee, hospital, physician, and future claims of the Covered Employee and covered dependents, or any combination thereof.

B. Should legal action be required to recover overpayments made as a result of fraudulent statements or deliberate omissions on the application or claim form or any part thereof, the defendant will be responsible for attorney fees of 15 percent of the overpayment or \$500, whichever is greater. The defendant will also be responsible for court costs and legal interest from date of judicial demand until paid.

James D. McElveen  
Executive Director

#### RULE

##### Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Resolution Adopted by the Louisiana Wildlife and Fisheries Commission at its Regular Meeting held in New Orleans, June 23, 1981.

WHEREAS, the Chairman of the Anacoco-Prairie State Fish and Game Commission has requested commercial nets be prohibited in Lake Vernon, Anacoco Lake, and that portion of Anacoco Bayou between the lakes, all in Vernon Parish, and

WHEREAS, fish population samples taken by the district fisheries biologist indicate a very low population of commercial fish, and

WHEREAS, it is evident there are no viable commercial fisheries due to the scarcity of these commercial species,

THEREFORE, BE IT RESOLVED, the Louisiana Wildlife and Fisheries Commission hereby prohibits the use of all commercial webbing in Anacoco Lake, Lake Vernon, and that portion of

Anacoco Bayou between the lakes. This prohibition will become effective September 1, 1981.

Jesse J. Guidry  
Secretary

### RULE

#### Department of Wildlife and Fisheries Wildlife and Fisheries Commission

##### 1981-82 HUNTING SEASONS

The rules and regulations contained within this digest have been officially approved and adopted by the Louisiana Wildlife and Fisheries Commission under authority vested by Section 115 of Title 56 of the Louisiana Revised Statutes of 1950 and are considered to be in full force and effect in conjunction with all applicable statutory laws. The Secretary of the Louisiana Department of Wildlife and Fisheries has the authority to close or alter seasons in emergency situations in order to protect fish and wildlife resources.

##### RESIDENT GAME BIRDS AND ANIMALS (Shooting hours - one-half hour before sunrise to one-half hour after sunset)

|                                  |   |
|----------------------------------|---|
| Quail:                           | Nov. 26-Feb. 28. Daily bag limit 10, Possession 20.   |
| Rabbit:                          | Oct. 3-Feb. 28. Daily bag limit 8, Possession 16.   |
| Squirrel:                        | Oct. 3-Jan. 10. Daily bag limit 8, Possession 16.   |
| Bear:                            | Oct. 17-Oct. 25. One per season (see schedule).   |
| Deer:                            | One per day, 6 per season (see schedule and map).   |
| Turkey:                          | One per day, 3 per season.  |
| Raccoon and Opossum:             | No closed season. Raccoon bag limit, one per person per night. Can be taken only at night by two or more hunters with one or more dogs and one .22 rimfire rifle. Hunting from boats or motor vehicles prohibited. No limit Dec. 1-Feb. 28. |
| Crows And Blackbirds:            | Considered crop depreddators in Louisiana and may be taken any time; no limit.  |
| Archery Season:                  | Oct. 1-Jan. 17 (See schedule and map).  |
| Commercial Hunting Preserves:    | Oct. 1-Apr. 30. Penraised birds only.   |
| Intensive Deer Management Units: | Supplementary Season Dec. 19 through the last day of deer season in each particular area.   |

##### HUNTING - GENERAL PROVISIONS

TAKING GAME QUADRUPEDS OR BIRDS from aircraft, automobiles or moving vehicles is prohibited.

MIGRATORY GAME BIRDS - Baiting and live decoys are prohibited. Duck and goose hunters 16 years and older must have a signed federal waterfowl stamp available from any U.S. Post Office. Shotguns larger than 10 guage or capable of holding more than three shells are prohibited. Plugs used in guns must be incapable of being removed without disassembling gun. No person shall kill or cripple any migratory game bird without making a reasonable effort to retrieve the bird and include it in the daily bag limit. Shooting waterfowl and other migratory game birds from a moving motorboat is prohibited. A craft under power, however, may be used to retrieve dead or crippled birds.

METHODS OF TAKING RESIDENT GAME BIRDS AND QUADRUPEDS - Use of a longbow (including compound bow) and arrow and a shotgun not larger than a No. 10 guage fired from the shoulder without a rest shall be legal for taking all resident game birds and quadrupeds. Also, the use of a handgun, rifle and falconry (special permit required) shall be legal for taking all game species except turkey.

Shotguns larger than 10 guage or capable of holding more than three shells prohibited. Plugs used in shotguns must be incapable of being removed without disassembly.

Refer to game schedules contained within these regulations for specific restrictions on the use of firearms and other devices.

OUTLAW BIRDS - Crows, red-winged blackbirds (rice birds), English sparrows, starlings, and (when destructive to crops) grackles and other species of blackbirds.

ENDANGERED SPECIES - Wolf, Florida panther (cougar), brown pelican, southern bald eagle, red cockaded woodpecker, peregrine falcon, the American ivory-billed woodpecker and the American alligator in designated portions of Louisiana. Taking or harassment of any of these species, except the alligator in prescribed season, is a violation of federal law.

OUTLAW QUADRUPEDS - Holders of a legal hunting license may take coyotes and armadillos year-round during legal daylight shooting hours. The running of coyotes with dogs from 30 minutes before sunrise to 30 minutes after sunset is prohibited in all turkey hunting areas during the open turkey season.

Foxes and Bobcats are protected quadrupeds and may be taken only by licensed trappers during the trapping season. Remainder of year "chase only" permitted by licensed hunters. The running of foxes and bobcats with dogs from 30 minutes before sunrise to 30 minutes after sunset is prohibited in all turkey hunting areas during the open turkey season.

These regulations are necessary for the proper management of our fur, game and fish in order to assure the trapper, hunter and fisherman a never-ending supply of these valuable resources. Conservation laws are designed by the state or federal government to permit the wise use of our natural resources. Your cooperation is necessary for the success of this conservation program.

##### 1980-81 DEER HUNTING SCHEDULE GENERAL

A. Bag, one legal deer per day, six legal deer per season.

B. A legal buck is a deer with visible antler, hardened bony material having no velvet, broken naturally through the skin. Killing bucks without at least one visible antler as described above and killing doe deer is prohibited except where specifically permitted.

C. Deer hunting restricted to legal bucks only, except where otherwise permitted.

D. Either sex deer is defined as male or female deer. The taking of spotted fawns is prohibited.

E. Muzzleloaders may be used for all game species in season, however, muzzleloading rifles are prohibited for hunting wild turkey.

F. It is illegal to hunt or shoot deer with a rifle smaller than .22 caliber centerfire or a shotgun loaded with anything other than buckshot or rifled slug. Handguns may be used for hunting.

G. Pursuing, driving or hunting of deer with dogs during the still hunting season is prohibited and will be strictly enforced. The training of deer dogs is prohibited in all still hunting areas during still hunting season. Deer hunting with dogs is permitted in all other areas having open deer seasons that are not specifically designated as still hunting only.

H. Areas not specifically designated as open are closed.

I. The running or training of dogs is prohibited in turkey



hunting areas during the open turkey season from 30 minutes before sunrise to 30 minutes after sunset.

J. Archery Season: Still hunting only; Oct. 1-Jan. 17 in all open deer hunting areas, including WMA's, EXCEPT Salvador and Pointe-Au-Chien WMA's. (See schedule). Either sex deer may be taken in all areas open for deer hunting including WMA's, EXCEPT Salvador and Pointe-Au-Chien WMA's. Where a bucks only season is in progress for gun hunting, archers must conform to the bucks only regulations.

**BOW AND ARROW REGULATIONS:** Hunting arrows for deer must have well-sharpened metal broadhead blades not less than seven-eighths inch in width. Bow and arrow fishermen must have a sports fishing license and not carry any arrows with broadhead points unless a big game season is in progress.

It is unlawful:

1. To carry a firearm while hunting with bow and arrow during the special bow and arrow deer season.
2. To have in possession or use any poisoned or drugged arrow, arrows with explosive tips, or any bow drawn, held or released by mechanical means except as specified by law.
3. To hunt deer with a bow having a pull less than 30 pounds.

K. HUNTER ORANGE: Deer hunters (except on property privately owned and legally posted) must wear 400 square inches of "Hunter Orange" material on the head or chest and/or back. Archers are not required to wear "Hunter Orange" if no gun season for deer is in progress. **WARNING:** Deer hunters are cautioned to watch for persons hunting other game or engaged in activities not requiring "Hunter Orange".

L. HUNTING OR DISCHARGE OF FIREARMS: Hunting and/or discharging firearms on public roads or highways is prohibited. Hunting and/or discharging firearms on roads or highways located on public levees or within 100 feet from the center line of such roads or highways is prohibited.

#### DESCRIPTION OF AREAS

Area 1 - 58 days

|                               |                 |
|-------------------------------|-----------------|
| 16 days still hunting only:   | Nov. 7-22       |
| 17 days with or without dogs: | Nov. 27-Dec. 13 |
| 25 days with or without dogs: | Dec. 19-Jan. 12 |

ALL OF THE FOLLOWING PARISHES ARE OPEN:

|            |               |                  |
|------------|---------------|------------------|
| Assumption | Plaquemines   | St. Mary         |
| Concordia  | Pointe Coupee | Tensas           |
| Franklin   | St. Charles   | Terrebonne       |
| Jefferson  | St. John      | West Baton Rouge |
| LaFourche  | Madison       | West Feliciana   |
| Orleans    |               |                  |

PORTIONS OF THE FOLLOWING PARISHES ARE ALSO OPEN:

Ascension - South and west of the Mississippi River and south and east of La. 70 and 22.

Avoyelles - East of La. 29 and 115 lying south of Red River.

Catahoula - East of Boeuf and Ouachita Rivers. South and east of La. 8 from Ouachita River West.

East Baton Rouge - West of U.S. 61 from Thompson Creek to U.S. 190, North of U.S. 190 westward to Mississippi River.

East Carroll - That portion lying south of La. 877 and 580 and west of U.S. 65.

East Feliciana - West of U.S. 61.

Evangeline - East of Ville Platte between La. 29 and U.S. 167.

Iberia - East of U.S. 90 and south of La. 14.

Iberville - West of Mississippi River.

Lafayette - East of U.S. 167 and U.S. 90.

LaSalle - East of Whitehall lying north of U.S. 84 and south

of La. 8. Also the area south of La. 28 and east of Saline Bayou.

Richland - The small portion east of La. 137 and 15 and south of U.S. 80.

St. James - All EXCEPT the small area lying north of La. 70.

St. Landry - East of La. 29 in the northwestern portion; and also east of U.S. 167 southward.

St. Martin - Upper - East of U.S. 90. Lower - ALL.

Vermilion - South of La. 14.

West Carroll - East of La. 17 and South of La. 877.

EXCEPT STILL HUNTING ONLY IN: That portion of West Feliciana west of Thompson Creek to Illinois-Central Railroad, north of Illinois-Central Railroad to Parish Road 7, east of Parish Road 7 to the junction of U.S. 61 and La. 966, east of La. 966 from U.S. 61 to Chaney Creek, south of Chaney Creek to Thompson Creek.

EXCEPT STILL HUNTING ONLY IN: Portions of Richland and Franklin north and west of La. 4 and 17, south of U.S. 80, and east of La. 137 and 15.

EXCEPT STILL HUNTING ONLY IN: That portion of St. John south of Pass Manchac from Lake Pontchartrain to U.S. 51, east of U.S. 51 from Pass. Manchac to La. 638 (Frenier Beach Road). North of La. 638 from U.S. 51 to Lake Pontchartrain. West of Lake Pontchartrain from La. 638 to Pass Manchac.

ALSO, that portion of Plaquemines east of the Mississippi River from the termination of La. 39 on the northern boundary of Bohemia WMA to the lower end of the parish, west of the Mississippi River between the Mississippi River Levee and the back levee from Port Sulphur to Empire and from lower Doullut Canal or Empire-Gulf Waterway to the lower end of the parish.

ALSO, that portion of St. Landry surrounding Thistlethwaite WMA bounded north and east of La. 359, west by La. 10, and south by La. 103, which has the same season as Thistlethwaite WMA.

#### EITHER SEX HUNTING

ASCENSION:

Four days; Nov. 21 and Nov. 27-29, in that portion of the parish lying west of the Mississippi River.

ASSUMPTION, IBERIA, JEFFERSON, LAFOURCHE, ORLEANS, PLAQUEMINES, ST. CHARLES, ST. JAMES, ST. JOHN, ST. MARTIN (Lower), ST. MARY and TERREBONNE:

Four days; Nov. 21 and Nov. 27-29.

AVOUELLES:

Two days; Nov. 21 and Nov. 27, in the portion bounded on the north and east by the Atchafalaya and Red Rivers, on the south by La. 1 from Simmesport to Marksville, and on the west by La. 115, from Marksville to Red River. EXCEPT that portion surrounding Pomme De Terre WMA, bounded on the north, east and south by La. 451 and on the west by La. 1 which shall be BUCKS ONLY.

CONCORDIA, MADISON AND TENSAS:

Three days; Nov. 21 and Nov. 27-28 EXCEPT ten days Nov. 27-Dec. 6, in those portions known as Paw-Paw Island and Togo Island.

EAST BATON ROUGE and EAST FELICIANA:

Two days; Nov. 21 and 27, in that portion of East Feliciana and East Baton Rouge south of Thompson Creek from U.S. 61 to the Mississippi River, east of the Mississippi River from Thompson Creek to U.S. 190, north of U.S. 190 to U.S. 61, west of U.S. 61 from U.S. 190 to Thompson Creek.

EAST CARROLL:

Three days; Nov. 21 and 27-28 in that portion south of La. 877 and La. 580 and west of U.S. 65.

EAST FELICIANA: (See EAST BATON ROUGE)

EVANGELINE:

Four days; Nov. 21 and Nov. 27-29 in that portion east of Ville Platte, south of La. 29 and north of U.S. 167.



**FRANKLIN:**

Two days; Nov. 21 and 27, east of La. 17, south of Martin Road 5530, west of Bayou Macon, and Cut-Off No. 3, north of parish road 5504 (Bakers Rd.)

**IBERIA:** (See ASSUMPTION)

**IBERVILLE:** (west of Mississippi River)

Ten days; Nov. 21 and Nov. 27-Dec. 5, in that portion of parish bounded on the north by I-10, on the south and west by the Iberville Parish line, and on the east by Bayou Grosse Tete and Lower Grand River. EXCEPT that area contained in the above description which is bounded on the north by I-10, on the west by the entrance canal, on the south by Upper Grand River and on the east by the East Atchafalaya Protection Levee, which shall be four days; Nov. 21 and Nov. 27-29.

Ten days; Nov. 21 and Nov. 27-Dec. 5, on those lands known as the Bayou Goula Club and the St. Louis Club that lie north of La. 404 and east of La. 75.

In the remainder of the parish either sex deer may be taken Nov. 21 and Nov. 27-29.

**JEFFERSON and LaFOURCHE:** (See ASSUMPTION)

**PLAQUEMINES:** (See ASSUMPTION)

**POINTE COUPEE:**

Four days, Nov. 21 and Nov. 27-29, in that area south of La. 10 and La. 1 from Morganza to New Roads. West of La. 1 from New Roads to Parlange Lane and La. 78. West of La. 78 from La. 1 to U.S. 190 at Livonia, east of La. 77 and 10 from Livonia to Morganza EXCEPT that area contained in the above description in T.4S, R.8E, Sections 76, 78, 79, 82 and E½ of Section 43, and Sections 44, 45, 46, 47, 48 and 49 which shall be 17 days, Nov. 27-Dec. 13.

Four days, Nov. 21 and Nov. 27-29 in that portion bounded on the west by the Atchafalaya River from La. 1 to the Texas Eastern Pipeline, on the south by the Texas Eastern Pipeline from the Atchafalaya River to the East Atchafalaya Protection Levee on the east by the East Atchafalaya Protection Levee from the Texas Eastern Pipeline to Morganza, on the north and east by La.1 from Morganza to the Atchafalaya River.

Four days, Nov. 21 and Nov. 27-29 in that portion bounded on the north by the south boundary of the Lottie Hunting Club, on the east by the East Atchafalaya Floodway Levee, on the west by the Atchafalaya River and on the south by the Iberville-St. Martin Parish Line.

Four days, Nov. 21 and Nov. 27-29 in that portion of the parish lying north and east of La. 1 and La. 15 from Morganza to the Pointe Coupee-West Feliciana Parish line.

Two days, Nov. 21 and Nov. 27, in that portion of the parish lying north of La. 1 and west of La. 15.

Two days, Nov. 21 and Nov. 27, in that portion of the parish bounded on the north and east by La. 1, from Oscar to U.S. 190, south of U.S. 190 to the West Baton Rouge Parish line, bounded on the south and east by the Iberville-West Baton Rouge Parish line, on the west by La. 411 from the Iberville Parish line northward to U.S. 190, south of U.S. 190 from La. 411 to La. 978, east of La. 978 from U.S. 190 to Oscar.

Ten days, Nov. 21 and Nov. 27-Dec. 5, in that portion bounded on the north by the Texas Eastern Pipeline, on the east by the East Atchafalaya Floodway Levee, on the south by U.S. 190 and on the west by the Atchafalaya River.

**ST. CHARLES, ST. JAMES AND ST. JOHN:** (See ASSUMPTION)

**ST. LANDRY:**

One day, Nov. 27, in that portion surrounding Thistlethwaite WMA bounded north and east by La. 359, west by La. 10 and south by La. 103.

Four days, Nov. 21 and Nov. 27-29, in all the parish EXCEPT that portion surrounding Thistlethwaite WMA as de-

scribed above and those portions of the parish west of U.S. 167. **ST. MARTIN (Upper):**

Four days, Nov. 21 and Nov. 27-29 in all of the upper St. Martin east of the West Atchafalaya Floodway Levee.

One day, Nov. 27 in that portion bounded on the north by I-10, on the west by the Missouri Pacific Railroad, on the south by La. 96, and on the east by the West Atchafalaya Protection Levee.

**ST. MARTIN (lower), ST. MARY and TERREBONNE:** (See ASSUMPTION)

**VERMILION:**

Four days, Nov. 21 and Nov. 27-29, in that portion lying south of La. 14.

**WEST BATON ROUGE:**

Ten days, Nov. 21 and Nov. 27-Dec. 5, in that portion bounded on the north by I-10, on the east by Bayou Choctaw from I-10 to the Texas Pacific Railroad, and by the Texas Pacific Railroad from Bayou Choctaw to the Iberville line, and on the south and west by the Iberville line.

Two days Nov. 21 and Nov. 27 in the remainder of the parish EXCEPT that portion bounded on the north by La. 76, on the west by Bayou Choctaw and on the south by the Intracoastal Waterway.

**WEST FELICIANA:**

Four days, Nov. 21 and Nov. 27-29 in that portion west of the eastern right-of-way boundary of the abandoned L&A Railroad Grade from St. Francisville to Como Bayou, south of Como Bayou westward to the Mississippi River, east of main channel of Mississippi River from Como Bayou southward to La. 10, west of La. 10 from main channel of Mississippi River to St. Francisville.

Three days, Nov. 21 and Nov. 27-28 in the remainder of parish, EXCEPT Raccourci and Turnbull Islands.

Four days, Nov. 21 and Nov. 27-29 in that portion known as Raccourci Island.

Three days, Nov. 21 and Nov. 27-28 in that portion known as Turnbull Island.

**Area 2 - 52 days**

|                               |                 |
|-------------------------------|-----------------|
| 19 days still hunting only:   | Nov. 7-25       |
| 17 days with or without dogs: | Nov. 27-Dec. 13 |
| 16 days with or without dogs: | Dec. 19-Jan. 3  |

**ALL OF THE FOLLOWING PARISHES ARE OPEN:**

|           |              |           |
|-----------|--------------|-----------|
| Bienville | Grant        | Red River |
| Bossier   | Jackson      | Sabine    |
| Caddo     | Lincoln      | Union     |
| Caldwell  | Morehouse    | Webster   |
| Claiborne | Natchitoches | Winn      |
| DeSoto    | Ouachita     |           |

**PORTIONS OF THE FOLLOWING PARISHES ARE ALSO OPEN:**

Allen - North of U.S. 190.  
Avoyelles - West of La. 29 and 115 and north of Red River.  
Beauregard - That portion north of U.S. 190 and east of U.S. 171-190 to Longville, south of Longville Gravel Pit Road to La. 113, east of La. 113 and north of La. 394 to U.S. 171-190. East of U.S. 171-190 to junction of La. 112 and south of La. 112 and 113.

Catahoula - West of Boeuf and Ouachita Rivers, and north and west of La. 8 from Ouachita River west.

Evangeline - ALL EXCEPT that portion east of Ville Platte between La. 29 and U.S. 167.

Jefferson Davis - North of U.S. 190.

LaSalle - ALL EXCEPT that area east of Whitehall lying north of U.S. 84 and south of La. 8. Also EXCEPT that portion south of La. 28 and east of Saline Bayou.

Rapides - North of La. 465, east of La. 121 and 112, and all south of La. 113.

Richland - West of Bayou Macon and North of U.S. 80 and also west of La. 137 and 15 and Big Creek southward from U.S. 80.

St. Landry - That portion west of La. 29. South and west of U.S. 167 and north of U.S. 190.

Vernon - East and south of La. 113, north of La. 465, west of La. 117, and north of La. 8.

West Carroll - ALL EXCEPT that portion east of La. 17 and south of La. 877.

#### EITHER SEX HUNTING

BIENVILLE, BOSSIER, CADDO, CLAIBORNE, DESOTO, WINN, GRANT, JACKSON, LINCOLN, NATCHITOCHEs, RAPIDES, RED RIVER, SABINE, UNION, VERNON and WEBSTER:

Two days, Nov. 21 and Nov. 27.

ALLEN:

Two days, Nov. 21 and Nov. 27 in that portion west of U.S. 165 south from Rapides Parish to Oakdale. North of La. 10 from Oakdale to Elizabeth and north of La. 112 from Elizabeth to Sugartown.

ALSO, in that portion west of La. 113, south of Dry Creek to Reeves, north of U.S. 190 from Reeves to Ragley.

BEAUREGARD:

Two days, Nov. 21 and Nov. 27 in that portion north of U.S. 190 from Reeves to Ragley, East of U.S. 171-190 to Longville, south of gravel pit road to La. 113, west of La. 113 from Dry Creek to Reeves. ALSO, that portion north of La. 112 from Elizabeth to Sugartown and east of La. 113 from Sugartown to Pitkin.

CALDWELL and OUACHITA:

One day, Nov. 21, west of Ouachita River southward from Ouachita line to Columbia, west of U.S. 165 from Columbia southward.

MOREHOUSE:

Four days, Nov. 21 and Nov 27-29, north of La. 134 from Oak Ridge to Lake Irwin Road (Parish Rd. 5503). West of Lake Irwin Road to Texas Eastern Pipeline. North of Texas Eastern Pipeline to Swan Lake Road (Parish Rd. 8803). East of Swan Lake Road to La. 134, south of La. 134 from Swan Lake Road to La. 138, east of La. 138 from La. 134 to Collinston, south of Belle Road (Parish Rd. 8604) from Collinston to La. 133, west of La. 133 from Belle Road to Oak Ridge. And ALSO in that portion of Morehouse south and west of Par. Rd. 1302 from U.S. 165 to Staulkinhead Creek, north and west of Staulkinhead Creek from Par. Rd. 1302 to south line of Hart Property (Sec. 7 and 8, T20N, R5E) and Par. Rd. 1110, north of south line of Hart Property and Par. Rd. 1110 from Staulkinhead Creek to U.S. 165, west of U.S. 165 from Par. Rd. 1110 to Par. Rd. 1107, north and east of Par. Rd. 1107 from U.S. 165, west of U.S. 165 from Bayou Bartholomew to Par. Rd. 1302.

OUACHITA: (See CALDWELL) 19 days still hunting only:

17 days with or without dogs: Nov. 27-Dec. 13

16 days with or without dogs: Dec. 19-Jan. 3

19 days still hunting only: Nov. 7-25

PORTIONS OF THE FOLLOWING PARISHES ARE OPEN:

Beauregard - West of La. 27 northward to DeRidder and south of U. S. 190 and west of La. 111.

Calcasieu - West of La. 27 and north of U. S. 90 from Sulphur to Texas state line.

Area 4 - 54 days

19 days still hunting only: Nov. 7-25.

10 days with or without dogs: Nov. 27-Dec. 6.

25 days with or without dogs: Dec. 19-Jan. 12.

ALL OF THE FOLLOWING PARISHES ARE OPEN:

St. Helena, Tangipahoa, St. Tammany, Washington.

PORTIONS OF THE FOLLOWING PARISHES ARE OPEN:

Ascension - East of the Mississippi River and west and north of La. 70 and 22.

East Baton Rouge - ALL EXCEPT that portion west of U.S. 61 from Thompson Creek to U.S. 190 and north of U.S. 190 westward to Mississippi River.

East Feliciana - East of U.S. 61.

Iberville - East of the Mississippi River.

Livingston - ALL EXCEPT that portion east of La. 447 from I-12 southward to La. 16, east of La. 16 from Port Vincent to French Settlement, north of La. 444 from French Settlement to Horse Bluff Landing Road to Tickfaw River, west of Tickfaw River from Horse Bluff Landing northwest to I-12, south of I-12 from Tickfaw River to La. 447.

St. James - That portion north and west of La. 70.

EXCEPT STILL HUNTING ONLY IN: That portion of Washington and St. Tammany Parishes east of La. 21 from the Mississippi state line to the Bogue Chitto River, north of the Bogue Chitto River from La. 21 eastward to the Pearl River Navigation Canal, east of the Pearl River Navigation Canal southward to the West Pearl River, north of the West Pearl River from the Pearl River Navigation Canal to Holmes Bayou, west of Holmes Bayou from the West Pearl River northward to the Pearl River, west of the Pearl River from Holmes Bayou northward to the Mississippi state line, south of the Mississippi state line, south of the Mississippi state line from the Pearl River westward to La. 21.

EXCEPT STILL HUNTING ONLY IN: East Feliciana Parish east of Thompson Creek from the Mississippi State Line to La. 10. North of La. 10 from Thompson Creek to La. 67 at Clinton, West of La. 67 from Clinton to Mississippi state line. South of Mississippi state line from La. 67 to Thompson Creek. Also that portion of East Baton Rouge and East Feliciana Parishes east of La. 67 from La. 64 north to La. 959, south of La. 959 to La. 63, west of La. 63 to Amite River, west of Amite River southward to La. 64, north of La. 64 to La. 37 at Magnolia, east of La. 37 northward to La. 64 at Indian Mound, north of La. 64 from Indian Mound to La. 67.

#### EITHER SEX HUNTING

EAST FELICIANA AND EAST BATON ROUGE:

Two days, Nov. 21 and 22 in that portion south of Mississippi state line from La. 67 eastward to east fork of Amite River, west of East Fork of Amite River southward to Bayou Manchac, north of Bayou Manchac westward to La. 30, east of La. 30 northward to La. 73 in Baton Rouge, south of La. 73 in Baton Rouge eastward to La. 67, east of La. 67 northward to Mississippi state line.

Area 5 - 52 days

19 days still hunting only:

Nov. 7-25

17 days still hunting only:

Nov. 27-Dec. 13

16 days still hunting only:

Dec. 19-Jan. 3.

ALL OF CAMERON PARISH IS OPEN.

PORTIONS OF THE FOLLOWING PARISHES ARE ALSO OPEN:

Acadia - South of U.S. 190.

Allen - South of U.S. 190.

Beauregard - South of U.S. 190 to Ragley; west of U.S. 171-190 from Ragley to Longville; north of Longville Gravel Pit Road to La. 113; west of La. 113 and south of La. 394 to U.S. 171-190; west of U.S. 171-190 to the junction of La. 112. North and west of La. 112 and 113; also east of La. 27 northward to DeRidder and north of U.S. 190 and east of La. 111.

Calcasieu - ALL EXCEPT that portion west of La. 27 and north of U.S. 90 from Sulphur to Texas state line.

Iberia - West of U.S. 90 and north of La. 14.  
 Jefferson Davis - South of U.S. 190.  
 Lafayette - West of U.S. 167 and U.S. 90.  
 Rapides - South of La. 465, west of La. 121 and La. 112,  
 and north of La. 113.  
 St. Landry - West of U.S. 167 and south of U.S. 190.  
 St. Martin - West of U.S. 90.  
 Vermilion - North of La. 14.  
 Vernon - West and north of La. 113, south of La. 465, east  
 of La. 117, and south of La. 8.

**EITHER SEX HUNTING**

PORTIONS OF THE FOLLOWING PARISHES ARE OPEN:  
 ALLEN, BEAUREGARD, CALCASIEU, JEFFERSON  
 DAVIS, RAPIDES and VERNON:

Two days, Nov. 21 and Nov. 27 in those portions of the  
 foregoing parishes within Area 5.

Area 6 - 33 days  
 17 days with or without dogs: Nov. 27-Dec. 13.  
 16 days with or without dogs: Dec. 19-Jan. 3.

PORTIONS OF EAST CARROLL AND WEST CARROLL ARE  
 OPEN:

East Carroll - All north of La. 877 and La. 580 and east of  
 U.S. 65.

West Carroll - All lying north of La. 877 and east of La. 17.

**EITHER SEX HUNTING**

**EAST CARROLL:**

First two days of the first segment, Nov. 27-28 in that  
 portion east of the main line Mississippi River Levee from Lake  
 Providence Port south to the Madison Line, EXCEPT five days  
 Nov. 27-Dec. 1 in those portions known as Henderson Island,  
 Willow Point and Newman Towhead.

Area 7 - 19 days  
 9 days still hunting only: Nov. 7-Nov. 15.  
 10 days with or without dogs: Nov. 27-Dec. 6.  
 All of St. Bernard Parish is open.

**1982 TURKEY SEASON SCHEDULE  
 GENERAL**

Daily limit one gobbler. Season limit three gobblers. Still  
 hunting only. Dogs, baiting, electronic calling devices and live  
 decoys are illegal. Turkeys may be hunted with shotguns and  
 longbows and arrows but by no other means. Shooting turkeys  
 from moving or stationary vehicles is prohibited. Running or train-  
 ing of dogs is prohibited in any turkey hunting area during the open  
 turkey season.

**TURKEY SEASON**

Open Only in the Following Areas

AREA A - 37 days. Mar. 20-Apr. 25.  
 ALL OR PORTIONS OF THE PARISHES DESCRIBED  
 AS FOLLOWS ARE OPEN:  
 Allen - West of U.S. 165 southward to La. 26, north of La.  
 26.  
 Beauregard - North and west of U.S. 190 and north of La.  
 26.  
 Bienville - East of La. Hwy. 7.  
 Caldwell - West of Ouachita River southward to U.S. 165 at  
 Columbia; east of U.S. 165 from Columbia to La. 4; south of La. 4  
 and west of Boeuf River, east and north of La. 126; also south and  
 west of La. 127.  
 Catahoula-west of Boeuf River to Ouachita River, west of  
 Ouachita River southward to La. 8 at Harrisonburg and north of  
 La. 8 to La. 126; north and east of La. 126.

Claiborne - All of Claiborne Parish east of U.S. Hwy. 79.  
 Grant - ALL.  
 Jackson - ALL EXCEPT a portion lying east of La. 144 and  
 north of La. 34, which is CLOSED.

LaSalle - That area north and east of La. 126 between  
 Rosefield and Holum; also that portion lying east of Little River,  
 west of La. 127 to Jena, south of U.S. 84 to junction of U.S. 165 in  
 Tullos, south and east of U.S. 165 to Little River, and also that  
 portion west of La. 127 from Caldwell line to Olla and north of La.  
 125, 124, and Castor Creek westward to Winn line.

Lincoln - ALL.

Natchitoches - ALL EXCEPT those portions lying between  
 U.S. 84 and Red River from Campiti northward, and north of La.  
 174 from Lake End to Pleasant Hill.

Ouachita - All West of Ouachita River.

Rapides - North of La. 28 from Saline Bayou to Alexandria,  
 west of U.S. 165 from Alexandria southward.

Red River - East of La. Hwy. 7, and north and east of U.S.  
 Hwy. 84 from Coushatta southward.

Sabine - South of La. 174 at Toledo Bend Lake to U.S. 171  
 at Converse, west and south of U.S. 171 to La. 175 at Many, east  
 of La. 175 from Many northward to Pleasant Hill and south of La.  
 174 from Pleasant Hill eastward.

Union - ALL.

Vernon - ALL.

Webster - ALL of Webster Parish east of U.S. Hwy. 79 and  
 La. Hwy. 7 from Minden southward to Bienville Line.

Winn - ALL EXCEPT a small portion east of Sikes lying  
 south of La. 126 and north of La. 127, which is CLOSED.

AREA B - 37 days. Mar. 20-Apr. 25.

PORTIONS OF THE FOLLOWING PARISHES ARE  
 OPEN:

Catahoula, Concordia, Franklin, Madison, and Tensas -  
 South of U.S. 80 from Mississippi River to La. 17, east of  
 La. 17 and La. 15 from Delhi to Winnsboro to Clayton; west of  
 U.S. 65 from Clayton to junction of La. 128, north of La. 128 to St.  
 Joseph; west and north of La. 605, 604, and 3078 northward to  
 Port Gibson Ferry. Including all lands in Tensas and Madison  
 Parishes lying east of the main channel of the Mississippi River.

AREA C - 37 days. Mar. 20-Apr. 25.

ALL OR PORTIONS OF THE FOLLOWING PARISHES  
 DESCRIBED AS FOLLOWS ARE OPEN:

East Baton Rouge - All north of I-12 to Junction with I-10,  
 north of I-10 to Mississippi River.

East Feliciana - ALL.

Livingston - North of I-12.

St. Helena - ALL.

St. Tammany - ALL.

Tangipahoa - ALL.

Washington - ALL.

West Feliciana - All east of the Mississippi River.

AREA D - 37 days. Mar. 13-Apr. 18.

Within Pointe Coupee, Iberville and upper St. Martin  
 bounded on the north by La. 1 and the North Morganza Floodway  
 Levee; on the south by I-10; on the east by the East Atchafalaya  
 Basin Protection Levee; and on the west by the Atchafalaya River.

AREA E - 28 days. Apr. 3-Apr. 30.

Within East Carroll lying east of the main line (New) Missis-  
 sippi River Levee from the Arkansas State Line to the Madison  
 Parish line.

AREA F - 23 days. Mar. 20-Apr. 11.

PORTIONS OF THE FOLLOWING PARISHES ARE  
 OPEN:

Ascension Iberia

Assumption Iberville  
Terrebonne St. Mary  
Lower St. Martin LaFourche

North of La. 20 and U.S. 90 from Catahoula to Morgan City; east of the East Atchafalaya Basin Protection Levee from Morgan City to the town of Pigeon; east of La. 75 from Pigeon to La. 1; south and west of La. 1 from La. 75 to La. 309; west of La. 309 from La. 1 to Catahoula.

AREA G - 23 days. Mar. 20-Apr. 11.

PORTIONS OF THE FOLLOWING PARISHES ARE OPEN:

West Feliciana - That portion known as Raccourci Island.

Pointe Coupee - That portion south of La. 10 and 1 from Morganza to New Roads. West of La. 1 from New Roads to Parlange Lane and La. 78. West of La. 78 from La. 1 to U.S. 190 at Livonia. East of La. 77 and 10 from Livonia to Morganza, and east of La. 1 and La. 418 northward from Morganza to La. 15.

AREA H - 16 days. Mar. 20-Apr. 11.

That portion of St. Landry, bounded on the north by U.S. 190, on the east by Atchafalaya River, on the south by the St. Landry Parish Line, and on the west by the Grimmet Canal and Bayou Fordoche.

#### BEAR SEASON

Nine days: Oct. 17-25, with or without dogs. Taking cub bears is prohibited.

That part of the Atchafalaya Floodway in portions of St. Landry, St. Martin, Iberville, and Pointe Coupee. Bounded on the north by La. 10, and the east by East Atchafalaya Basin Protection Levee, on the south by I-10, and on the west by West Atchafalaya Basin Protection Levee.

Special Inclusion for Department Action (not to be printed in regulation brochure).

ARMY AMMUNITION PLANT, Minden, Louisiana (Webster Parish)

DEER - Either sex deer shall be legal throughout the entire Area 2 season, or portion thereof as permitted by the Base Commander. All other game same as outside or as permitted by the Base Commander.

BARKSDALE AIR FORCE BASE: Bossier City, Louisiana (Bossier Parish)

DEER - Either sex deer shall be legal throughout the entire scheduled Area 2 season, or portions thereof as permitted by the Base Commander. All other game same as outside or as permitted by the Base Commander.

EVERY ISLAND: (Iberia Parish) - Either sex deer shall be legal throughout the entire scheduled Area 1 season.

#### FOR COMMISSION ACTION

WHEREAS, the Pearl River Wildlife Management Area has experienced severe flooding for the past two years, and

WHEREAS, such flooding inundates all of the land on the management area, with the exception of Old Highway 11, making hunting impossible, and

WHEREAS, Highway 11 is the only road leading into the management area, and

WHEREAS, game animals use Highway 11 to escape the flooding, and

WHEREAS, vehicles coming into the management area chase the game off the road and into the water,

NOW, THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission authorizes the closure of the Pearl River Wildlife Management Area to hunting and the barricading of Old Highway 11 when the river stage reaches a 16.5 foot reading at Pearl River, Louisiana.

BE IT FURTHER RESOLVED that the Louisiana Wildlife

and Fisheries Commission authorizes Department Personnel to reopen the area for hunting and other activities once the river falls below the 16.5 foot reading.

1981-82

#### WILDLIFE MANAGEMENT AREA REGULATIONS GENERAL

The following rules and regulations concerning the management, protection and harvest on wildlife management areas have been officially approved and adopted by the Louisiana Wildlife and Fisheries Commission in accordance with the authority provided in Louisiana Revised Statutes of 1950, Section 109 of Title 56. Failure to comply with these regulations will subject individual to citation and/or expulsion from the management area.

Wildlife management area seasons can be altered or closed anytime by the Department in emergency situations (floods, fires or other critical circumstances).

Lands within WMA boundaries will have same seasons and regulations as the management area with which they are associated.

Dumping garbage or trash on WMA's except in designated locations is prohibited.

Disorderly conduct or hunting under influence of alcoholic beverages, chemicals and other similar substances is prohibited.

Deer seasons are for legal buck deer unless otherwise specified.

Requests for WMA maps may be directed to any district office: Box 915, Minden, 71055; Box 4044, Monroe, 71203; Box 278, Tioga, 71477; Box 426, Ferriday, 71334; 1213 North Lakeshore Drive, Lake Charles, 70601; Box 585, Opelousas, 70570; Box 44095, Capitol Station, Baton Rouge, 70804; or 400 Royal Street, New Orleans, 70130.

#### PERMITS

DAILY: When required, may be obtained at the permit stations on or near each WMA. Hunters must check out daily one half hour after the end of legal shooting time.

SEASON: Basic resident hunting license serves as a season permit on WMA's when required, EXCEPT additional permits required on Ft. Polk and Peason Ridge. Non-residents, persons under 16, and persons 60 or over need no permits. When permits are required, hunters may enter an area one hour before legal shooting time and must be off the area one-half hour after legal shooting time unless otherwise specified by the Department.

TRAPPING: Permits to take furbearers (except otter) from WMA's may be obtained at district offices. No trapping is allowed on Alexander State Forest. Other special trapping exceptions are listed under respective WMA season schedules. Unless otherwise noted, WMA trapping seasons are the same as outside seasons. All traps must be run daily. Traps with teeth are illegal. Each trapper must submit an annual trapping report to the District Office where his permit was obtained 30 days after close of season. Non-compliance will result in forfeiture of trapping privileges on the WMA's.

COMMERCIAL FISHING: Permits are required of all commercial fishermen using Red River, Grassy Lake, Pearl River, Pomme de Terre, Three Rivers, and Spring Bayou WMA's. Drag seines (except minnow seines) are prohibited. Commercial fishing is prohibited during regular waterfowl season on Grand Bay, Silver Lake, and Lower Sunk Lake on Three Rivers WMA. Non-compliance with permit regulations will result in revocation of commercial fishing privileges.

SPORT-FISHING: Sportfishing and frogging are permitted on WMA's when in compliance with current laws and regulations.

## FIREARMS

Firearms having live ammunition in the chamber, magazine, cylinder, or clip when attached to firearms, are not allowed in vehicles on WMA's. Firearms may not be carried on any area before or after permitted hours except in authorized camping areas.

Firearms are not permitted on WMA's during closed seasons. Encased or broken down firearms and any game harvested may be transported through the areas by the most direct route provided that no other route exists (see respective WMA season schedule).

Loaded firearms are not permitted near WMA check stations.

Rifles and handguns larger than .22 caliber rimfire, shotgun slugs, or shot larger than Number 2 cannot be carried onto any WMA except during deer season.

Target shooting and other forms of practice shooting are prohibited on WMA's.

## METHODS OF TAKING GAME

Organized drivers and standers making use of noises or noise-making devices are not permitted on WMA's.

Baiting is prohibited on all WMA's (Hogs included).

Unmarked hogs may be taken on certain WMA's only during prescribed seasons and only with guns or bow and arrow legal for specified seasons in progress. Proper licenses and permits are required for hunting the game species for which the area is open at the time.

Hunters who kill deer on WMA's where daily permits are required must have deer checked at the check station.

Deer hunting on WMA's is restricted to still hunting only. No WMA will be open for deer during early still hunt season unless specified in the regulation pamphlet.

Construction of and hunting from permanent tree stands or permanent blinds on WMA's prohibited.

Tree climbing spurs are also prohibited. Any permanent stand or permanent blind will be destroyed.

A permanent blind or stand is defined as any structure and/or material, including vegetation, used for concealment while hunting, that is not completely dismantled or removed from the wildlife management area daily.

All waterfowl hunters must dismantle blind and remove decoys within 30 minutes after close of shooting hours on each respective area. Unattended decoys will be confiscated and forfeited to the Department of Wildlife and Fisheries and disposed of by the Department. This action is necessary to prevent preemption of hunting space.

Hunters shall not hunt, take, or pursue game birds or animals from vehicles on any WMA.

The use of horses and mules prohibited for hunting on WMA's.

All deer hunters (including archers) on WMA's must wear 400 square inches of "Hunter Orange" during open gun season for deer. ALSO all non-hunters afield during deer seasons are encouraged to wear "Hunter-Orange."

**ARCHERY SEASON FOR DEER:** Still hunting only. The entire archery season is open to either-sex deer, EXCEPT, archers must abide by bucks only and other restrictions when bucks only gun seasons are in progress and EXCEPT archery season is closed on certain WMA's during the muzzleloader hunts.

**MUZZLELOADER SEASON FOR DEER:** December 6-7 on Ouachita, Sabine, Spring Bayou, and West Bay. December 13-14 on Fort Polk, Loggy Bayou, and Pearl River; either sex, season permit. Legal muzzleloader firearms are single barreled rifles; .44 caliber minimum, or shotguns 10 gauge or less, either of which must load exclusively from the muzzle, use black powder or

approved substitute only, take single ball or slug only, have exposed percussion caps or flintlock, and be fitted only with iron sights.

## CAMPING

Camping on WMA's, including trailers, houseboats, recreation vehicles, and tents is permitted only in designated areas and for a period not to exceed 16 consecutive days.

Houseboats are prohibited from overnight mooring within WMA's except on streambanks adjacent to Department-owned boat launching ramps, and/or designated camping areas.

On Atchafalaya Delta WMA and Pass-A-Loutre WMA, camp boats may be moored in specially designated areas throughout the waterfowl season. At all other times of the year mooring period limited to a period not to exceed 16 consecutive days.

No refuse or garbage may be dumped from these boats while vessel is within the WMA boundary.

Firearms may not be kept loaded or discharged in a camping area.

Campsites must be cleaned by occupants prior to leaving and all refuse placed in designated locations.

Non-compliance with camping regulations will subject occupant to immediate expulsion and/or citation.

Damage to or removal of trees, shrubs, and wild plants on WMA's without prior approval is prohibited.

Swimming prohibited within 100 yards of boat launching ramps.

## DOGS

Except for bird hunting, duck hunting, raccoon hunting, and rabbit hunting, when allowed, having or using dogs on any WMA is prohibited. Only recognizable breeds of bird dogs and retrievers are permitted for quail and migratory bird hunting. Only beagle hounds which do not exceed 15 inches at the front shoulders and which have recognizable characteristics of the breed may be used on WMA's having experimental rabbit seasons.

## VEHICLES

Vehicles having wheels with a wheel-tire combination having a radius of 17 inches or more from the center of the hub (measured horizontal to ground), are prohibited on specified areas.

Airboats, aircraft, and hover craft are prohibited on all WMA's.

Driving or parking vehicles on food or cover plots and strips is prohibited.

Motorized vehicles including ATV's, ATC's and motorcycles, are restricted entirely to designated roads on WMA's.

## 1981-82 SEASON

### WILDLIFE MANAGEMENT AREAS HUNTING SCHEDULE

#### 1. ALEXANDER STATE FOREST (Owner — Office of Forestry-DNR-7,875 Acres):

|                      |   |
|----------------------|---|
| Deer:                | Nov. 7-11 bucks only. Season Permit.<br>Nov. 27-28 either-sex. Daily Permit.                            |
| Squirrel,<br>Rabbit: | Same as outside EXCEPT closed during either-sex gun hunts for deer and EXCEPT still hunt only.          |
| Quail,<br>Woodcock,  | Same as outside EXCEPT closed during either-sex gun hunts for deer.                                     |
|                      | Doves:  |
| Waterfowl:           | Same as outside EXCEPT closed during either-sex gun hunts for deer and hunting after 2 p.m. prohibited. |

2. ATCHAFALAYA DELTA (Owner — State of Louisiana-125,000 Acres):

All migratory game birds same as outside season. All resident game seasons including deer and rabbit are closed.

3. ATTAKAPAS (Owner — State of Louisiana-25,500 Acres):

Deer: Nov. 27 either-sex. Season Permit.  
Nov. 28-29 and Dec. 19-Jan. 12 bucks only. Season Permit.  
Squirrel, Same as outside EXCEPT closed during  
Rabbit: either-sex gun hunts for deer and EXCEPT still hunt only.  
Woodcock: Same as outside.  
Waterfowl: Same as outside, EXCEPT hunting after 2 p.m. prohibited.

Unmarked hogs may be taken during deer season only by properly licensed deer hunters and with bow and arrow only during archery season.

4. BILOXI (Owner — Biloxi Marsh Land Corporation-39,583 Acres):

Deer: Nov. 27-Dec. 6 bucks only. Season Permit.  
Still Hunt Only.  
Rabbit: Oct. 3-Jan. 10 Still Hunt Only.  
All Other Same as outside EXCEPT still hunt only  
Game: and morning hunting only for waterfowl (closed 12 noon).

5. BODCAU (Owner — U.S. Army Corps of Engineers-32,471 Acres):

Deer: Same as outside EXCEPT still hunt only.  
And EXCEPT Nov. 21 and Nov. 27 either-sex. Season Permit.  
All Small Same as outside EXCEPT still hunt only  
Game: and EXCEPT bird dogs and retrievers allowed.  
Waterfowl: Same as outside EXCEPT hunting after 2 p.m. prohibited.

No vehicles allowed on slopes of dams and levees.

Unmarked hogs may be taken during deer season only by properly licensed deer hunters and with bow and arrow only during archery season.

6. BOEUF (Department Owned-38,403 Acres):

Deer: Nov. 27-Dec. 4, Dec. 19-Jan. 3, Bucks Only. Season Permit.  
Squirrel, Oct. 3-Nov. 22 and Dec. 5-13, Still Hunt  
Rabbit: Only, EXCEPT beagles permitted for rabbit Jan. 23-Feb. 7, EXPERIMENTAL.  
Waterfowl: Same as outside EXCEPT hunting after 2 p.m. prohibited.

Quail, Same as outside EXCEPT closed during all  
Woodcock: gun hunts for deer.  
Turkey: South of Bayou LaFourche Cut-Off. Mar. 20-Apr. 4, Gobblers only.  
Raccoon: EXPERIMENTAL, Nov. 7-15, permit required from Ferriday District Office.

Free-ranging livestock not permitted south of Bayou LaFourche Cut-Off in fenced areas. ALSO, unmarked hogs may be taken by all properly licensed hunters during hunting seasons with gun or bow and arrow south of Bayou LaFourche Cut-Off.

Encased or broken down firearms and any game harvested may be transported through the area by the most direct route, provided that no other route exists.

7. BOHEMIA (Owner — Orleans Levee District-33,000 Acres):

Deer: Nov. 27-Dec. 6 and Dec. 19-20 either-sex. Daily Permit. ALSO, Dec. 26-Jan. 10 bucks

only. Season Permit.

Squirrel: Same as outside EXCEPT closed during either-sex gun hunts for deer. Still Hunt Only.

Rabbit: Same as outside EXCEPT closed during either-sex gun hunts for deer, still hunt only EXCEPT beagles permitted Jan. 11-Feb. 28. EXPERIMENTAL.

Snipe, Same as outside EXCEPT closed north of  
Dove: Bayou Lamoque during either-sex gun hunts for deer.

Waterfowl: Same as outside EXCEPT morning hunting only (closes 12 noon).

All Other Same as outside.  
Game:

Crawfish: No more than 100 pounds per party per day.

8. CITIES SERVICE (Owner — Cities Service Oil Company, et al-16,714 Acres):

Deer: Nov. 7-25 and Nov. 29-Dec. 1 Bucks only. Season Permit.  
Nov. 27-28 either-sex. Season Permit.

Squirrel; Oct. 3-Nov. 22 and Dec. 12-18, Still Hunt  
Rabbit: Only.  
Beagles permitted for rabbit hunt Feb. 6-17, EXPERIMENTAL.

Quail, Same as outside EXCEPT closed during  
Woodcock, either-sex gun hunts for deer.  
Dove:

Turkey: March 27-April 11. Gobblers Only.

Waterfowl: Same as outside EXCEPT closed during either-sex gun hunts for deer and hunting after 2 p.m. prohibited.

Trapping: Dec. 5-Jan. 10. Permit from Monroe District Office required.

Raccoon: EXPERIMENTAL. Permit from Monroe District Office required. Oct. 1-Oct. 31 (Chase Only) taking prohibited; Jan. 12-Feb. 14, taking permitted.

9. CONCORDIA (owner — Fisher Lumber Corporation-1,030 Acres):

Deer: Nov. 27-Dec. 4 and Dec. 26-Jan. 12 bucks only. Season Permit.

Squirrel, Same as outside EXCEPT still hunt only.  
Rabbit:

Waterfowl: Same as outside EXCEPT hunting after 2 p.m. prohibited.

Encased or broken down firearms and any game harvested may be transported through the area by the most direct route, provided no other route exists.

10. FORT POLK (Owner — U.S. Army-68,000 Acres):

Daily military clearance required to hunt any game. All hunting except either-sex deer hunting available by self clearing permit system. Registration for use of self clearing permit required once per year at Building 8601, North Fort Polk. Either-sex deer season daily permits available at daily permit stations. Trappers must also register at Building 8601 and use self clearing system.

Deer: Nov. 7-25 bucks only. Season Permit.  
Nov. 27-29 either-sex. Daily Permit.

Muzzle-loader: Dec. 12-13 either-sex. Season Permit.

Archery: Closed during muzzleloader season.

Special regulations for Cantonment Areas, check locally at Building 8601. Either-sex deer legal Oct. 1-Jan. 17. Remainder of WMA restricted to bucks only when bucks only gun season is in progress.

Squirrel, Rabbit: Same as outside EXCEPT still hunt only, and shotguns only permitted and EXCEPT closed during either-sex gun hunts for deer. Hunter orange must be worn when bucks only gun hunts for deer are in progress.

Quail, Woodcock, Dove: Same as outside season EXCEPT closed during either-sex gun hunts for deer. EXCEPT bird dogs or retrievers allowed for bird hunting. No member of a party engaged in bird hunting shall use or have in his possession a rifle, shotgun slugs, or shotgun shell larger than Number 6.

Turkey: Same as outside season. Gobblers only.

Waterfowl: Same as outside EXCEPT closed during all gun hunts for deer and hunting after 2 p.m. prohibited.

Unmarked hogs may be hunted during deer season only by properly licensed deer hunters or bow and arrow only during archery season.

11. GEORGIA-PACIFIC (Owner — Georgia-Pacific Corporation, et al-28,000 Acres):

Deer: Nov. 7-25 and Nov. 29-Dec. 1 bucks only. Season Permit.  
Nov. 27 either-sex. Daily Permit.  
Oct. 3-Nov. 22 and Dec. 12-18 Still Hunt Only.

Squirrel, Rabbit: Same as outside EXCEPT closed during either-sex gun hunts for deer.

Quail, Woodcock, Dove: Same as outside EXCEPT closed during either-sex gun hunts for deer.

Turkey: Mar. 27-Apr. 11. Gobblers only.

Waterfowl: Same as outside EXCEPT closed during either-sex gun hunts for deer and hunting after 2 p.m. prohibited.

Trapping: Jan. 2-Feb. 7. Permit from Monroe District Office required.

Raccoon: EXPERIMENTAL. Permit from Monroe District Office required. Oct. 1-31 (Chase Only) taking prohibited. Dec. 1-31. Taking permitted.

SPECIAL REGULATION: Company Pond Road is treated as a state or parish road. Hunters may transport guns along this road if broken down or encased when gun only season is in progress on outside.

12. GRASSY LAKE (Department Owned-11,860 Acres):

Deer: Nov. 27-28 either-sex. Daily Permit.  
Nov. 29 and Dec. 26-Jan. 10 bucks only. Season Permit.

Squirrel, Rabbit: Same as outside EXCEPT closed during either-sex gun hunts for deer and still hunting only. Beagles permitted for rabbits Jan. 16-24. EXPERIMENTAL.

Woodcock: Same as outside EXCEPT closed during either-sex gun hunts for deer.

Waterfowl: Same as outside EXCEPT closed during either-sex gun hunts for deer and hunting after 2 p.m. prohibited.

Sport fishing permitted only after 2 p.m. during waterfowl season, on Smith Bay and Grassy Lake proper.

Commercial Fishing: Permitted EXCEPT on Smith Bay and Grassy Lake proper on Saturday and Sunday. Permits available at Spring Bayou headquarters. Also, commercial fishing prohibited during waterfowl season.

Unmarked hogs may be taken during deer season only by properly licensed deer hunters and with bow and arrow only during archery season.

All Free-Ranging livestock prohibited.

Raccoon: EXPERIMENTAL, Nov. 7-15, permits available at Spring Bayou WMA headquarters.

13. JACKSON-BIENVILLE (Owner — Willamette Industries, Continental Can Co., et al-30,845 Acres):

Deer: Nov. 27-Dec. 6 either-sex. Daily Permit.  
Dec. 26-Jan. 3 bucks only. Season Permit.

All Small Game: Same as outside EXCEPT closed during gun hunts for deer.

Turkey: Same as outside. Gobblers only.

Waterfowl: Same as outside EXCEPT closed during gun hunts for deer and hunting after 2 p.m. prohibited.

Trapping: Dec. 7-Feb. 28.

Unmarked hogs may be taken during deer season only by properly licensed deer hunters, and bow and arrow only during archery season.

14. LOGGY BAYOU (Department Owned-3,600 Acres):

Deer: Nov. 27-Dec. 1 bucks only. Season Permit (gun hunt).  
Dec. 12-13 either-sex. Season Permit.

Muzzle-loader: Closed during muzzleloader season.

Archery: Same as outside EXCEPT closed during gun hunts for deer and still hunt only.

All Small Game: Same as outside EXCEPT hunting after 2 p.m. prohibited and EXCEPT closed during all gun hunts for deer.

Waterfowl: Same as outside EXCEPT hunting after 2 p.m. prohibited and EXCEPT closed during all gun hunts for deer.

15. LUTCHER-MOORE (Owner — Boise-Southern Company-54,269 Acres):

Deer: Nov. 7-25 bucks only. Season Permit.  
Nov. 27-29 either-sex. Daily Permit.

Squirrel, Rabbit: Same as outside EXCEPT, still hunt only and EXCEPT closed during either-sex gun hunts for deer.

Quail, Woodcock, Dove: Same as outside EXCEPT closed during either-sex gun hunts for deer.

Turkey: Same as outside. Gobblers only.

Waterfowl: Same as outside EXCEPT closed during either-sex gun hunts for deer and hunting after 2 p.m. prohibited.

16. MANCHAC (Department Owned — 8,325 Acres):

Deer: Jan. 2-10 still hunt only. Bucks only. Season Permit.

All Small Game, Waterfowl: Same as outside EXCEPT morning hunting only, (closed 12 noon), EXCEPT rabbits only may be hunted with beagles all day after the last day of waterfowl season, EXPERIMENTAL.

17. OUACHITA (Department Owned-3,125 Acres):

Deer: Nov. 27-28, either-sex. Daily Permit.  
Nov. 29-Dec. 1 and Dec. 19-Jan. 3, bucks only. Season Permit.

Muzzle-loader: Dec. 6-7, either-sex. Season Permit.

Archery: Closed during muzzleloader season.

Waterfowl: Same as outside EXCEPT hunting after 2 p.m. prohibited.

Squirrel: Oct. 3-Dec. 6, still hunt only.

Rabbit:  
 Woodcock: Same as outside.  
 Trapping: Dec. 1-Jan. 1. Permit from Monroe District Office Required.  
 Raccoon: EXPERIMENTAL. Permit from Monroe District Office Required. Oct. 10-Nov. 10 (Chase Only) taking prohibited; Jan. 3-Feb. 3, taking permitted.

18. PASS-A-LOUTRE (Department Owned-66,000

Acres):  
 Waterfowl hunting only: Same as outside. May be taken with beagles same as outside season EXCEPT closed during duck season.  
 Rabbits:

19. PEARL RIVER (Department Owned-26,716 Acres):

Deer: Nov. 27-29, either-sex. Daily Permit.  
 Dec. 19-Jan. 12, bucks only. Season Permit.  
 Muzzle loader: Dec. 12-13, either-sex. Season Permit.  
 Archery: Closed during muzzleloader season.  
 Squirrel, Rabbit: Oct. 3-Nov. 22. Still hunt only.  
 Snipe, Woodcock, Rail, Gallinule: Same as outside EXCEPT closed during muzzleloader hunts for deer and EXCEPT snipe, rail and gallinule hunting permitted south of I-10 only.  
 Turkey: Mar. 27-Apr. 11, Gobblers only.  
 Waterfowl: Same as outside EXCEPT morning hunting only (Closes 12 noon) and closed during either-sex gun hunt for deer.

Crawfish: 100 pounds per party per day limit.  
 Commercial Permit from Baton Rouge District Office or Area Supervisor Required.  
 Fishing:  
 Raccoon: EXPERIMENTAL. Oct. 17-Nov. 1. Permit from Baton Rouge District Office or Area Supervisor Required.

Unmarked hogs may be taken by all properly licensed hunters only during squirrel, rabbit, and deer seasons with gun or bow and arrow, taking hogs is prohibited during the September teal season and turkey season.

Area will be closed to hunting when river gauge at Pearl River, Louisiana reaches 16.5 feet.

Trapping: Jan. 1-Feb. 28. For permit information contact Baton Rouge District Office or Area Supervisor.

20. PEASON RIDGE (Owner — U.S. Army-33,488

Acres):

Daily military clearance required to hunt any game. All hunting except either-sex deer hunting available by self clearing permit system. Registration for use of self clearing permit required once per year at Building 8601, North Fort Polk. Either-sex deer season daily permits available at daily permit stations. Trappers must also register at Building 8601 and use self clearing system.

Deer: Nov. 7-25, bucks only. Season Permit.  
 Nov. 27-29, either sex. Daily Permit.  
 Squirrel, Rabbit: Same as outside EXCEPT still hunt only and shotguns only permitted and EXCEPT closed during either-sex gun hunts for deer. Hunter orange must be worn when bucks only gun hunts for deer are in progress.  
 Quail, Woodcock, Dove: Same as outside EXCEPT closed during either-sex gun hunts for deer. Bird dogs or retrievers permitted.  
 Turkey: Same as outside. Gobblers only.

Waterfowl: Same as outside EXCEPT closed during all gun hunts for deer and hunting after 2 p.m. prohibited.

21. POINTE-AU-CHIEN (Department Owned-28,244

Acres):

Morning hunting only (closed 12 Noon) on all game.  
 Deer: Nov. 27-29 and Dec. 19-27, bucks only. Still Hunt Only. Bucks only may be taken by archers during gun hunting for deer, but at no other time.  
 All Other Game: Same as outside. Still Hunt Only. Beagles permitted for rabbit hunting same as outside season EXCEPT closed during duck season. EXPERIMENTAL.

Mudboats with inboard engines larger than 25 h.p. prohibited in interior ditches.

22. POMME DE TERRE (Department Owned-3,991 Acres):

Deer: Nov. 27-29 and Dec. 19-27, bucks only. Season Permit. Still Hunting Only.  
 Waterfowl, Snipe: Same as outside EXCEPT hunting after 2 p.m. prohibited.  
 Squirrel, Rabbit: Same as outside EXCEPT still hunting only.  
 Woodcock: Same as outside.  
 Commercial Permitted Monday through Friday. Permits available at Spring Bayou WMA headquarters.

23. RED RIVER (Department Owned-16,604 Acres, U.S.

Corps of Engineers-11,717 Acres):

Deer: Nov. 27, either-sex and Nov. 28-29 bucks only. Daily Permit.  
 Dec. 26-Jan. 12 bucks only. Season Permit.  
 Squirrel, Rabbit: Oct. 3-Nov. 22 and Dec. 5-13, still hunt only.  
 Waterfowl: Same as outside EXCEPT closed during either-sex gun hunt for deer and hunting after 2 p.m. prohibited.  
 Woodcock: Same as outside EXCEPT closed during either-sex gun hunt for deer.  
 Raccoon: EXPERIMENTAL. Permit required from Ferriday District Office Nov. 7-15.

Unmarked hogs may be taken by properly licensed hunters during open hunting season with gun or bow and arrow. No hunting allowed in restricted areas.

Encased or broken down firearms and any game harvested may be transported through the area by the most direct route provided that no other route exists.

24. RUSSELL SAGE (Department Owned-17,220

Acres):

Deer: Nov. 27-28, either-sex. Daily Permit.  
 Nov. 29-Dec. 1 and Dec. 19-Jan. 3, bucks only. Season Permit.  
 Squirrel, Rabbit: Oct. 3-Dec. 6, still hunt only. Closed during either-sex gun hunts for deer. Beagles permitted for rabbits Feb. 6-17. EXPERIMENTAL.  
 Dove, Woodcock: Same as outside EXCEPT closed during either-sex gun hunts for deer.  
 Waterfowl: Same as outside EXCEPT closed during either-sex gun hunts for deer and hunting after 2 p.m. prohibited.  
 Trapping: Jan. 16-Feb. 7. Permit from Monroe District Office Required. No trapping in waterfowl refuge.  
 Raccoon: EXPERIMENTAL. Permit from Monroe



District Office Required Oct. 10-Nov. 15 (Chase Only) taking prohibited. Dec. 1-18 taking permitted.

Crawfish: 100 pounds per party per day limit.  
NOTE: All regulations on Chauvin Tract on U.S. Hwy. 165 north same as outside.

25. SABINE (Owner — Boise Southern Co., International Paper Company, et al-12,500 Acres):

Deer: Nov. 7-25 bucks only. Season Permit.  
Nov. 27-29 either-sex. Daily Permit.  
Muzzle-loader: Dec. 5-6 either-sex. Season Permit.  
Archery: Closed during muzzleloader season.  
Squirrel, Rabbit: Same as outside EXCEPT still hunt only and EXCEPT closed during either-sex gun hunts for deer.  
Quail, Woodcock, Dove: Same as outside EXCEPT closed during either-sex gun hunts for deer.  
Turkey: Same as outside. Gobblers only.  
Waterfowl: Same as outside EXCEPT closed during either-sex gun hunts for deer and hunting after 2 p.m. prohibited.

Unmarked hogs may be taken during deer season only by properly licensed deer hunters and with bow and arrow only during archery season.

26. SABINE ISLAND (Owner — State of Louisiana and Calcasieu Parish School Board-8,103 Acres):

All seasons same as outside EXCEPT still hunting only and morning hunting only for waterfowl (closes 12 noon).

Sabine Island boundaries are Sabine River on the west, Cut-Off Bayou on the north, and Old River and Big Bayou on the south and east.

27. SALINE (Department Owned-60,276 Acres):

Deer: Nov. 27 either-sex and Nov. 28-29 bucks only Daily Permit.  
Dec. 26-Jan. 12 bucks only. Season Permit.  
Squirrel, Rabbit: Oct. 3-Nov. 22 and Dec. 5-13, still hunt only. Beagles permitted for rabbits, Jan. 23-Feb. 7. EXPERIMENTAL.  
Woodcock: Same as outside, EXCEPT closed during all gun hunts for deer.  
Turkey: Mar. 20-Apr. 11. Gobblers Only.  
Waterfowl: Same as outside season EXCEPT closed during either-sex gun hunts for deer and hunting after 2 p.m. prohibited.  
Raccoon: EXPERIMENTAL. Nov. 7-15. Permit required from Ferriday District Office.

Unmarked hogs may be taken by all properly licensed hunters during open hunting seasons with gun or bow and arrow in fenced-in areas south and east of Hwy. 28. Also, free ranging livestock not permitted in area south and east of Hwy. 28.

Encased or broken down firearms and any game harvested may be transported through the area by the most direct route, provided that no other route exists. No hunting allowed in research areas. Trapping prohibited in greentree reservoir.

28. SALVADOR (Department Owned-30,600 Acres):  
Morning hunting only (closed 12 noon) on all game.

Deer: Nov. 27-29 and Dec. 19-27 bucks only. Still hunting only. Bucks only may be taken by archers during gun hunts for deer, but at no other time.  
All Other Game: Same as outside, still hunting only. Beagles permitted for rabbit hunting same as outside EXCEPT closed during duck season. EXPERIMENTAL.

Mud boats with inboard engines larger than 25 h.p. prohibited in interior ditches.

29. SICILY ISLAND HILLS (Department Owned-6,179

Acres):  
Deer: Nov. 27-Dec. 4 and Dec. 26-Jan. 12 bucks only. Season Permit.  
Squirrel, Rabbit: Oct. 3-Nov. 22 and Dec. 5-13, Still Hunt Only. Beagles permitted for rabbits Jan. 23-Feb. 7, EXPERIMENTAL.  
Quail, Woodcock: Same as outside EXCEPT closed during gun hunts for deer.  
Waterfowl: Same as outside EXCEPT closed during either-sex gun hunts for deer and hunting after 2 p.m. prohibited.

Encased or broken down firearms and any game harvested may be transported through the area by the most direct route provided that no other route exists.

30. SODA LAKE (Owner — Caddo Levee District-1,300

Acres):  
All Game: Same as outside EXCEPT still hunting only, EXCEPT hunting for waterfowl after 2 p.m. prohibited.

31. SPRING BAYOU (Department Owned-11,678

Acres):  
Deer: Nov. 27 either-sex. Daily Permit.  
Nov. 28-29 and Dec. 26-Jan. 12 bucks only. Season Permit.  
Muzzle-loader: Dec. 5-6 either sex. Season Permit  
Archery: Closed during muzzleloader season.  
Squirrel, Rabbit: Oct. 3-Nov. 22, still hunt only. Beagles permitted for rabbits Jan. 16-24, EXPERIMENTAL.  
Woodcock: Same as outside EXCEPT closed during muzzleloader season and either-sex gun hunts for deer.  
Waterfowl: Same as outside EXCEPT closed during either-sex gun hunts for deer and hunting after 2 p.m. prohibited.  
Raccoon: EXPERIMENTAL, Nov. 7-15, permits available at WMA headquarters.  
Commercial Fishing: Permitted Monday through Friday. Permits available at area headquarters. Closed during waterfowl season.

No hunting allowed in headquarters area.

Unmarked hogs may be taken during deer season only by properly licensed deer hunters and with bow and arrow only during archery season. Only overnight campers allowed in the improved Boggy Bayou Camping Area after 10 p.m. Water skiing permitted only in Old River and Grand Lac. Sport Fishing permitted only after 2 p.m. during waterfowl season.

32. THISTLETHWAITE (Owner — Thistlethwaite Heirs-11,100 Acres):

Deer: Nov. 27 either-sex. Daily Permit.  
Nov. 28-29 and Dec. 26-Jan. 12 bucks only. Season Permit.  
Squirrel, Rabbit: Oct. 3-Nov. 1 Still Hunt Only.  
Woodcock: Same as outside EXCEPT closed during either-sex gun hunts for deer.  
Waterfowl: Same as outside EXCEPT closed during either-sex gun hunts for deer.  
Waterfowl: Same as outside EXCEPT closed during either-sex gun hunts for deer and hunting after 2 p.m. prohibited. No early teal season.

Unmarked hogs may be taken during deer season only by properly licensed deer hunters and with bow and arrow only during archery season.

All motorized vehicles restricted to improved roads.

All hunters must enter and leave through main gate only.

33. THREE RIVERS (Department Owned-23,222 Acres U.S. Corps of Engineers-1,085 Acres):

Deer: Nov. 27 either-sex and Nov. 28-29 bucks only. Daily Permit.

Dec. 26-Jan. 12 bucks only. Season Permit.

Squirrel, Oct. 3-Nov. 22 and Dec. 5-13 Still Hunt Only.

Rabbit: Same as outside EXCEPT closed during gun hunts for deer.

Quail, Snipe, Woodcock: Same as outside EXCEPT closed during gun hunts for deer.

Waterfowl: Same as outside EXCEPT closed during either-sex gun hunts for deer and hunting after 2 p.m. prohibited.

Raccoon: EXPERIMENTAL Nov. 7-15. Permits required from Ferriday District Office.

Free ranging livestock not permitted.

Unmarked hogs may be taken by all properly licensed hunters during open hunting seasons with gun or bow and arrow.

Encased or broken down firearms and any game harvested may be transported through the areas by the most direct route provided that no other route exists.

34. UNION (Owner — Manville Forest Products Corporation, et al-12,397 Acres):

Deer: Nov. 7-25 bucks only. Season Permit.  
Nov. 27-Dec. 6 either-sex. Daily Permit.  
Squirrel, Oct. 3-Nov. 22 and Dec. 12-18. Still Hunt Only.  
Rabbit: Same as outside EXCEPT closed during either-sex gun hunts for deer.  
Quail, Woodcock, Dove: Same as outside EXCEPT closed during either-sex gun hunts for deer.  
Trapping: Dec. 12-Feb. 14. Permit required from Monroe District Office.

35. WEST BAY (Owner — Boise Southern Company, Kirby Lumber Co., Quatre-Parish Company, et al-55,185 Acres):

Deer: Nov. 27-29 either-sex. Daily Permit.  
Muzzle-loader: Dec. 5-6 either-sex. Season Permit.

Archer: Closed during muzzleloader season.

Squirrel, Rabbit: Same as outside EXCEPT Still Hunt Only and closed during gun hunts for deer.

Quail, Woodcock: Same as outside EXCEPT closed during gun hunts for deer.

Turkey: Mar. 20-Apr. 4. Gobblers only.

36. WISNER (Owner — Edward Wisner Donation Advisory Committee-21,621 Acres):

Rabbit: Same as outside EXCEPT closed during waterfowl season and beagles permitted Oct. 3-Feb. 28. EXPERIMENTAL.

All Other Game: Same as outside EXCEPT still hunting only and morning hunting only for waterfowl (closes 12 noon).

Recommendations  
1981-82 Hunting Season Dates

|            |                  | Federal Regulations |       | Bag   |                   |      |
|------------|------------------|---------------------|-------|-------|-------------------|------|
|            | Dates            | Days                | Split | Limit | Recommended Dates | Days |
| Teal       | Sept. 1-30       | 9                   | None  | 4     | Sept. 19-27       | 9    |
| Gallinules | Sept. 1-Jan. 20  | 70                  | 2-way | 15    | Sept. 19-Nov. 27  | 70   |
| Rails      | Sept. 1-Jan. 20  | 70                  | None  | 15    | Sept. 19-Nov. 27  | 70   |
| Snipe      | Sept. 1-Feb. 28  | 107                 | 2-way | 8     | Nov. 7-Feb. 21    | 107  |
| Woodcock   | Sept. 1-Feb. 28  | 65                  | 2-way | 5     | Dec. 12-Feb. 14   | 65   |
| North Zone |                  |                     |       |       |                   |      |
| Doves      | Sept. 1-Jan. 15  | 70                  | 3-way | 12    | Sept. 5-20        | 16   |
|            |                  |                     |       |       | Oct. 10-Nov. 8    | 30   |
|            |                  |                     |       |       | Dec. 12-Jan. 4    | 24   |
|            |                  |                     |       |       |                   | 70   |
| South Zone |                  |                     |       |       |                   |      |
| Doves      | Sept. 20-Jan. 15 | 70                  | 3-way | 12    | Oct. 10-Nov. 29   | 51   |
|            |                  |                     |       |       | Dec. 19-Jan. 6    | 19   |
|            |                  |                     |       |       |                   | 70   |

Shooting hours: 1/2 hour before sunrise to sunset, except that Teal shooting hours: sunrise to sunset. Possession limit: twice the daily bag limit.

Jesse J. Guidry  
Secretary

# Notices of Intent

## NOTICE OF INTENT

### Department of Agriculture Market Commission

Subject to enactment of Senate Bill 173 of the 1981 Session of the Louisiana Legislature, and in accordance with the authority given in LSA 3:543 B under said bill, notice is hereby given that the State Market Commission will conduct a public hearing at 10:30 a.m. on Wednesday, August 5, 1981, in the Conference Room on the twenty-first floor of the State Capitol, Baton Rouge, Louisiana 70804.

The purpose of the hearing will be to consider the adoption of comprehensive rules and regulations for the administration of the Farm Youth Loan Program created by Senate Bill 173 of the 1981 Session of the Louisiana Legislature. A full text of the proposed rules and regulations may be obtained by writing to Mr. Bryce Malone, Assistant Commissioner for Marketing, State Department of Agriculture, Box 44184, Baton Rouge, Louisiana 70804, or by request in person at Mr. Malone's office at 12055 Airline Highway, Baton Rouge, Louisiana.

Written comments will be accepted by Mr. Malone up to and including August 3, 1981, or may be presented in person at the hearing. All interested persons will be afforded an opportunity to present data, views, or arguments, orally or in writing, at the said public hearing, in accordance with LSA 49:953.

The rules and regulations to be considered at said public hearing will become effective only upon the enactment of Senate Bill 173 of the 1981 Session of the Louisiana Legislature.

Bob Odom  
Commissioner of Agriculture

#### **Fiscal and Economic Impact Statement For Administrative Rules Rule Title: Farm Youth**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
No change in costs or savings.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
No change in revenue collections.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
Approximately 30 farm youth loans, each in the neighborhood of \$3,000, are anticipated in the first year of the program. Therefore, approximately 30 farm teenagers will be able to conduct agriculturally-oriented projects which might otherwise not be possible.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
No anticipated effect on competition or employment because eligible recipients will be limited to those in school.

Bryce Malone  
Assistant Commissioner

Mark C. Drennen  
Legislative Fiscal Officer

## NOTICE OF INTENT

### Department of Agriculture State Market Commission

In accordance with the provisions of LSA 49:951, et seq., the Administrative Procedure Act, and the authority given in LSA 3:405, notice is hereby given that the State Market Commission will conduct a public hearing at 10:30 a.m. on Wednesday, August 5, 1981, in the Conference Room on the twenty-first floor of the State Capitol, Baton Rouge, Louisiana.

The purpose of the hearing will be to consider the adoption of comprehensive rules and regulations for the operation of produce assembly centers, including, but not limited to, the following: operation of the market, requirements for produce to be marketed through the produce assembly center, consignment of produce and payment policy, marketing advisory service, and right of refusal. A full text of the proposed rules and regulations may be obtained by writing to Mr. Bryce Malone, Assistant Commissioner for Marketing, State Department of Agriculture, Box 44184, Baton Rouge, Louisiana 70804, or by request in person at Mr. Malone's office at 12055 Airline Highway, Baton Rouge, Louisiana.

Written comments will be accepted by Mr. Malone up to and including August 3, 1981, or may be presented in person at the hearing. All interested persons will be afforded an opportunity to present data, views, or arguments, orally or in writing, at the said public hearing, in accordance with LSA 49:953.

Bob Odom  
Commissioner of Agriculture

#### **Fiscal and Economic Impact Statement For Administrative Rules Rule Title: Produce Assembly Centers**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
Initial implementation costs will amount to \$30,000 in the first year of operation.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
The Department anticipates an increase of approximately \$2,500 in revenues during the first full year of operation (five percent commission on anticipated sales of \$50,000 worth of produce through the center).
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
The Department anticipates an increase in revenues for producers of approximately \$50,000 in the first year of operation.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
Initially, no impact on competition and/or employment is anticipated. As the produce assembly center develops buyers for the produce, an increase in employment opportunities is anticipated because cultivation of produce crops is more labor-intensive.

Bryce Malone  
Assistant Commissioner

Mark C. Drennen  
Legislative Fiscal Officer

## NOTICE OF INTENT

### Board of River Port Pilots Commissioners

This Board of River Port Pilot Commissioners for the Port of New Orleans has modified its rules as set forth hereinafter. The rules modified read as follows:

SECTION 1. All applications for admission to the Crescent River Port Pilot apprenticeship program must be in writing, signed by the applicant and presented to the Secretary of this Board. All applications must be accompanied by satisfactory evidence of compliance by the applicant with the following requirements prior to examination of the application by the Board:

a. Applicants for the apprenticeship program must be of good moral character. Evidence of a clear police record will be considered, but the Board reserves the right to examine other sources of information as to the applicant's character.

b. Applicants for the apprenticeship program must have been registered voters of the State of Louisiana continuously for at least one year prior to submission of the application.

c. The applicant must possess a high school diploma or a General Equivalency Degree prior to submission of an application to the apprenticeship program.

d. The applicant must not have reached his fortieth birthday prior to the inception of balloting of the Pilot Association on his application for admission to its apprenticeship program.

e. The applicant to the apprenticeship program must submit with his application proof that he holds an unlimited license as Master of River, Steam or Motor Vessels, or a license as a third mate of ocean, steam, or motor vessels of any gross tons upon any oceans issued by the United States Coast Guard, or a Bachelor's Degree or diploma granted by a college or university accredited by the American Association of Colleges and Secondary Schools.

Each applicant must hold a first class pilot license on the Mississippi River from Southport to the Head of the Passes, and for the Inner Harbor Navigation Canal (Industrial Canal) from the Mississippi River to Lake Pontchartrain. Each applicant must have held such first class pilot license for a period of at least six months, and have worked in a licensed position as master, mate or pilot aboard a vessel or vessels for a period of at least six months of documented time prior to commencement of his apprenticeship.

f. The applicant for the apprenticeship program must be examined by a physician, clinic or group of physicians of the Board's choosing in respect of the applicant's physical condition prior to being certified as a candidate for the apprenticeship program. The examination report must reflect that the applicant's physical condition is satisfactory to the Board commensurate with the work and responsibilities attendant to pilotage.

The Board shall have no expense or responsibility for the examinations or their results. The applicant submitting to such examinations will hold the Board harmless from any responsibility for any injury or loss incurred as a result of the examination or the reliance by the Board or any others on the results of such examination.

#### SECTION 2.

a. Before receiving a commission, each apprentice must have served a minimum of nine months of apprenticeship in his proposed calling, handling deepwater vessels over the operating territory of the River Port Pilots under the tutelage of not less than 20 commissioned River Port Pilots. The apprentice must set forth in detail the names of the vessels handled, dates handled, draft, tonnage, between what points so moved, and the names of the supervising commissioned River Port Pilots. No petitioner shall be permitted to be examined for licensing who has not made at least 18 trips on the operating territory of the River Port Pilots between Pilottown and the City of New Orleans during each of the nine months of his apprenticeship and served at least one week of each month of the apprenticeship engaged in harbor shifting, docking

work and pilotage on the Mississippi River Gulf Outlet. The apprenticeship work must be certified to by the Pilot Association conducting the apprenticeship program during the program. This Board reserves the right to review apprenticeship programs in progress and to make recommendations as to assignments which should be undertaken by the apprentice. This Board reserves the right to reject any apprenticeship program as to any apprentice or to require satisfactory completion of additional or extended apprenticeship.

b. Before completion of the apprenticeship, the apprentice must have endorsements on his United States Coast Guard Licenses as a first class pilot on the Intracoastal Waterway from the Inner Harbor Navigation Canal to and including Michoud, Louisiana, and the Mississippi River Gulf Outlet from its junction with the Intracoastal Waterway to Light 78. Also, prior to completion of the apprenticeship program, the apprentice holding a Bachelor's Degree and First Class Pilots License must obtain a license as a Master of Rivers, Steam, or Motor Vessels issued by the U.S. Coast Guard.

SECTION 3. Those applicants who have satisfactorily complied with all of the provisions of Sections 1 and 2, shall be examined by the Board as to their knowledge of pilotage and their proficiency and capability to serve as commissioned River Port Pilots. This examination shall be given in such manner and shall take such form as the Board may, in its discretion, from time to time elect.

SECTION 4. Those applicants who satisfactorily complete the examination given by the Board shall be certified to the Governor for his consideration in appointments to commissions as River Port Pilots.

Written comments on these proposed rules will be accepted through August 3, 1981, at the following address: Board of River Port Pilots Commissioners, Suite 2004, International Trade Mart, No. 2 Canal Street, New Orleans, Louisiana 70130  
Captain Gerald L. Jeane  
President

### Fiscal and Economic Impact Statement For Administrative Rules

#### Rule Title: Apprenticeship Qualifications

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
The rule change will involve neither costs nor savings to this agency.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
This agency has no revenue collections and this rule change will, therefore, not have any revenue effect.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
There is no financial cost to any affected group of these rules changes. Increasing the qualification requirements for apprentice Crescent River Port Pilots should result in a more highly skilled pilot thus affording an even better quality of pilotage to traffic on the Mississippi River.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
The effect on competition and employment of these rules changes will be to raise the level of skills and experience necessary for entry into the apprenticeship program. Persons lacking those skills will, thus, be eliminated from consideration for such appointments. In view of the professional responsibilities inherent in Mississippi River Port pilotage, this increase in minimum level skills is made necessary by the increases in technological development of the Port of New Orleans.

Captain Gerald L. Jeane  
President

Mark C. Drennen  
Legislative Fiscal Officer

**NOTICE OF INTENT**  
**Department of Commerce**  
**Racing Commission**

The Louisiana State Racing Commission does hereby give notice in accordance with law that it intends to adopt new Rules: LAC 11-6:23.17.1, LAC 11-6:23.17.2 and LAC 11-6:23.17.3.

LAC 11-6:23.17.1 is proposed for adoption as follows:

The horsemen's bookkeeper shall be nominated by the racing association and approved by the Commission; and the racing association shall be responsible for all monies deposited to the horsemen's account. The definition of racing official shall include the position of horsemen's bookkeeper.

LAC 11-6:23.17.2 is proposed for adoption as follows:

The racing association conducting the race meeting shall be responsible for the distribution of all purse monies. Following the running of the last race on each day of racing, the association shall pay over that day's purse money to the horsemen's bookkeeper, who shall hold said money in escrow, which will be available for distribution upon written consent and approval by the State Steward.

LAC 11-6:23.17.3 is proposed for adoption as follows:

An independent audit of the H.B.P.A. relative to funds received as a result of racing in Louisiana may be performed at any time by an independent CPA firm at the instance of and selected by the Racing Commission. Upon completion, a copy of the audit report shall be made immediately available to the Commission and the Division of Administration.

Copies of the Rules LAC 11-6:23.17.1, LAC 11-6:23.17.2 and LAC 11-6:23.17.3 may be obtained by telephoning the Commission at Area Code 504, 568/5870 or by writing to 616 Baronne Street, Second Floor, New Orleans, Louisiana 70113.

The office of the Commission will be open from 9:00 a.m. to 4:00 p.m. and interested persons may call Alan J. Le Vasseur during this time, holidays and weekends excluded, for a copy of these Rules.

All interested persons may submit written comments relative to these Rules through August 3, 1981.

Albert M. Stall  
Racing Commission

**Fiscal and Economic Impact Statement**  
**For Administrative Rules**  
**Rule Title: New Rule LAC 11-6:23.17.1**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
There is no implementation cost to the agency.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
There is no effect on revenue collections.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
Benefit: The racing associations and horsemen's association will benefit by the establishment of clearly defined responsibilities concerning the disposition of monies due to horsemen.

- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
There is no effect on competition and employment.

Albert M. Stall  
Chairman

Mark C. Drennen  
Legislative Fiscal Officer

**Fiscal and Economic Impact Statement**  
**For Administrative Rules**

**Rule Title: New Rule LAC 11-6:23.17.2**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
There is no implementation cost to the agency.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
There is no effect on revenue collections.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
Benefit: The racing associations and horsemen's association will benefit by the establishment of clearly defined responsibility concerning the disposition of monies due to horsemen.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
There is no effect on competition and employment.

Albert M. Stall  
Chairman

Mark C. Drennen  
Legislative Fiscal Officer

**Fiscal and Economic Impact Statement**  
**For Administrative Rules**

**Rule Title: New Rule LAC 11-6:23.17.3**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
The estimated implementation cost in FY-80-81 is \$196,000.00.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
There is no effect on revenue collections.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
Cost: The cost of employing an independent CPA firm would increase the expenses of the Commission, thereby reducing the funds available for distribution.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
There is no effect on competition and employment.

Albert M. Stall  
Chairman

Mark C. Drennen  
Legislative Fiscal Officer

**NOTICE OF INTENT**

**Department of Culture, Recreation and Tourism**  
**Office of the State Library**

The Office of the State Library intends to amend Rules IV-D and V-A of the State Aid to Public Libraries Grant which were published on pages 108 and 109 of the March 20, 1980, *Louisiana Register* (Volume 6, No. 3), and subsequently adopted.

## NOTICE OF INTENT

### Department of Culture, Recreation and Tourism Office of State Parks Poverty Point State Commemorative Area Dormitory Policies And Guidelines For Use

Interested persons may obtain copies of these amended rules or obtain additional information from the address listed below. Written comments and suggestions will be accepted through August 5, 1981, at the following address: Ben Brady, Associate State Librarian, Louisiana State Library, Box 131, Baton Rouge, LA 70821.

The proposed amendments are as follows:

#### IV. Maintenance of local effort

D. For each item of library material purchased with state aid grant funds and added to the library's shelf-list, up to two dollars in local funds is allowable to use in covering processing costs of shelf-listed items. Local funds, for the purpose of this paragraph, are those which are used to "maintain local effort" through the purchase of library materials.

#### V. Distribution of supplemental grants.

A. The State Librarian shall grant funds under the provisions of this Part to any library or consolidated library system which makes application therefor and which is eligible for such funds as provided herein. Grants shall be made on an annual basis and distributed quarterly, the first no later than August 31 of each year, except that for Fiscal Year 1979 when the first and second quarterly payment shall be made simultaneously no later than October 31, 1978. In succeeding fiscal years, quarterly payments shall be issued in the months of August, October, January and April. The foregoing payment schedule may be modified at the discretion of the State Librarian when such modifications are deemed to be in the best interest of the state. No funds shall be granted to any library which is not eligible for such funds under the provisions of this Part, as determined by the State Librarian.

Mrs. Lawrence H. Fox  
Secretary

### Fiscal and Economic Impact Statement For Administrative Rules

#### Rule Title: State Aid to Public Libraries Grant

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
No anticipated increase in either cost or savings except approximately \$20.00 for printing and postage to disseminate modification of grant rules and regulations to public libraries.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
Agency self-generated funds will increase by approximately \$100,000. Presently \$1 is paid by public libraries wishing to have library materials processed through the State Library's Processing Center. An increase to \$2 per item will be effective July 1, 1981.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
Local public libraries will be allowed to use up to \$2 (rather than \$1 specified previously) in local funds to process library materials locally or through the State Library's Processing Center for materials purchased with state aid grant funds.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
There will be no impact on competition and employment.

Mrs. Lawrence H. Fox  
Secretary

Mark C. Drennen  
Legislative Fiscal Officer

#### I. Purpose of Facility

The primary purpose of the dormitory is to provide living space and sleeping accommodations for professional archaeologists who are actively conducting on-site research. The dormitory can be used on a "first come, first served" reservation basis by other individuals who meet the requirements as set forth in this policy statement.

#### II. Eligible Users

A. The dormitory is available to college students, professional archaeologists and other scientists who are studying the Poverty Point culture and/or actively conducting research which relates to or directly involves the Poverty Point State Commemorative Area.

B. Requests for use of the dormitory by individuals or groups not meeting the above criteria will be reviewed by the Office of State Parks' Assistant Secretary, or his designee, to determine merit and appropriateness. The primary determining factor for accepting such individuals or groups will be the benefit to the commemorative area and its visitors. Their presence and activities should add to the on-site interpretive and educational programs in an authentic and historically accurate manner or benefit our programs through the contribution of archaeological/historical research, reports, or artifacts.

#### III. Application Process

A. Requests for use of the dormitory must be made by letter addressed to the Assistant Secretary, Louisiana Office of State Parks, Drawer 1111, Baton Rouge, Louisiana, 70821.

B. Review of request and evaluation by Assistant Secretary or his designee.

C. Response to request by Assistant Secretary (in writing). If request approved, enclose Facility Use Agreement and copy of State Parks' pamphlet entitled, "Fees, Facilities and Regulations."

D. Phone calls are not acceptable in this "first come, first served" application process.

#### IV. Facility Use Agreement

A. All parties granted permission to use the dormitory must execute a Facility Use Agreement.

B. This agreement is between the Office of State Parks and those parties using the dormitory. It stipulates the terms and pertinent regulations by which the dormitory occupants agree to abide.

C. User must execute the agreement and return it to the Assistant Secretary before occupying the dormitory.

D. Each original Facility Use Agreement will be kept on file by the Office of State Parks' Central office and copies will be sent to the user and the Historic Site Manager of Poverty Point State Commemorative Area.

#### V. Fees

A. All user groups unless otherwise authorized by the Assistant Secretary, Office of State Parks, will be required to pay a fee for overnight use.

B. The user must deposit \$50.00 with the Historic Site Manager within 10 days after receiving written approval to use the dormitory. This deposit will serve to confirm the user's desire to reserve the dormitory. The deposit will be retained by the Historic Site Manager and deducted from the total rental fee.

C. After arriving at Poverty Point State Commemorative Area, the user is required to pay all rental fees to the Historic Site Manager before occupying the dormitory.

D. A minimum overnight rate of \$50.00 is based on 50 percent capacity of the facility (28 people). An additional fee of \$2.00 per person per night will be charged for each person over

the 50 percent capacity.

#### VI. Occupancy Requirements

A. Registration with the Historic Site Manager is required of all boarders before occupying the dormitory. This information will include name, organization, address, and home or business phone numbers.

B. Keys to the dormitory can be obtained from the Historic Site Manager. One group leader will assume responsibility for the keys and return them to the manager before leaving.

C. Sexes will remain segregated in their specific sleeping areas, and no exceptions will be made to this regulation. The dormitory is designed to sleep a maximum of 28 men and 28 women. Two wings off the dining-kitchen area separate male and female sleeping areas.

D. Articles and facilities furnished by the Office of State Parks:

1. Laundry room including washers and dryers.
  2. Kitchen facilities including eating utensils, pots and pans, refrigerator, stove, freezer, and dishwasher.
  3. All necessary cleaning supplies.
  4. Men's and women's restrooms with showers.
  5. Sleeping facilities including beds and mattresses.
- E. Articles not furnished by the Office of State Parks.
1. Linens, blankets and pillows.
  2. Towels and all personal articles.
  3. Food.

#### VII. Housekeeping Procedures

A. General cleanup of this facility will be the responsibility of the user. The user will follow established cleanup and housekeeping procedures distributed by the manager.

B. No modifications or repairs of any type will be done by the boarders to the dormitory building and equipment.

C. Any problems with the building or equipment should be reported to the Historic Site Manager immediately.

#### VIII. Check-out Procedure

- A. Contact manager and return keys.
- B. Report of damage or equipment failure by user.
- C. Inspection of dormitory by manager.
- D. Inventory of furnishings by manager.

#### IX. Special Conditions

A. All programs and activities conducted at Poverty Point State Commemorative Area by groups using the dormitory must be approved in writing by the Assistant Secretary or his designee.

B. The selling of any crafts or art work by groups using the dormitory must be approved in writing by the Assistant Secretary or his designee.

C. No trailer or tent camping is permitted on any property at Poverty Point State Commemorative Area.

#### X. Rules and Regulations of the Office of State Parks

A. All boarders will adhere to all rules and regulations as stated in the State Parks' pamphlet "Fees, Facilities and Regulations."

B. The Office of State Parks reserves the right to revoke boarding privileges at any time from any individual or group not conforming to the policies of this facility.

C. The Historic Site Manager has the administrative responsibility for all matters relating to the daily operation of the dormitory building and site facilities.

Interested persons may comment on these proposed rules, in writing, until 4:30 p.m., August 5, 1981 at the following address: Kirk Carney, Assistant Secretary, Office of State Parks, Department of Culture, Recreation and Tourism, Drawer 1111, Baton Rouge, La. 70821.

Kirk Carney, Assistant Secretary  
Office of State Parks

## Fiscal and Economic Impact Statement For Administrative Rules

### Rule Title: Poverty Point Dormitory

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
There should be no implementation costs to the Office of State Parks involving the establishment of this proposed rule.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
With the adoption of this proposed rule an increase in the annual revenues (+ \$300) is expected.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
There would be no impact on local governments or state agencies. There may be a minimal cost to individuals using the dormitory, but the availability of this facility on site is a tremendous benefit to those users who are acting within the guidelines of the proposed rule.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
There would be no impact on competition and employment in the public or private sector as a result of adopting this rule.

Kirk Carney  
Assistant Secretary

Mark C. Drennen  
Legislative Fiscal Officer

## NOTICE OF INTENT

### Department of Culture, Recreation and Tourism Office of State Parks

#### Rally Camping Areas Statewide Rules, Regulations and Fees

Rally campgrounds are those areas of a Louisiana state park delineated and reserved for use by organized groups of overnight vehicle campers. These areas differ from the normal state park campgrounds since they are available for group use and may be reserved in advance. The rules, regulations and fees governing the use of these camping areas are as follows:

A. Reservations — Rally camping areas may be obtained for group reservation through the park's reservation office on a first-come, first-served basis. A \$25.00 advance deposit is required to confirm reservations. Reservations must be made at the park where the facilities are to be used. Reservations between January 1 and May 31 will be accepted beginning October 1 annually. Reservations placed for this period between October 1 and October 10 will be accepted by telephone only and will be confirmed on a "first-come" basis. Reservations for this period will be accepted after October 10 annually by either telephone or writing the individual park at which accommodations are desired. Reservations between June 1 and December 31 will be accepted beginning January 1 annually. Reservations placed for this period between January 1 and January 10 will be accepted by telephone only and will be confirmed on a "first-come" basis. Reservations for this period will be accepted after January 10 annually by either telephone or writing the individual park at which accommodations are desired. Reservations will be accepted only from persons 18 years of age or older and adults must accompany all minors.

B. Fees — A lump sum of \$25 per night will be assessed to the group for the exclusive use of the area, plus an additional \$5.00 per unit per night will be assessed to each individual camper rig occupying the area.

C. Carrying Capacity — A maximum carrying capacity for improved and unimproved sites will be established by individual parks and information concerning these capacities will be available through the individual park offices.

All other conditions and regulations governing the use of these areas are contained in the Louisiana Fees, Facilities and Louisiana Fees, Facilities and Regulations handbook section designated "Overnight Use."

Interested persons may comment on the proposed rule, in writing, until 4:30 p.m., August 5, 1981, at the following address: Kirk Carney, Assistant Secretary, Office of State Parks, Department of Culture, Recreation and Tourism, Drawer 1111, Baton Rouge, LA. 70821.

Kirk Carney, Assistant Secretary  
Office of State Parks

**Fiscal and Economic Impact Statement  
For Administrative Rules  
Rule Title: Regulations and Fees**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
The implementation costs will be very negligible because of the fact that these are existing areas and have operated for years on the state parks involved.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
At maximum use, each individual rally camping area will generate approximately \$6,500 per year. We do not predict maximum use in the first few years, rather about a 50 or 60 percent use which will generate approximately \$3,000 per year per area. At the present time we will have two areas with rally camping.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
We have had several requests for this type of area in past years and this has been amplified in the construction of our first area at Lake Bistineau State Park by the requests from camper organizations in the area. There will be a nominal cost of \$25.00 per night for reservation of this area which would cover the cost of clean-up and general maintenance around the area.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
There will be no impact on competition and employment in the public or private sector as a result of adopting this rule.

Kirk Carney  
Assistant Secretary

Mark C. Drennen  
Legislative Fiscal Officer

**NOTICE OF INTENT**

**State Board of Elementary and Secondary Education**

The State Board of Elementary and Secondary Education intends to adopt the following as policy at its August meeting:

1. Common Policy Manual for Special School District No. 1 and Special Schools under the jurisdiction of the State Board of Elementary and Secondary Education.
2. Amendment to Bulletin 1213, *Minimum Standards for School Buses in Louisiana*, provides for allowing contract drivers and/or school systems to convert from gasoline to LP-Gas or CNG systems.

3. Criteria for awarding the Certificate of Achievement.
4. Amendment to the Interim Requirements for Special Education Certification, on Page 5, under Paragraph 2, Line 9, to change the word "and" to "or".
5. Interim Emergency Policy for Hiring Fulltime/Parttime Noncertified School Personnel.

Interested persons may comment on the proposed policy changes and/or additions, in writing, until 4:30 p.m. August 3, 1981, at the following address: State Board of Elementary and Secondary Education, Box 44064, Baton Rouge, LA 70804.

James V. Soileau  
Executive Director

**Fiscal and Economic Impact Statement  
For Administrative Rules  
Rule Title: Common Policy Manual**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
The only cost associated with implementing the Policy Manual is that of printing and distributing the manual at an estimated cost of \$5 per facility for 17 facilities, or a total implementation cost of \$85.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
There will be no effect on revenue collections.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
There are no costs associated with BESE's adoption of the Policy Manual, since this action is merely a formal adoption of procedures previously implemented by Special School District No. 1 and Special Schools. The benefit of the Policy Manual is the standardization of operation procedures for Special School District No. 1 and Special Schools under jurisdiction of BESE.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
The Policy Manual effects only the performance and conduct of individuals and has no effect on competition and employment.

James V. Soileau  
Executive Director

Mark C. Drennen  
Legislative Fiscal Officer

**Fiscal and Economic Impact Statement  
For Administrative Rules  
Rule Title: Distribution of School Funds**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
There is no estimated cost (Savings) to Agency.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
There is no estimated effect on revenue collections.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
The proposed revisions would cost the contract driver or the local school system approximately \$1100 - \$1200 to convert the LP-Gas and approximately \$1100 - \$1200 to convert to CNG plus the cost of a compressor which will run between \$9,000 and \$30,000.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)



No effect on competition. All manufacturers of LP-Gas and CNG systems must comply with proposed revisions.

George Byron Benton, Jr.  
Deputy Superintendent

Mark C. Drennen  
Legislative Fiscal Officer

**Fiscal and Economic Impact Statement  
For Administrative Rules  
Rule Title: Criteria for Awarding  
Certificate of Achievement**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
Implementation cost FY 81-82 = \$650.  
Implementation cost FY 82-83 = \$750.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
Adoption of this rule would not effect revenues.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
Adoption of this rule would not effect any groups outside of our agency.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
It is not anticipated that awarding the Certificate of Achievement would have a direct effect on competition and employment.

George B. Benton, Jr.  
Deputy Superintendent

Mark C. Drennen  
Legislative Fiscal Officer

**Fiscal and Economic Impact Statement  
For Administrative Rules  
Rule Title: Word Change in Special Ed.  
Interim Requirements (p. 5)**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
This change will not entail additional costs on the part of the State Department of Education. It will help the secondary teachers in the State who are seeking this endorsement because less hours would be necessary.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
None.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
With the word change from "and" to "or" it is of benefit to the State's secondary special education teachers in that they will conceivably need fewer hours to gain the Mild/Moderate endorsement.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
This word change can conceivably save secondary teachers from taking an additional nine hours of coursework. No costs involved.

George B. Benton, Jr.  
Deputy Superintendent

Mark C. Drennen  
Legislative Fiscal Officer

**Fiscal and Economic Impact Statement  
For Administrative Rules  
Rule Title: Emergency Policy for Hiring  
Non-Certified School Personnel**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
\$310.00 (Labor, printing, postage to disseminate to local school superintendents notification of Board Policy.) No other costs anticipated since funds are contained in the Minimum Foundation Formula based on estimated average daily membership for 1981-82.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
None.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
This emergency policy allows local school boards to hire non-certified personnel where certified applicants are not available. These individuals will be paid on the basis of a beginning teacher's salary. These funds are already covered in the Minimum Foundation Formula and will require no additional funds.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
Passage of such an emergency policy will assist local school superintendents in hiring personnel for the fall school term. In the past, local superintendents had to appeal individually to the State Board for consideration. This general policy will save time and expense to local systems and the State. Approximately 550.

George B. Benton, Jr.  
Deputy Superintendent

Mark C. Drennen  
Legislative Fiscal Officer

**NOTICE OF INTENT  
Board of Regents**

In accordance with the applicable provisions of the Administrative Procedure Act, R.S. 49:951, et seq., notice is hereby given that the Louisiana Board of Regents intends to adopt the "State Appropriation Formula, Revised: 1982," at its regular meeting in September, 1981. The proposed revised "Formula" will be available for public inspection between the hours of 8:00 a.m. and 4:30 p.m., on any working day after July 31, 1981, at the offices of the Louisiana Board of Regents, 161 Riverside Mall, Baton Rouge, Louisiana 70801

Interested persons may submit their views and opinions up to fifteen days following publication of this Notice of Intent to Mr. Bill Silvia, Assistant Commissioner for Finance, Louisiana Board of Regents, 161 Riverside Mall, Baton Rouge, Louisiana 70801.

William Arceneaux  
Commissioner of Higher Education

**Fiscal and Economic Impact Statement  
For Administrative Rules  
Rule Title: State Appropriation Formula**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
This agency does not fund the "State Appropriation Formula," therefore, this proposed rule change does not affect the Board of Regents.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS -

(Summary)

If funded at 100 percent, the proposed "State Appropriation Formula" will require an estimated additional \$39,287,661 in state general fund revenues.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

The estimated costs to the State of funding the proposed 1982-83 State Appropriation Formula at 100 percent would be \$39,287,661.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

None.

William Silvia, Jr.  
Assistant Commissioner

Mark C. Drennen  
Legislative Fiscal Officer

### NOTICE OF INTENT

#### Board of Trustees for State Colleges and Universities

The Board of Trustees for State Colleges and Universities proposes to change its Policies and Procedures Manual concerning Athletics, Part IX. Amendment consists of a rewrite of the entire part. Changes are minor in nature, made to bring Board policy into agreement with NCAA, AIAW, and Title IX. Interested persons may obtain further information or submit written comments on this proposed policy change through 4:30 p.m., August 14, 1981 at the following address: Miller Shamburger, Board of Trustees for State Colleges and Universities, Box 44307, Capitol Station, Baton Rouge, Louisiana 70804

Bill Junkin  
Executive Director

#### Fiscal and Economic Impact Statement For Administrative Rules

##### Rule Title: Athletic Policies

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

The maximum number of scholarships allowed is increased by 23; 19 softball and 4 volleyball. This is in keeping with Title IX regulations. It is permissive in nature, to be implemented only when funds become available for scholarships. Such scholarships, if implemented to the maximum allowed, would cost \$439,047.00.

Printing and distribution of new section of the Manual will cost \$321.06.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

One of the changes increased the number of passes to visiting football teams from 140 to 300. If a home game is sold out, the institution would lose revenue which would have been gained by the sale of those additional seats. However, very few games are sold out. This particular change reflects NCAA policy of 4 tickets per athlete, along with removal of restrictions on size of traveling squads. This change is necessary in order for our institutions to meet their contractual agreements with other schools. Possible loss of revenue of \$400.00 estimated.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

There is no estimated costs and benefits to affected groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOY-

MENT - (Summary)

There is no estimated effect on competition and employment.

Bill Junkin  
Executive Director

Mark C. Drennen  
Legislative Fiscal Officer

### NOTICE OF INTENT

#### Board of Trustees for State Colleges and Universities

The Board of Trustees for State Colleges and Universities proposes to change its Policies and Procedure Manual concerning Education Policies and Procedures, Part IV.

Interested persons may obtain further information or submit written comments on this proposed policy change through 4:30 p.m., August 14, 1981 at the following address: Miller Shamburger, Board of Trustees for State Colleges and Universities, Box 44307, Capital Station, Baton Rouge, Louisiana 70804.

Bill Junkin  
Executive Director

#### Fiscal and Economic Impact Statement For Administrative Rules

##### Rule Title: Interim Courses

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

None.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

None.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

None.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

None.

Bill Junkin  
Executive Director

Mark C. Drennen  
Legislative Fiscal Officer

### NOTICE OF INTENT

#### Board of Trustees for State Colleges and Universities

The Board of Trustees for State Colleges and Universities proposes to change its Policies and Procedures Manual concerning Bylaws and General Operating Procedures, Parts I and II. This is the beginning of rewriting the entire Manual. No substantive changes in Policy have been made.

Interested persons may obtain further information or submit written comments on this proposed policy change through 4:30 p.m., August 14, 1981 at the following address: Miller Shamburger, Board of Trustees for State Colleges and Universities, Box 44307, Capitol Station, Baton Rouge, Louisiana 70804.

Bill Junkin  
Executive Director

#### Fiscal and Economic Impact Statement For Administrative Rules Rule Title: Policies and Procedures Manual, Revision, Chapter I

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

It is estimated that it will take \$410.71 to reproduce and distribute the changes to manual holders.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

There will be no estimated effect on revenue collections.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

There will be no estimated costs or benefits to affected groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

There will be no estimated effect on competition and employment.

Bill Junkin  
Executive Director

Mark C. Drennen  
Legislative Fiscal Officer

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

The user agency whose facility has been affected by the emergency will benefit by having the renovation/reconstruction of its facility completed more quickly and the facility returned to its intended use.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

The rule may effect competition to the extent that some architects may have applied in the 30-day period under the existing rules but do not under the shortened application period allowed in emergency situations. However, the rules maintain the requirement for public advertising to ensure that as many architects as possible receive notice of the pending award.

Cornelius A. Lewis  
Assistant Commissioner

Mark C. Drennen  
Legislative Fiscal Officer

**NOTICE OF INTENT**

**Division of Administration  
Architects Selection Board**

The Louisiana Architects Selection Board intends to adopt the following rules governing the selection of architects for emergency projects:

1. Notification of emergency to the Division of Administration by the User Agency is received.
2. Chairman of the Board is notified by the Division of Administration that an emergency does exist.
3. The Chairman of the Board then:
  - a. Authorizes the advertisement; and,
  - b. Sets date for meeting for selection within 72 hours after advertisement is printed, not including Saturdays, Sundays, and holidays.
4. Meeting will convene at 10:00 a.m. on the day designated pursuant to 3(b) above to receive applications.
5. Applications will be distributed as the first order of business.
6. Meeting will then adjourn and reconvene one hour later (11:00 a.m.) after review of applications and then selections shall be made.

Questions and comments will be accepted through August 5, 1981, and should be addressed to Mr. Harvey Koch, Chairman, Architects Selection Board, 833 Howard Avenue, New Orleans, LA, (504) 525-9115.

Cornelius A. Lewis  
Assistant Commissioner

**Fiscal and Economic Impact Statment  
For Administrative Rules**

**Rule Title: Emergency Procedures for Architects Selection Board**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

No additional costs or savings are anticipated. The rule merely shortens the time required for applications, advertising, and meetings of the Board to accommodate emergency situations.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

None.

**NOTICE OF INTENT**

**Governor's Special Commission on Education Services  
Loan/Grant Division**

The Loan/Grant Division of the Governor's Special Commission on Education Services intends to amend Rule 6 of its policies and procedures with respect to the State Student Incentive Grant Program, to increase the maximum grant amount to \$1,500.

A copy of the proposed change will be available for inspection at the office of the Commission, 4637 Jamestown Avenue, Baton Rouge, Louisiana, until August 5, 1981. Persons who desire to do so may submit comments or suggestions in writing to Mr. Richard W. Petrie, Director, Loan/Grant Division, Governor's Special Commission on Education Services, Box 44127, Baton Rouge, LA 70804.

Richard W. Petrie, Director  
Loan/Grant Division

**Fiscal and Economic Impact Statement  
For Administrative Rules**

**Rule Title: Grant Limits Academic Year**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

There is no estimated implementation cost or savings to the agency.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

There is no estimated effect on Revenue Collections.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

There is no estimated costs to affected groups. Individual students would benefit if assigned larger grant amounts.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

There is no estimated effect on competition and employment.

Richard W. Petrie  
Director

Mark C. Drennen  
Legislative Fiscal Officer

## NOTICE OF INTENT

### Governor's Special Commission on Education Services

The Governor's Special Commission on Education Services intends to adopt the following as policy:

Act 807 of 1980 provided for establishment of the Rockefeller Scholarship for students at Louisiana state-supported universities that have curricula in Wildlife, Fisheries, Forestry, Marine Sciences or study in curricula related to these subjects and ending in a degree.

Interested persons may comment on the proposed policy changes and/or additions, in writing, until 4:30 p.m. August 3, 1981 at the following address: Governor's Special Commission on Education Services, Box 44064, Baton Rouge, LA.

Mona H. Durham  
Director

### Fiscal and Economic Impact Statement For Administrative Rules Rule Title: Rockefeller Scholarship

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
There will be a cost of \$3,487 FY 81-82 and \$16,800 plus 5 percent of total scholarship awards FY 83-84.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
There is no estimated effect on revenue collections.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
There are no estimated costs and benefits to affected groups. The program will provide scholarships for students in Wildlife, Fisheries, Forestry, Marine Sciences and related studies ending in a degree.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
There is no estimated effect on competition and employment.

Mona H. Durham  
Director

Mark C. Drennen  
Legislative Fiscal Officer

## NOTICE OF INTENT

### Governor's Special Commission on Education Services

The Governor's Special Commission on Education Services intends to adopt the following as policy as provided in the Appropriations Bill of 1981: To provide a per student T. H. Harris Scholarship increase due to increased costs at the universities. The per student scholarship will be increased from \$100 and \$125 to \$140 and \$170 per semester with equal increases at Louisiana Tech University of 40 percent per recipient per quarter.

Interested persons may comment on the proposed policy changes and/or additions, in writing, until 4:30 p.m., August 3, 1981, at the following address: Governor's Special Commission on Education Services, Box 44064, Baton Rouge, Louisiana.

Mona H. Durham  
Director

### Fiscal and Economic Impact Statement For Administrative Rules Rule Title: T.H. Harris

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

- There are no estimated implementation costs to the agency.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
There is no estimated effect on revenue collections.
  - III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
There are no estimated costs to affected groups but rather the individual student would benefit if awarded a larger amount for the scholarship.
  - IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
There is no estimated effect on competition and employment.

Mona H. Durham  
Director

Mark C. Drennen  
Legislative Fiscal Officer

## NOTICE OF INTENT

### Office of the Governor Office of Elderly Affairs

The Office of the Governor, Office of Elderly Affairs, proposes to amend its State Plan on Aging for Federal Fiscal Year 1981 through 1983 under Titles III of the Older Americans Act of 1965 as amended.

The proposed plan, which will be in effect from October 1, 1981 through September 30, 1982, provides guidance for the State's Aging Services Programs under the applicable titles of the Older Americans Act of 1965 as amended on October 18, 1978.

A public hearing on the proposed plan will be held at the Ross Community Center gymnasium, 800 Western Avenue, Crowley, Louisiana on August 4, 1981, at 10:00 a.m. and at the Abbeville Senior Center, 1928 Graceland, Abbeville, Louisiana on August 5, 1981, at 10:00 a.m.

Interested persons may submit written comments through August 3, 1981, to the Office of Elderly Affairs, Box 44282, Baton Rouge, Louisiana 70804. The person within the agency responsible for responding to inquiries about the proposed State Plan is Mr. Larry Kinlaw.

Larry Kinlaw, Director  
Office of Elderly Affairs

### Fiscal and Economic Impact Statement For Administrative Rules Rule Title: Notice to Amend State Plan

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
The amendment of the State Plan will not effect implementation costs for programs administered by the Office of Elderly Affairs. Hopefully, changes will enhance the existing programs to accomplish more services with no additional funds.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
There will be no effect on revenue collections.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
There are no monetary costs or benefits to affected groups. The purpose of amending the three-year State Plan is to keep the planning process current with changing conditions in the aging network program structure.

#### IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

There will be no effect on competition and employment.

Ronald Blereau  
Assistant Director

Mark C. Drennen  
Legislative Fiscal Officer

### NOTICE OF INTENT Office of the Governor Office of Elderly Affairs

The Office of the Governor proposes to adopt rules and regulations which will comply with the Older Americans Act of 1965. These rules are being enacted under the authority granted to the Governor by the Department of Health and Human Services, Administration on Aging.

404: Organization and Authority of the Area Agency on Aging  
404.1: Purpose — This Subsection sets forth the overall policies and procedures governing the organization and authority of Area Agencies on Aging.

#### 404.2: Organization of an Area Agency

A. Single Organizational Unit — If a multipurpose agency is designated as an Area Agency, it must delegate all its authority and responsibility as an Area Agency to a single organizational unit within the agency.

B. Staffing — An Area Agency shall be responsible for recruiting and employing adequate numbers of staff members to develop and administer its area plan, and to carry out the functions and responsibilities prescribed by the Older Americans Act, Title III regulations and this Manual. The Area Agency must develop and implement a staffing plan consistent with Federal and State requirements and the standards listed herein:

1. The Area Agency shall be headed by an area administrator qualified by education and experience to administer the areawide program. The area administrator shall devote full time solely to activities on aging.

2. No Area Agency will be allowed to operate without an area administrator (even if an *acting* area administrator is appointed) for an extended period of time. If an Area Agency does attempt to operate without an approved area administrator for more than 90 days, it will be subject to suspension or termination.

#### 3. The Area Agency shall include:

(a) Adequate numbers of staff, qualified by experience and training, assigned full or part-time to Title III activities, including members of minority groups, when possible; and

(b) Persons knowledgeable — through education and/or experience — in the program areas for which they will be responsible (planning, administration, coordination, program evaluation, etc.).

4. The Area Agency shall give preference to persons aged 60 or over for any full-time or part-time positions for which such persons qualify — subject to the Area Agency's written personnel policy requirements.

5. The Area Agency may contract for the performance of certain functions and responsibilities, but such contractual arrangements shall not be utilized as a substitute for adequate staffing. Prior approval of the Governor's Office of Elderly Affairs is required before any Area Agency function is assigned to another party.

6. Area agencies shall not discriminate against any qualified person with a handicap who is seeking employment. Rather, they are encouraged to place a special emphasis on hiring qualified persons with a handicap, whenever possible.

404.3: Authority of the Area Agency — Each Area Agency shall have sufficient legal authority and organizational capacity to establish community focal points on aging, to develop the area plan on aging, and to carry out effectively (directly or through contract) the functions and responsibilities prescribed for an Area Agency on Aging under Section 406 herein and the Federal Title III regulations.

#### 404.4: Direct Provision of Services by an Area Agency

##### A. General Rule

1. An Area Agency must use contracts with service providers to provide all services under this part unless the Governor's Office of Elderly Affairs decides that direct provision of a service by the Area Agency is necessary to assure an adequate supply of the service.

2. For purposes of this section, "effectively" refers to capacity to provide a defined service. It includes considerations of service quality and delivery criteria, such as adequate quantity and timeliness. "Efficiently" refers to the relative total cost of providing a unit of service.

##### B. Test for Adequate Supply for Services Related to Area Agency Statutory Functions

1. For any of the services directly related to an Area Agency's statutory functions, direct provision will be judged to be necessary to assure an adequate supply of those services only if the Governor's Office of Elderly Affairs decides that the Area Agency can and will perform the services more effectively and efficiently than any other agency.

2. Services directly related to the statutory advocacy and service delivery functions of the Area Agency are those which must be performed in a consistent manner throughout the Agency's jurisdiction. These services are: information and referral, outreach, advocacy, program development, coordination, individual needs assessment and case management.

##### C. Test for Adequate Supply for Other Services

1. For any other service funded under Title III, direct provision will be judged to be necessary to assure an adequate supply if the Area Agency can and will provide the service substantially more effectively and efficiently than any other provider.

2. These services include all other services funded under the area plan, such as nutrition, homemaker, transportation, and legal services. They do not include any ombudsman services provided by the Governor's Office of Elderly Affairs under Section 800 of this Manual.

3. Cases in which approval is given for an Area Agency to provide direct services under these conditions are to be considered interim measures, primarily governing a time period in which the Area Agency strengthens the capacity of local service providers to deliver comprehensive, coordinated service to older persons.

D. Services Not Funded Under Title III — The Area Agency may plan, coordinate, and provide services funded under other programs, if it does not use funds under this part for those services, and if it continues to meet all its Area Agency responsibilities.

E. Notification of Intent to Deliver Services Directly — An Area Agency proposing to deliver services for the aging directly must notify the Governor's Office of Elderly Affairs of its desire to do so by letter in accordance with State Agency guidelines.

The Governor's Office of Elderly Affairs will notify the Area Agency of its approval or disapproval by letter. The area plan subsequently submitted must reflect the Governor's Office of Elderly Affairs' decision, including a description of how the Area Agency will deliver services directly if the Governor's Office of Elderly Affairs decides favorably on the request. Documentation of the Governor's Office of Elderly Affairs' approval, if granted, should be maintained on file at the Area Agency's office.

404.5: Written Procedures — An Area Agency must have written procedures for complying with all of its functions as pre-

scribed in the regulations and this Manual. Such written procedures must be incorporated in its area plan, or kept on file, and must be available to the Governor's Office of Elderly Affairs on request. Changes in procedures will be forwarded to the Governor's Office of Elderly Affairs.

#### 405: The Area Plan Process

405.1: Purpose — This subsection sets forth the policies and procedures governing the development and submission of area plans by Area Agencies on Aging to the Governor's Office of Elderly Affairs for review and approval.

##### 405.2: General Provisions

A. Purpose of the Area Plan — An area plan is the document submitted by an Area Agency to the Governor's Office of Elderly Affairs in order to receive a grant from this Office under Title III. The area plan must contain provisions required by the Act and this Manual and commitments that the Area Agency will administer activities funded under Title III in accordance with all Federal and State requirements. The area plan also must contain a detailed statement of the manner in which the Area Agency is developing a comprehensive and coordinated system throughout the planning and service area for all services authorized under Title III. An Area Agency may receive a grant under Title III only through an approved area plan. An Area Agency may use its Title III funds only for activities in its approved plan.

##### B. Duration and Format of the Area Plan

1. The area plan must be for the three-year period specified by the Governor's Office of Elderly Affairs: October 1, 1980 - September 30, 1983, and for each subsequent three-year period.

2. The Area Agency must submit an area plan or amendment to the Governor's Office of Elderly Affairs in accordance with the uniform area plan format provided by this Office and other instructions contained in this Manual.

3. The Governor's Office of Elderly Affairs shall periodically set forth the format, criteria for approval, and instructions for the development and submission of the area plan. The instructions and format shall be in conformity with the Title III regulations, this Manual and other AoA and Governor's Office of Elderly Affairs' directives which may be developed from time to time.

4. Instructions and a format for an annual update of the area plan will be issued by the Governor's Office of Elderly Affairs as appropriate.

##### C. Provision for Comprehensive and Coordinated Service Delivery System

1. General Rule — An area plan must provide for the development of a comprehensive and coordinated service delivery system for all social and nutrition services needed by older persons in the planning and service area. The Area Agency may accomplish this purpose by entering into new cooperative arrangements with other service planners and providers to:

(a) Facilitate access to and utilization of all existing services; and

(b) Develop social and nutrition services effectively and efficiently to meet the needs of older persons.

2. Service components of a comprehensive and coordinated service delivery system that may be funded under Title III are:

(a) Services which facilitate access, such as transportation, outreach, information and referral, escort, individual needs assessment and service management;

(b) Services provided in the community, such as congregate meals, continuing education, health, legal services, program development and coordination activities, advocacy, information and referral, individual needs assessment and service management, casework, counseling (concerning financial problems, welfare, the use of facilities and services, pre-retirement or second career) day care, protective services, health screening, services

designed for the unique needs of the disabled, emergency services, including disaster relief services, residential repair and renovation, physical fitness and recreation services, services helpful in obtaining adequate housing. Alteration, renovation, acquisition and, where permitted according to the provisions of Section 408 of this Manual, construction of facilities for use as multipurpose senior centers, are community services for purposes of this part.

(c) Services provided in the home, such as: home health, homemaker services, home health aide services, pre-institutional evaluation, casework, counseling, chore maintenance, visiting, shopping, readers, letter writing and telephone reassurance; and may include home delivered meals and nutrition education; and

(d) Services provided to residents of care providing facilities, such as casework, counseling, placement and relocation assistance, group services, complaint and grievance resolution and visiting. Care providing facilities include long-term care facilities, as defined in Section 803 of this Manual, emergency shelters, and other congregate living arrangements.

##### 405.3: Content of the Area Plan

A. Comprehensive and Coordinated System — An area plan must provide for a comprehensive and coordinated service delivery system.

B. Area Agency Function Requirements — An area plan must provide that the Area Agency function requirements, as specified in appropriate sections of this Manual, are met for:

1. Monitoring, evaluation and commenting on policies and programs affecting older persons;

2. Arrangements with children's day care organizations;

3. Arrangements with education institutions;

4. Assessment of need for services in the planning and service area and evaluation of effectiveness of services being provided;

5. Entering into subgrants or contracts for the provision of services under the area plan;

6. Technical assistance and evaluation of all service providers;

7. Considering the views of older persons;

8. Outreach efforts;

9. Designation of community focal points; and

10. Coordination with other Federal programs serving older persons.

C. Service Delivery Requirements — An area plan must provide that the service delivery requirements, as specified in appropriate sections of this Manual, are met for:

1. Giving preference to older persons with greatest economic or social need;

2. Restricting direct provision of services;

3. All service providers, concerning licensure, training, outreach, coordination, preference to those with greatest economic or social need, contributions, maintenance of non-Federal support for services, and advisory role for older persons;

4. Multipurpose senior center activities;

5. Nutrition services;

6. Legal services;

7. Information and referral services; and

8. Transportation services.

In providing such services, special attention should be given to utilizing quality staff, meeting basic standards and use of voluntary relationships.

D. Fiscal Requirements — An area plan must provide that the requirement of Section 207.1.F of this Manual is met for expenditure of 50 percent of its social allotment for priority services.

E. Informational Requirements — An area plan must specify:

1. Program objectives to implement the service delivery

requirements specified in paragraphs C.1. and C.4. through C.7. of this Subsection that are consistent with the requirements of the Older Americans Act and objectives established by the Governor's Office of Elderly Affairs;

2. A resource allocation plan indicating the proposed use of all funds to be used in programs for older persons directly administered by the Area Agency;

3. An identification of designated community focal points;

4. Methods the Area Agency uses to set service priorities under the plan, particularly the priority services specified in Section 207.1.F of this Manual; and

5. Proposed methods for giving preference in the provision of services under the plan to those with greatest economic or social need.

These methods;

(a) Must include, but are not limited to, consideration of older persons with greatest economic or social need in the designation of community focal points; and

(b) May not include use of a means test. A means test is the use of an older person's income or resources to deny or limit that person's receipt of services under the Act.

405.4: Amendments to an Area Plan — An Area Agency must amend its area plan if:

A. A new or amended State or Federal statute or regulation requires a new provision, or conflicts with any existing plan provisions;

B. A U.S. Supreme Court decision changes the interpretation of a statute or regulation;

C. The Area Agency proposes to change the designation of the single organizational unit or component unit;

D. The Area Agency proposes to add, substantially modify, or delete any area plan objective(s); or

E. The Governor's Office of Elderly Affairs requires further annual amendments.

405.5: Review of an Area Plan and Amendments

A. Public Hearing — An Area Agency must:

1. Hold at least one public hearing on its area plan and on any amendment to the area plan;

2. Give adequate notice to older persons, public officials and other interested parties of the time(s), date(s) and location(s) of the public hearing(s); and

3. Hold the public hearing(s) at a time(s) and location(s) which permit(s) older persons, public officials and other interested parties reasonable opportunity to participate.

B. Review and Comment by Advisory Council and A-95 Clearinghouse — The Area Agency must submit its area plan and any amendment for review and comment first to the area advisory council and then to the State A-95 clearinghouse.

C. Participation by the Area Advisory Council — The Area Agency's advisory council shall participate in the development and implementation of the area plan. The advisory council shall review the area plan before the conduct of the public hearing(s), and again after the public hearing(s), but before submission to the Governor's Office of Elderly Affairs.

D. Public Hearing Standards — The Area Agency shall apply the following standards in the conduct of its public hearing(s):

1. Public Notice shall be given at least two weeks before the public hearing(s);

2. The public hearing(s) shall be scheduled to allow sufficient time for review of the area plan by the area advisory council prior to the date of the public hearing(s);

3. Notice of the public hearing(s) shall be publicized through widely circulated newspapers or other forms of public media;

4. Notice of the public hearing(s) shall be published in a

language other than English, when deemed appropriate by the Area Agency on Aging and/or the Governor's Office of Elderly Affairs;

\*5. Notice of the public hearing(s) shall be provided to appropriate service providers, nutrition providers, organizations of older persons, and other public private agencies in the planning and service area;

6. The public hearing(s) shall be scheduled at a convenient time(s) and location(s) to ensure maximum attendance by interested parties, including representatives of the area advisory council, other local advisory councils to nutrition and other service providers, and older persons;

7. A complete copy of the area plan shall be available for review by the general public at the Office of the Area Agency prior to and after the public hearing(s);

8. Summaries of major components of the area plan, including a program description, objectives, action plans, and resource allocation plans, shall be available prior to and during the public hearing(s);

9. The formula or other methods used to distribute aging funds among service providers, with the Governor's Office of Elderly Affairs' guidelines, shall be available at the public hearing(s);

10. Procedures for review and analysis of comments received at the public hearing(s) shall be established and described in writing;

11. Summaries of the comments made at the public hearing(s) shall be available at the Office of the Area Agency after the public hearing(s); and

12. All records of the public hearing(s) shall be on file at the Area Agency as a part of the official area plan file.

405.6: Area Plan Submission, Review and Approval

A. An area plan must be submitted to the Governor's Office of Elderly Affairs in accordance with the schedule and procedures established by the Governor's Office of Elderly Affairs.

In developing its area plan, an Area Agency must allow sufficient time for the completion of the A-95 review process.

B. The following schedule outlines the process for review and approval of area plans or annual updates:

1. The Governor's Office of Elderly Affairs will notify all Area Agencies on Aging at least 60 days before the area plan is due at the Governor's Office of Elderly Affairs. This notice will include the transmittal of the required area plan format, the Governor's Office of Elderly Affairs' criteria for area plan approval and instructions for developing the area plan.

2. Area plans, whether for initial or continuation funding, are due at the Governor's Office of Elderly Affairs 60 days prior to the beginning date of the planned funding period.

3. Governor's Office of Elderly Affairs' staff reviews, and requests for revisions in area plans when necessary, will be completed 30 days before the beginning date of the planned funding period.

4. Final area plan revisions must be submitted to the Governor's Office of Elderly Affairs at least 30 days prior to the beginning date of the planned funding period.

5. The Area Agency on Aging will be notified of proposed funding level by the Governor's Office of Elderly Affairs in a timely manner prior to the beginning date of the funding period.

C. The Governor's Office of Elderly Affairs will assign a field representative to serve as the contact within this Office for Area Agencies on Aging/Governor's Office of Elderly Affairs com-

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\*The Governor's Office of Elderly Affairs will review an Area Agency on Aging's hearing procedures for service providers (to ensure equitable treatment) but will not judge a particular decision that was rendered according to these procedures.



munications and interrelationships. Any questions, or requests for assistance, on the area plan format, criteria for approval, instructions, review comments or other aspects of area plan development and review should be directed to the Area Agencies on Aging's designated field representative.

D. If, during the Governor's Office of Elderly Affairs' review process, substantive questions concerning an area plan arise which are not covered clearly by this Manual, the appropriate program representative will refer the question (through the Section Supervisor) to the Assistant Director and/or the Director for a policy decision.

E. The following internal procedures have been developed by the Governor's Office of Elderly Affairs for use in reviewing all area plans:

1. Administrative Processing

(a) Governor's Office of Elderly Affairs' staff will date stamp the front page of each of the required copies of the area plan and note their receipt on the funding application. He/she will then notify the field representative responsible for that Area Agency, and the supervisor of the Fiscal Section. One copy will be filed in the Area Agency on Aging's file.

(b) The Operations supervisor will send a letter to the Area Agency acknowledging the receipt of its area plan.

(c) The Operations supervisor will make one photocopy of the detailed sections of the plan and distribute section copies to appropriate office staff for review.

(d) The Operations supervisor will date stamp all submitted revisions to the area plan, and route them to the appropriate field representative, the Fiscal and Planning section when appropriate.

2. Review of Area Plans

(a) Program Review

(1) The appropriate field representative will conduct an in-depth review of the area plan. This will include a review of all documents and exhibits required in the instructions, as well as a detailed review on the substantive aspects of objectives and action plans.

(2) The field representative will consult with the appropriate Governor's Office of Elderly Affairs staff regarding their review of sections of the area plan.

(3) The field representative will document all conditions, deficiencies, and necessary revisions (including training and coordination) in writing.

(b) Fiscal Review

(1) The Fiscal Section will conduct a fiscal review of each area plan while the program review is being conducted.

(2) The Fiscal Section will have responsibility for reviewing all budget exhibits to ensure that required non-Federal matching funds are shown, to assure that figures and calculations are correct and consistent throughout the budget exhibits, and to check budget requests against final allotments available to the Area Agencies on Aging.

(3) Fiscal Section staff will document any necessary revisions in writing and submit their comments to the appropriate program representative.

(c) Review Conference

(1) The Director will be responsible for arranging a conference to review the area Plan. Included will be Fiscal Section Chief or his/her designee, the Operations supervisor, the field representative for the Area Agencies on Aging and others deemed appropriate. Comments from the program and fiscal reviews will be evaluated and an assessment of the area plan developed noting any deficiencies and changes that will be required. Conditions to be included on the award document will be specified.

(2) The Director will report all agreed-upon deficiencies in writing to the appropriate Area Agencies on Aging and request

necessary revisions.

(3) If necessary, the Director may set up an appointment for the Area Agencies on Aging program administrator to attend a conference regarding the area plan. The joint Governor's Office of Elderly Affairs/Area Agencies on Aging conference will center around the deficiencies noted, an explanation of the revisions required, and any planned program changes. The field representative, Assistant Director, Fiscal Section supervisor and other staff members deemed appropriate by the Governor's Office of Elderly Affairs may attend the conference.

(4) In the event the Governor's Office of Elderly Affairs disapproves an area plan (or any component thereof), the Area Agency may appeal through the process established by the Governor's Office of Elderly Affairs (described in Section 1000).

3. Governor's Office of Elderly Affairs Actions on Area Plans — The Governor's Office of Elderly Affairs shall provide notification in writing to the Area Agency of the final actions taken in either approving, approving with conditions, or disapproving its area plan.

(a) Approval

(1) The Governor's Office of Elderly Affairs shall approve an area plan when the plan is in substantial conformity with the Act, the Title III regulations, and the provisions of this Manual.

(2) The Director for Aging shall provide the Area Agency with a formal notice of approval of the area plan.

(3) The Governor's Office of Elderly Affairs shall require in writing the Area Agency's acceptance of budget as approved by the Governor's Office of Elderly Affairs, including any budget revisions under which the award of funds is made.

(b) Approval with Conditions

(1) The Governor's Office of Elderly Affairs may approve an area plan with conditions when necessary.

(2) The conditions shall be in writing and shall be clearly noted.

(3) All conditions placed on an approved area plan will be consistent with the authority delegated to the Governor's Office of Elderly Affairs.

(4) When an area plan is approved with conditions, it shall be incumbent upon the contractee to meet these conditions within the specified time frame. As the conditions are met by the contractee, the Governor's Office of Elderly Affairs will remove the conditions from the contract/budget and will officially notify the contractee of their removal. Field representatives will be responsible for periodically updating all conditions.

(c) Disapproval

(1) Any area plan which is not in substantial conformity with the Older Americans Act, the Federal regulations and the Governor's Office of Elderly Affairs policies shall be disapproved.

(2) When the Governor's Office of Elderly Affairs proposes to disapprove an area plan, it shall notify the Area Agency in writing of its intention and set forth the reasons for the proposed disapproval. The Governor's Office of Elderly Affairs shall:

(a) Issue a letter of intent to disapprove the area plan to the Area Agency indicating the reasons for the proposed disapproval within 30 days of receipt of the area plan; and

(b) Inform the Area Agency of the opportunity for a hearing on the area plan under the provisions of Section 1000 of this Manual and shall carry out those procedures.

(3) The Governor's Office of Elderly Affairs may authorize an established Area Agency to operate under the previous year's approved area plan until a final determination is made relative to the current area plan.

(4) If, after providing the Area Agency with a proper opportunity for a hearing, the Governor's Office of Elderly Affairs still finds the area plan unacceptable, the Office shall disapprove the plan, using the following procedures:

(a) The Governor's Office of Elderly Affairs must withhold further payments to an Area Agency whenever, after reasonable notice and opportunity for a hearing as provided in Section 1000 of this Manual, it finds that:

(1) The Area Agency does not meet the requirements of this part;

(2) The plan (or a plan amendment) is not approvable; or

(3) There is substantial failure in the provisions or administration of an approved area plan to comply with any provision of the Act, the Federal regulations or this Manual.

(b) If the Governor's Office of Elderly Affairs terminates funds under the above provision, it must notify the Commissioner in writing of its action; provide a plan for the continuity of services in the affected planning and service area; and designate a new Area Agency in the planning and service areas in a timely manner.

(c) If necessary to ensure continuity of services in a planning and service area, the Governor's Office of Elderly Affairs may, for a period of up to 180 days after its final decision to withdraw designation of an Area Agency:

(1) Perform the responsibilities of the Area Agency; or

(2) Assign the responsibilities of the Area Agency to another agency in the planning and service area.

If required, the Governor's Office of Elderly Affairs may, upon request and subsequent approval by the Commissioner, obtain an additional 180-day extension period.

4. Proposed Funding Level — The Governor's Office of Elderly Affairs will use the following procedures in issuing contract awards:

(a) The Fiscal Section of the Governor's Office of Elderly Affairs will prepare the notification of proposed contract award, with any conditions to be attached being prepared by the Governor's Office of Elderly Affairs.

(b) All fiscal conditions to be attached to the proposal will be cleared with the supervisor of the Fiscal Section;

(c) All program conditions to be attached to the proposal will be cleared with the supervisor of the Operations Section;

(d) The NGA must be signed by the Director of the Governor's Office of Elderly Affairs; and

(e) The proposal will be forwarded to the Area Agencies on Aging for proper execution and agreement, by signature of the proposal, to the terms and conditions specified therein.

(f) The Governor's Office of Elderly Affairs may request, as part of the area plan approval process, information from the Area Agency concerning its plans for making awards to minority organizations.

#### 5. Prior Approval of Contracts

(a) The Governor's Office of Elderly Affairs will not require prior approval of contracts proposed for funding under an area plan when the contract will be executed with a public or private non-profit organization.

(b) The Governor's Office of Elderly Affairs will require prior approval of a contract proposed for funding under an area plan when the contract will be executed with a profit-making organization. The Governor's Office of Elderly Affairs may approve such a contract only if the Area Agency demonstrates that the profit-making organization would provide services in a manner clearly superior to other available public or private non-profit providers. If potential problems with such a proposed contract are identified, the Governor's Office of Elderly Affairs will provide the Area Agencies on Aging with a written explanation of the problems and necessary corrections.

(c) Once a contract has been executed by an Area Agency to carry out a service or an activity under an approved area plan, an implementation plan for the services to be provided under the contract must be submitted to the Governor's Office of Elderly Affairs within 30 days after the effective date of the contract or as

otherwise specified by the Governor's Office of Elderly Affairs.  
406: Area Agency Functions and Responsibilities Under an Area Plan

406.1: General — Each Area Agency is responsible for planning, coordination, administration and assessment functions which foster the development of a comprehensive and coordinated service delivery system for older persons living in its planning and service area. The Director of each Area Agency on Aging shall work closely with the Director of the Governor's Office of Elderly Affairs to ensure that the Area Agencies on Aging's activities promote the purposes of Title III and other Older Americans Act programs, and to ensure compliance with appropriate State and Federal regulations and policies. Area Agency on Aging Directors shall meet periodically with the Director of the Governor's Office of Elderly Affairs, or his designated representative, to foster open communications and smooth working relationships.

406.2: Advocacy Responsibilities of the Area Agency — An Area Agency must:

A. Monitor, evaluate, and comment on all policies, programs, hearings, levies, and community actions which affect older persons;

B. Conduct public hearings on the needs of older persons;

C. Represent the interests of older persons to public officials, public and private agencies or organizations;

D. Carry out activities in support of the State administered long-term care ombudsman program;

E. Coordinate planning with other agencies and organizations to promote new or expanded benefits and opportunities for older persons; and

F. Carry out the advocacy responsibilities outlined in Section 800 of this Manual.

406.3: Area Agency General Planning and Management Responsibilities — An Area Agency must:

A. Develop and administer an area plan for a comprehensive and coordinated service delivery system in its planning and service area in compliance with all applicable laws and regulations, including all requirements of this Manual;

B. Assess the kinds and levels of services needed by older persons in the planning and service area, and assess the effectiveness of the use of various resources in meeting these needs;

C. Except as provided in Section 404.4 of this Manual, enter into contracts to provide all services under the plan;

D. Provide technical assistance to monitor, and periodically evaluate, the performance of all service providers under the plan;

E. Coordinate the administration of its plan with the Federal programs specified in Section 406.6, and with other Federal, State and local resources, in order to develop a comprehensive and coordinated service system;

F. Establish an advisory council;

G. Give preference in the delivery of services under the area plan to older persons with the greatest economic or social need;

H. Assure that older persons in the planning and service area have reasonably convenient access to information and referral services;

I. Provide adequate and effective opportunities for older persons to express their views to the Area Agency on policy development and program implementation under the plan;

J. Have outreach efforts to identify older persons and inform them of the availability of services under the area plan. These outreach efforts should have special emphasis on the rural elderly, and on those with greatest economic and social needs. With respect to nutrition services, the Area Agency must have outreach efforts that ensure that the maximum number of eligible persons have an opportunity to receive services;

K. If possible, have arrangements with children's day care organizations so that older persons can volunteer to help provide the day care;

L. If possible, have arrangements with local educational agencies, institutions of higher education, and non-profit private organizations to use the services provided older individuals under the community school program of the Elementary and Secondary Education Act of 1965;

M. Develop and publish the methods that the Area Agency uses to establish priorities for services, particularly the consideration given to the Title III priority services;

N. Establish procedures governing outreach, training, and coordination activities of service providers;

O. Attempt to involve the private bar in legal services activities, including groups within the private bar that furnish legal services on a pro bono and reduced fee basis;

P. Designate, where feasible, community focal points; and

Q. Establish a formula for distributing funds throughout its planning and service area with clearly delineated criteria as the basis for the formula.

406.4: Designation of Community Focal Points for Service Delivery

A. General Rule — In order to facilitate ready access to services provided under the area plan, and encourage the maximum collocation and coordination of services for older persons, an Area Agency must designate, if feasible, a focal point for comprehensive services delivery in each county.

B. Procedures for Designating Community Focal Points—An Area Agency must:

1. Specify in its area plan the community within each county in which it proposes to designate and develop a focal point. In making the determination, the Area Agency must consider:

(a) Communities with the greatest incidence of older persons with the greatest economic or social need;

(b) The delivery pattern of services funded under Title III and funded from other sources;

(c) The location of multipurpose senior centers and congregate nutrition sites;

(d) The geographic boundaries of communities and natural neighborhoods; and

(e) The location of facilities suitable for designation, including facilities of existing programs and services.

2. Designate a facility to be a community focal point in each community selected under paragraph B. 1. above. In making this designation, the Area Agency must:

(a) Give special consideration to multipurpose senior centers; and

(b) Assure that the facility currently or potentially can accommodate the collocation of services.

C. Developing Collocation of Services — An Area Agency must:

1. Establish guidelines for operating schedules at each focal point which are convenient for older persons in the county;

2. Assure that the community focal point has direct access to existing information and referral and emergency service programs; and

3. Encourage service providers to collocate their services at the community focal point and coordinate with other services provided at the focal point.

406.5: Area Agency Advisory Council

A. Functions of the Council — Each Area Agency must establish an advisory council in accordance with the requirements of this Section. The council must advise the agency on:

1. Developing and administering the area plan;

2. Conducting public hearings;

3. The interests of older persons; and

4. Its review of and comments on all community policies, programs and actions which affect older persons.

B. Composition of the Council — The advisory council must be made up of:

1. More than 50 percent older persons, including:

(a) Older persons with greatest economic or social need; and

(b) Participants of Older Americans Act programs;

2. Representatives of older persons;

3. Local elected officials; and

4. The general public.

C. Frequency of Meetings — The Area Agency advisory council must meet at least quarterly.

D. Support — The Area Agency must provide staff and assistance to the advisory council.

E. By-laws — The Area Agency must develop and make public by-laws which specify the role and function of the advisory council, number of members, procedures for selection of members, terms of membership, and frequency of meetings.

406.6: Coordination with Other Programs — To carry out its responsibility to develop a comprehensive and coordinated service delivery system, an Area Agency must establish effective and efficient procedures to coordinate its activities with:

A. Health systems agencies designated under Title XV of the Public Health Services Act; and

B. Agencies administering the following programs:

1. The Comprehensive Employment and Training Act of 1973;

2. Title II of the Domestic Volunteer Act of 1973;

3. Titles II, XVI, XVIII, XIX, and XX of the Social Security Act;

4. Sections 231 and 232 of the National Housing Act;

5. The United States Housing Act of 1937;

6. Section 202 of the Housing Act of 1959;

7. Title I of the Housing and Community Development Act of 1974;

8. Section 222 (a) (8) of the Economic Opportunity Act of 1964;

9. The community schools program under the Elementary and Secondary Education Act of 1964; and

10. Sections 3, 5, 9 and 16 of the Urban Mass Transportation Act of 1964.

406.7: Licensure and Safety Requirements — All services provided under the Older Americans Act must meet any existing State and local licensure and safety requirements for the provision of those services.

406.8: Outreach, Training, and Coordination Requirements — All service providers under Title III must comply with procedures established by the Area Agency for:

A. Outreach activities to ensure participation of eligible older persons;

B. Training and use of elderly and other volunteers and paid personnel; and

C. Coordination with other service providers in the planning and service area.

406.9: Preference for Older Persons with Greatest Economic or Social Need — All service providers under the Older Americans Act must follow priorities set by the Area Agency for serving older persons with greatest economic or social need. Service providers may use methods such as selecting certain locations for providing services and specializing in the types of services most needed by these groups to meet this requirement. Service providers may not use a means test.

406.10: Contributions for Services Under the Area Plan

A. Opportunity to Contribute — Each service provider must:

1. Provide each older person with a free and voluntary opportunity to contribute to the cost of the service he/she receives;
2. Protect the privacy of each older person with respect to his or her contribution;
3. Establish appropriate procedures to safeguard and account for all contributions; and
4. Use all contributions to expand the services of the provider under Title III. Nutrition services providers must use all contributions to increase the number of meals served.

**B. Contribution Schedules** — Each service provider may develop a suggested contribution schedule for services provided under the Older Americans Act program. In developing a contribution schedule the provider must consider the income ranges of older persons in the community and the provider's other sources of income.

**C. Failure to Contribute** — A service provider that receives funds under the Act may not deny any older person a service because the older person will not or cannot contribute to the cost of the service.

**D. Contributions as Program Income** — Contributions made by older persons who are recipients of services are considered program income.

**406.11: Maintenance of Non-Federal Support for Services** — Each service provider must comply with the provisions of Sections 206.14 and 206.15 of this Manual.

**406.12: Advisory Role to Service Providers of Older Persons** — Each service provider under the area plan must have procedures for obtaining the views of participants about the services they receive.

#### 407: Information and Referral Services

**A.** An area plan must provide for information and referral services sufficient to ensure that all older persons within the planning and service area have reasonably convenient access to the service.

**B.** In areas in which a significant number of older persons do not speak English as their principal language the service provider must provide information and referral services in the language spoken by the older persons.

**C.** "Information and Referral Service" means a system to link people in need of services to appropriate resources. A provider of information and referral services must:

1. Maintain current information with respect to the opportunities and services available to older persons;
2. Develop current lists of older persons in need of services and opportunities; and
3. Employ a specially trained staff to inform older persons of the opportunities and services which are available and to assist older persons to take advantage of the opportunities and services.

**D.** An information and referral service provider may disclose information by name about an older person only with the informed consent of the older person or his or her authorized representative.

#### 408: Multipurpose Senior Centers

##### 408.1: General

**A. Purpose of Making Awards** — An Area Agency may award social service funds under the Act to a public or private nonprofit agency for the following purposes:

1. Acquiring, altering, leasing, or renovating a facility, including a mobile facility, for use as a multipurpose senior center;
2. Constructing a facility, including a mobile facility, for use as a multipurpose senior center, subject to the provisions of Section 408.5; or
3. The costs of professional and technical personnel required to operate a center.

##### 408.2: Operating Requirements

###### A. Program

1. Senior center programs must consist of group activities, individual services and community service opportunities in a variety of areas, such as health, education, recreation, social work, nutrition, and other supportive services.

2. Senior centers must have an advisory council composed of center participants and individuals from the community who are knowledgeable about the needs and interests of older people and about community resources, and who have the skills and expertise necessary for guiding the center.

3. A center's participants and older adults in the center's service area must have continuous input into the type of programs offered by the center.

4. A center should provide for necessary coordination with other services and programs in its service area by collocating staff and services of other programs at the center or by referring individuals needing services to other service providers.

5. A center should have adequate arrangements to monitor and evaluate its program and operation against established standards.

**B. Staffing** — Each senior center must employ a senior center activity director who can give leadership to the total operation of the center and insure that the stated purposes and goals of the center are carried out in the best interest of the participants.

The qualifications for the director may vary with the size of the center, the emphasis of its programs and services and the type and degree of participants' needs. The areas of knowledge and skills identified as of major importance for directors are:

1. Knowledge and understanding of individual development — the physical, social and emotional growth patterns of all ages, with special knowledge of the physical, social, emotional and spiritual aspects of the older years — and interest in learning more;
2. Knowledge and understanding of groups, and the skill and ability to help people in groups work together to achieve their goals;
3. Knowledge about the learning process for all ages, with special emphasis on the learning process and patterns of older people, including motor learning, and the understanding and ability to help older people use their learning ability and overcome the blocks to their own learning;
4. Knowledge and skills of administration, including supervision of paid and volunteer staff;
5. Knowledge and skill in developing an atmosphere and structure conducive to a democratically based self-government which can operate in the areas of decision-making appropriate to the participants;
6. Knowledge and skills in several areas of program activities;
7. Skills in community organizations;
8. Knowledge of research being done in the field and how it applies to the work of the center; and
9. Public relations knowledge and skills.

Senior centers must employ adequate numbers of qualified other staff to assure the satisfactory operation of the center.

###### C. Facility

1. All facilities used for senior center activities must comply with all applicable State and local health, fire, safety, building, zoning and sanitation laws, ordinances or codes.

2. All senior center facilities must be adequate in size and design to carry out the center's program of activities and services.

3. All senior center facilities must be environmentally comfortable and conducive to participant use.

4. All senior center facilities must comply with the minimum handicapped accessibility requirements of the Architectural Barriers Act of 1968.

5. All facilities shall have procedures for fire safety, including:

- (a) Provision for fire drills;
- (b) Inspection and maintenance of fire extinguishers;
- (c) Adequate number of smoke detectors; and
- (d) Training by fire department personnel.

408.3: Health, Safety and Construction Requirements

A. General — A recipient of any award for multipurpose senior center activities must comply with all applicable State and local health, fire, safety, building, zoning, and sanitation laws, ordinances or codes.

B. Life Safety — If, in the judgment of the Governor's Office of Elderly Affairs, existing fire and safety laws, ordinances or codes are inadequate to protect the health and safety of participants, the Office may require a recipient of any multipurpose senior center award to:

1. Comply with the provisions of the applicable building occupancy classification of the National Fire Protection Association "Life Safety Code".

(a) This Manual incorporates by reference the "Life Safety Code" (NFPA No. 101, 1976 edition). This code is available from the National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210 at a cost of \$5.00 per copy.

(b) A copy of the "Life Safety Code" is available for inspection at the Administration of Aging Public Inquiries, Room 4146, 330 Independence Avenue, S.W., Washington, D.C. 20201, and at the Office of the Federal Register Library, Room 8401, 1100 L Street, N.W., Washington, D.C. 20408.

2. Install, in consultation with State or local fire authorities, an adequate number of smoke detectors in the senior center; and

3. Have a plan for assuring the safety of older persons in a natural disaster or other safety-threatening situation.

C. Architectural Barriers — The plans and specifications for an award for acquiring, altering, renovating or constructing a multipurpose senior center facility must comply with Federal regulations relating to minimum standards of construction, particularly with the requirements of the Architectural Barriers Act of 1968.

D. Technical Adequacy — The Governor's Office of Elderly Affairs will assure the technical adequacy of any proposed alteration or renovation of a multipurpose senior center assisted under Title III by requiring that any alteration or renovation of a multipurpose senior center that affects the load-bearing members of the facility be structurally sound and comply with all applicable local or State ordinances, laws, or building codes. In the absence of these codes, the Governor's Office of Elderly Affairs will require compliance with Chapter 23 of the Uniform Building Code, or Chapter 12 of the Standard Building Code.

408.4: Federal Labor Standards — A recipient of an award for altering, renovating or constructing a facility to be used as a multipurpose senior center must comply with the requirements of the Davis-Bacon Act and other mandatory Federal labor standards.

408.5: Length of Use of an Acquired or Constructed Facility

A. A facility acquired to be used as a multipurpose senior center must be used for that purpose for at least 10 years from the date of acquisition.

B. A facility constructed to be used as a multipurpose senior center must be used for that purpose for at least 20 years after completion of construction.

C. The Commissioner may, upon request from the Governor's Office of Elderly Affairs, waive the requirements specified in paragraphs A and B of this Subsection in unusual circumstances.

408.6: Special Conditions for Acquiring a Facility by Purchase or Construction

A. An Area Agency must obtain the approval of the Governor's Office of Elderly Affairs before making an award for constructing a facility.

B. The Governor's Office of Elderly Affairs may approve the construction of a facility after considering the views of the Area Agency if it finds that there is not other suitable facility available to be a focal point for service delivery.

C. An Area Agency may make an award for purchasing or constructing a facility only if there is no suitable facility for leasing.

408.7: Prohibition of Sectarian Use of a Facility — A facility altered, acquired, renovated, or constructed using funds under Title III to be used as a multipurpose senior center may not be used, and may not be intended to be used, for sectarian instruction or as a place for religious worship.

408.8: Funding and Use Requirements

A. Sufficient funds must be available to meet the non-Federal share of the award;

B. Sufficient funds must be available to effectively use the facility as a multipurpose senior center;

C. In a facility that is shared with other age groups funds received under Title III may support only:

1. That part of the facility used by older persons; or

2. A proportionate share of the costs based on the extent of use of the facility by older persons; and

D. A multipurpose senior center program must be operated in the facility

408.9: Recapture of Payments for Acquired or Constructed Facilities

A. The United States government is entitled to recapture a portion of Federal funds from the owner of the facility if, within 10 years after acquisition or 20 years after completion of construction:

1. The owner of the facility ceases to be a public or non-profit private agency or organization; or

2. The facility is no longer used for multipurpose senior center activities.

B. The amount recovered under Paragraph A of this Subsection is that proportion of the current value of the facility equal to the proportion of Federal funds contributed to the original cost. The current value of the facility is determined by an agreement between the owner of the facility and the Federal government, or by an action in the Federal District Court in which the facility is located.

409: Transportation Agreements

A. An Area Agency may enter into transportation agreements with agencies which administer programs under the Rehabilitation Act of 1973 and Titles XIX and XX of the Social Security Act to meet the common need for transportation of service participants under the separate programs.

Written comments concerning this proposed rule may be submitted through August 3, 1981 at the following address: Larry Kinlaw, Director, Governor's Office of Elderly Affairs, Box 44282, Baton Rouge, Louisiana 70804.

Larry Kinlaw, Director  
Office of Elderly Affairs

**Fiscal and Economic Impact Statement  
For Administrative Rules  
Rule Title: Notice of Intent  
Policy Manual**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)**

The publication of these policies will not effect implementation costs for programs administered by the Office of Elderly Affairs. These policies or similar policies have been in effect for a number of years and are being published to comply with State and Federal requirements.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)**

## NOTICE OF INTENT

### Department of Health and Human Resources Office of Human Development

The Department of Health and Human Resources, Office of Human Development proposes to adopt, effective August 20, 1981, the following amendments to the Client Placement Program policy.

3-210 A (2) Population To be Served by Office of Human Development, Division of Evaluation and Services

Exceptional children seeking initial placement, when the child is age 25 or younger, and his physical, mental, or neurological condition so deviates from the normal that they cannot without special therapy or protective care satisfactorily participate in community living.

Exceptional persons of any age when that person is already in a restrictive placement; and continuation of restrictive placement is certified by qualified professionals to be necessary to the physical and/or emotional well-being of the exceptional person; and a review by the Regional Review Committee establishes that a plan of independent living is inappropriate to the best interests of the client.

3-610 E Mandatory Review When An Exceptional Child In Placement Approaches Age 25

The cases of exceptional children already in placement shall be referred for review by the Regional Review Committee at least 60 days prior to the child's twenty-fifth birthday. The purpose of the review is to determine whether continued restrictive placement is in the best interests of the client. Qualified professionals (a psychiatrist and/or a psychologist) shall be consulted. The Regional Review Committee shall decide whether the placement must continue. Any decision to discontinue agency funding of the placement of an exceptional child shall be supported by a statement in writing from the qualified professionals consulted that the physical and/or emotional well-being of the client will not be adversely affected by the discontinuance. The format for referral to the Regional Review Committee is outlined in 3-625 (B).

A copy of the results of all such reviews shall be forwarded to DES State Office, Attention: Alternate Care Specialist.

The requirement that a pre-release review of such cases be made by qualified professionals will prevent the arbitrary release from a residential facility of persons unable to function independently when they have reached age 25. Such a review appears to be required by R.S. 40:2127 (Exceptional Children's Act). The policy will expand the population served by the client placement system to include those persons already in facilities who become age 25, when a review of their case situation indicates that independent living is not a feasible alternative.

Interested persons may submit written comments on the proposed policy changes through August 3, 1981 at the following address: Mr. Arthur J. Dixon, Assistant Secretary, Office of Human Development, Box 44367, Baton Rouge, Louisiana 70804. Mr. Dixon is the person responsible for responding to inquiries about the proposed rule.

George A. Fischer, Secretary  
Department of Health and Human Resources

### Fiscal and Economic Impact Statement For Administrative Rules

#### Rule Title: Client Placement

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

Sixteen persons have been identified as already in placement with a primary diagnosis of emotional disturbance, and who

There will be no effect on revenue collections.  
III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

There are no monetary costs or benefits to affected groups. The purpose of these policies is to ensure the availability of consistent policies and procedures to local organizations who plan, coordinate and deliver services to the elderly statewide.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

There will be no effect on competition and employment.

Larry Kinlaw  
Director

Mark C. Drennen  
Legislative Fiscal Officer

## NOTICE OF INTENT

### Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security proposes to set a maximum allowable monthly income limit for long term eligibility for an individual at \$794.10. For a couple occupying the same room in a long term care facility, the double rate of \$1,588.20 would apply.

This increase will allow the Medical Assistance Program to be in compliance with federal regulation 42 CFR 435.1005 which sets the maximum income limit, before deductions, at 300 percent of the Supplemental Security Income (SSI) payment amount.

On July 1, 1981 the monthly SSI payment amount was increased to \$264.70.

Interested persons may submit written comments through August 4, 1981 at the following address: Mr. Michael S. Haddad, Assistant Secretary, Office of Family Security, Box 44065, Baton Rouge, Louisiana 70804. Mr. Haddad is the person responsible for responding to inquiries about this proposed rule.

George A. Fischer,  
Secretary  
Department of Health and Human Resources

### Fiscal and Economic Impact Statement For Administrative Rules

#### Rule Title: Maximum Income Limit (CAP Rate) Increase

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

The estimated implementation costs are \$81,594 for FY 81-82, and \$88,952 for FY 82-83. The sources of funding for implementing the proposed action are \$26,648 state funds and \$54,946 federal funds for FY 81-82, and \$29,487 state funds and \$59,465 federal funds for FY 82-83. The necessary funds for implementing the proposed action were included in the budget request for FY 81-82.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

No effect on revenue collections is anticipated.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

The long term care applicant/recipient with income below the proposed maximum allowable monthly income limit would be financially eligible for long term care services.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

No effect on competition and employment is anticipated.

Michael S. Haddad  
Assistant Secretary

Mark C. Drennen  
Legislative Fiscal Officer

will reach age 25 in FY 1980-1981 or FY 1981-1982. The current annual cost for maintaining these persons in placement is \$191,672.00. This is an average cost per person of \$11,979.00 per year.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

No change. Persons (families) claiming such clients as dependents for federal income tax purposes are and will continue to be responsible for contributing to the client's support according to a sliding fee schedule.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

Benefit: Continued eligibility for state payment of the cost of care of those persons found unable to function independent of the residential facility.

Cost: No change is expected.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

No effect is expected.

Robert R. Rochester  
Deputy Assistant Secretary

Mark C. Drennen  
Legislative Fiscal Officer

### NOTICE OF INTENT

#### Department of Health and Human Resources Office of Human Development

Effective August 20, 1981, the Department of Health and Human Resources, Office of Human Development, proposes to adopt Intercountry Adoptions Policy. The proposed policy will authorize certain consenting licensed private child placing agencies to conduct and certify the validity of such home studies; to contract with qualified professionals to complete home studies; and to certify the validity of home studies completed by professionals under contract with them to complete home studies; certifying to the U.S. Immigration and Naturalization Service that the Louisiana prerequisite of a valid home study has been completed and is required before an Intercountry adoption can be consummated.

As a result of the length of the material that is affected by this notice, copies of this material may be secured from the Office of Human Development, Planning and Policy Formulation Section, Box 3318, Baton Rouge, Louisiana 70804.

Interested persons may submit written comments on the proposed policy changes through August 3, 1981 at the following address: Arthur J. Dixon, Assistant Secretary, Office of Human Development, Box 3318, Baton Rouge, Louisiana 70804. Mr. Dixon is the person responsible for responding to inquiries about the proposed rule.

George A. Fischer, Secretary  
Department of Health and Human Resources

#### Fiscal and Economic Impact Statement For Administrative Rules

##### Rule Title: Intercountry Adoption

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

No change is anticipated.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

No change is anticipated.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

Persons seeking prerequisite home studies will pay the usual

and customary fee of the licensed private child placement provider.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

No effect is anticipated.

Arthur Dixon  
Assistant Secretary

Mark C. Drennen  
Legislative Fiscal Officer

### NOTICE OF INTENT

#### Department of Health and Human Resources Office of Human Development

Effective August 20, 1981, the Department of Health and Human Resources, Office of Human Development, proposes to adopt guidelines for Respite Care Services. The proposed guidelines for Respite Care Services expound respite care definition, recipient eligibility requirements, types of services, units of service, limit on service usage and service reporting.

##### RESPITE CARE DEFINITION

Respite care is the temporary in or out of home care provided for up to 30 days (720 hours) within a six month time frame to a developmentally disabled or handicapped individual normally living at home under the daily care of family members for the purpose of providing the family with relief, whether during emergency or planned periods, from the special responsibilities associated with caring for this family member. Respite care does not attempt to supplant the potential and mandates of existing programs (i.e. homemaker services, day care, nursing home care). Respite care is emphasized as one family support service in the array of the state services network.

The thrust of respite care is twofold:

To support the family in maintaining the family home as the care-giving resource for the family member with the handicapping condition thus preventing institutionalization.

To provide appropriate quality care to persons receiving respite services while assuring physical safety and emotional well-being in a non-restrictive setting convenient to the family.

##### RECIPIENT ELIGIBILITY REQUIREMENTS

Eligibility requirements for recipients of OHD respite care services shall focus on both the individual and the reason for the requested service. Only those persons meeting the following criteria shall be considered as proper respite care clients:

1. The individual must have a severe chronic disability which is attributable to a physical and/or mental impairment, is not primarily a result of the aging process, is likely to continue indefinitely, and results in substantial limitations in at least three of the following major life activities: a) self-care; b) receptive and expressive language; c) learning; d) mobility; e) self-direction; f) capacity for independent living; and g) economic sufficiency.

2. The individual's disabling condition must be documented by a physician's statement and must require a sequence of special interdisciplinary, or generic care, treatment, or other individually planned and coordinated long-term service.

3. The individual normally resides in the home of his/her family and is cared for by them on a daily basis at the time of request.

4. The individual has received less than 1440 hours of respite care during the state's fiscal year. No more than 720 hours of respite care shall be received by an individual in a six-month time period without prior approval from the OHD Assistant Secretary.

5. The request for respite services is to avoid institutionalization, reduce undue tensions and pressures necessitated by the continuous and special care of the individual or to provide opportunity to adequately deal with crises or emergencies.



**TYPES OF SERVICE**

Respite services as funded through OHD fall into two categories: In-Home and Out-of-Home. Functionally, these services are described by the setting in which care is provided. In-Home services are provided in the client's home by a skilled caretaker associated with a respite placement agency. Such agencies must sponsor, train and maintain a register of caretakers to link to families in need. Respite Care Out-of-Home services are provided in a certified facility. Such facilities may be community respite centers, residential treatment facilities, pediatric hospitals, nursing homes, intermediate care facilities, day care centers, day developmental training centers, etc.

**PRIORITIES FOR SERVICE**

In those instances in which respite care service requests exceed availability, the ranking of requests for service consideration shall adhere to the following prioritization.

1. Emergency situations and crises.
2. Preventing institutionalization.
3. Requests from severely disabled individuals.
4. Planned rest, activity or vacations.

Therefore, individuals requesting respite to deal with a crisis shall have priority over individuals requesting the service for a planned rest and a rescheduling shall be offered for this affected party. Documentation shall be maintained as to each service request and reason for request. This shall include unmet requests due to staffing and/or facility limitations.

**UNIT OF SERVICE**

The reportable unit of Respite Care Out-of-Home service is an hour of care provided to a handicapped client in the provider's facility.

The reportable unit of In-Home service is an hour of care provided in the client's home.

For billing and reporting purposes, client service unit totals shall be recorded in whole number figures only. A fraction of an hourly unit at or in excess of 35 minutes shall be counted as one complete unit. A fraction of an hourly unit less than 35 minutes shall be discounted.

**LIMIT ON SERVICE USAGE**

Under ordinary circumstances, Respite In-Home and Out-of-Home services shall not exceed 720 hours of care in a six month time period. This limitation applies to respite services provided after June 30, 1981 through 100 percent state funded contracts with OHD. Adherence to the 720 hour limitation shall be monitored by maintaining for each client a cumulative total of service units provided per six month period of provider contract. Although a client's usage actually begins with the initial date of service to a client the six month period for tracking usage shall coincide with the state's fiscal year halves (July 1, through December 31 and January 1, through June 30).

Example: A client first received respite care services on August 15, 1981. During August and following months, service units were provided to the client at the following rate:

|           | Units Provided | Cumulative Total  |
|-----------|----------------|-------------------|
| August    | 100            |                   |
| September | 200            | 300               |
| October   | 300            | 600               |
| November  | 120            | 720 maximum usage |
| December  | not eligible   |                   |

The client would not again be eligible for respite services until January 1, 1982. If the next date on which services are provided to the client is April 15, 1982, the second service usage period subject to the 720 hour limitation would extend from the beginning date of April 15, 1982 through June 30, 1982. Thus

client usage tracking commences with first use following July 1 or January 1 as applicable and ends on December 31 or June 30 as applicable regardless of date client begins receiving service or number of hours of service received during that tracking period.

In exceptional circumstances, respite services may be extended beyond the 720 hour per six months limit with prior approval of the Assistant Secretary, Office of Human Development. A request for an extension should be submitted by a provider when need is evidenced and as early as possible in advance of reaching the 720 hour service limit. The request must be submitted in writing, contain justifying documentation as to the need for an extension, and shall be directed to: Assistant Secretary, Office of Human Development, Box 44367, Baton Rouge, LA 70804. Attention: Planner, Respite Care Services.

**SERVICE REPORTING**

The Respite Service Reporting Form shall be utilized by the provider of State Funded Respite Care Services to report information on clients served and services delivered for each month of program operation. The form is completed in duplicate. The original is forwarded to the Office of Human Development, Attention: Resource Development Section, by the fifteenth of the following month. A copy of the service reporting form is to be retained in the provider's files.

Interested persons may submit written comments or inquires regarding the proposed guidelines through August 3, 1981 to the following address: Mr. Arthur J. Dixon, Assistant Secretary, Department of Health and Human Resources, Office of Human Development, Box 44367, Capitol Station, Baton Rouge, Louisiana 70804.

George A. Fischer, Secretary  
Department of Health and Human Resources

**Fiscal and Economic Impact Statement  
For Administrative Rules  
Rule Title: Respite Care**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
Such rules will not have a financial impact upon the agency.
- II. ESTIMATED EFFECT ON REVENUE COLLECTION - (Summary)  
No cost increase or decrease to the Agency or State of Louisiana.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
Such rules will facilitate improved delivery of respite care services to Louisiana's eligible population.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
Competition among providers as well as the employment of Louisiana citizens is not affected by this rule.

Arthur Dixon  
Assistant Secretary

Mark C. Drennen  
Legislative Fiscal Officer

**NOTICE OF INTENT**

**Department of Natural Resources  
Office of Environmental Affairs  
Environmental Control Commission**

The Environmental Control Commission will hold a public hearing beginning at 10:00 a.m., August 27, 1981, in the State

Land and Natural Resources Building, Mineral Board Hearing Room, 625 North Fourth Street, Baton Rouge, Louisiana and will consider adoption of proposed revisions to the Air Quality Regulations. The revisions include Sections 23.4.4, 23.4.1.1, and a revision to the ozone abatement State Implementation Plan (SIP).

The person within the agency responsible for responding to inquiries about the proposed revisions is Mr. Gus Von Bodungen, Director, Air Quality Division, Box 44066, Baton Rouge, Louisiana 70804; telephone (504) 342-1206.

All interested persons are invited to submit written comments, speak at the public hearing, or both, about any of the actions proposed above. Comments, received in person or by mail, before the public hearing will be considered by the Commission before making the final decision on any of the proposed actions. All comments and requests to speak at the hearing should be submitted to Mr. B. Jim Porter, Assistant Secretary, Office of Environmental Affairs, Box 44066, Baton Rouge, Louisiana 70804. All documents relating to the actions on this notice are available for inspection at the following locations from 8:00 a.m. until 4:30 p.m.

Room 409, State Office Building, 325 Loyola Avenue, New Orleans, LA.

Reception area, 6th Floor, State Land and Natural Resources Building, 625 North 4th Street, Baton Rouge, LA.

Office of Environmental Affairs, 804 31st Street, Monroe, LA.

State Office Building, 1525 Fairfield Avenue, Shreveport, LA.

Office of Environmental Affairs, 1155 Ryan St., Lake Charles, LA

B. Jim Porter

Assistant Secretary

**Fiscal and Economic Impact Statement  
For Administrative Rules**

**Rule Title: Revision for ozone abatement SIP**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
There are no costs or savings to the Agency.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
There will be no effect on revenue collections.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
There are no costs or benefits to affected groups.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
There will be no effect on competition or employment.

Jerry D. Hill  
Undersecretary

Mark C. Drennen  
Legislative Fiscal Officer

**Fiscal and Economic Impact Statement  
For Administrative Rules**

**Rule Title: Revision to Air Quality Regulations  
Add New Sections 23.4.4 and 23.4.1.1**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
There are no implementation costs or savings to the Air Quality Division.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
There will be no effect on revenue collections.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED

**GROUPS - (Summary)**

Section 23.4.4 will have no cost effect. Section 23.4.1.1, which requires quarterly source testing, will cost, at a minimum, \$15,000 quarterly or \$20,000 a year. (This will affect 10 paper and pulp mills in the state)

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)**

There will be no effect on competition and employment.

Jerry D. Hill  
Undersecretary

Mark C. Drennen  
Legislative Fiscal Officer

**NOTICE OF INTENT**

**Department of Transportation and Development  
Office of the General Counsel**

Notice is hereby given that the Department of Public Safety, Office of State Police, has transferred the responsibility for issuing escort vehicle permits (previously designated amber beacon permits) to the Department of Transportation and Development, Weights and Standards Police Force and that the Department of Transportation and Development intends to adopt rules and regulations relative to issuance and enforcement of said escort vehicle permits. The Secretary will accept written comments and requests for a draft of the proposed rules and regulations until 4:15 p.m., August 5, 1981, at the following address: Mr. Marshall A. Linton, Assistant Chief Weights and Standards Police Force, Louisiana Department of Transportation and Development, Box 44245, Baton Rouge, Louisiana 70804. The proposed rules and regulations are, as follows:

**Secretary's Policy and Procedure Memorandum No. 47**

**SUBJECT: Escort Requirements for Oversize and/Overweight Vehicles or Loads**

**INSTRUCTIONS:** This memorandum supersedes all other memoranda and manuals in conflict herewith.

The Department of Transportation and Development is authorized to administer this policy and to enforce its provisions, including the issuance of the necessary permit and decal for properly equipped escort vehicles.

Escort vehicles may be furnished by the permittee or by private escort service, provided the following regulations are complied with:

**I. GENERAL PROVISIONS**

a. An oversize and/or overweight permit is required for each escort movement. The driver of the escort vehicle shall make certain that a permit has been issued and shall familiarize himself with and abide by requirements of the issued permit. The Department of Transportation and Development has authority to require and to regulate escorts under the provisions of R.S. 32:327, Paragraph C, and R.S. 32:387, Paragraph B(3).

b. The escorting vehicle shall be registered in accordance with Louisiana Statutes or Reciprocal Agreement. Automobiles used as escort vehicles are no longer private passenger vehicles and, therefore, must carry commercial plates. If escort vehicle is domiciled outside the State of Louisiana, escorting is limited to interstate movement only as intrastate movements are not allowed.

c. All statutory provisions must be complied with, except those waived by the permit or "Escorting Procedures" stipulated herein.

d. All escort vehicles shall post with the Department of Transportation and Development Weights and Standards Office a certificate of insurance with a "Louisiana Special Endorsement" for not less than \$50,000 for bodily injury to or death of one person in any one accident, \$100,000 for bodily injury to or death of two or more persons in any one accident, and \$50,000 for injury to or

destruction of property to others in any one accident.

e. An escort driver, domiciled in Louisiana, must be licensed with at least a Class "B" Louisiana Chauffeur's License when operating a two-axle vehicle.

Note: Reciprocal agreements with other states will be honored concerning operator's and/or chauffeur's license on self-escorted loads.

f. The driver of the escort vehicle must be able to read and understand this directive.

g. The driver of the escorting vehicle is responsible for the movement and shall ensure that the escorted vehicle is operated in a manner consistent with these provisions and all provisions on the permit. In the event the driver of the escorted vehicle does not, or refuses to operate in accordance with these stipulations, the driver of the escort vehicle shall terminate the movement and report this action to the proper company officials or local police authority or to the Department of Transportation and Development Weights and Standards Police Headquarters in Baton Rouge, (504) 342-7503.

h. It shall be the responsibility of the driver of the escort vehicle to operate as a warning vehicle only. The driver shall not run traffic lights, fail to stop at stop signs, improperly pass, etc. His authorization to warn motorists of danger shall not imply that the vehicle is or should be used as a police and/or emergency vehicle.

i. Escorts and flagmen (when flagmen are required) engaged in escorting loads on the highway of the State of Louisiana shall present a neat appearance and shall be courteous in their contact with the motoring public at all times.

j. All costs incidental to escorts, such as telephone calls, telegrams, etc. shall be borne by the escorter or permittee.

k. The equipment required on escort vehicles shall be available for inspection on demand of proper authorities.

l. Payment for escort service shall be determined by the escorter and the permittee.

m. Self or private escorts shall not escort any movement in excess of 14 feet wide on two-lane highways, or 16 feet wide on multi-lane highways. Escorts must be furnished for all movements in excess of 12 feet in width or in excess of 90 feet in length and for any other movement when so designated by the Department of Transportation and Development or the Office of State Police.

n. No current full-time employee of the Department of Transportation and Development, shall be used for or engage in self or private escort service. Under the existing policy of the Department of Public Safety, Office of State Police, an off-duty trooper working in uniform may serve as escort for movements of oversize and/or overweight loads.

o. In the event a State Police escort is required, the permittee shall pay the escort fee, or any portion thereof, in addition to the overtime pay of the off-duty trooper.

p. Escorts of house movements, overweight loads when required by the Department of Transportation and Development, and other loads needing police authority during movement, shall be escorted by the Office of State Police, unless made within a city's limits where the authority may be the City Police.

q. The owner and/or operator of the escort vehicle agrees to hold harmless the Department of Transportation and Development and its duly appointed agents and employees against any action for personal injury or property damage sustained by reason of the authority to escort an oversize load.

r. The Department of Transportation and Development Weights and Standards Police or the Office of State Police, will determine that proper escort procedures are complied with and shall have full authority to enforce all provisions of the permit and escort regulations. The authority to revoke the "Escort Vehicle Permit" shall rest with the Department of Transportation and Development.

## 2. EQUIPMENT REQUIRED

a. In accordance with the requirements of R.S. 32:327, the escort vehicle shall display an approved 360 degree emergency warning lamp. Approval is gained from a list of certified safety devices furnished to the Department of Transportation and Development by the Department of Public Safety. This list includes bar, strobe, revolving, and stationary lamps.

The warning lamp shall be amber in color and shall meet SAE J845 and SAE J595 "Standard and Specifications for Use and Performance," however, a dome type lamp must have a lens (clear portion) of not less than 9 inches in diameter and 4 inches in vertical height to meet "Escort Vehicle Permit" equipment requirements for the State of Louisiana.

The base of the warning lamp shall be mounted at a point atop the vehicle at a minimum of sixty inches from the roadway.

b. There shall be two solid red flags, 18 inches square, mounted other than vertical or horizontal atop the escort vehicle (40 degrees - 70 degrees angle preferred). These flags are not to extend more than 6 inches on either side of the vehicle and shall in no event exceed 8 feet 0 inches in width.

The escort vehicle must have the name and address of the company/owner of the escort vehicle on each front door of the vehicle, plainly legible and visible to the motoring public.

d. The escorting vehicle shall be equipped with two rear view mirrors, one on each side, so as to provide vision to the rear to ensure movement is progressing safely.

e. Headlights and rear lights on the escort vehicle and the vehicle being escorted shall be lighted during movement.

f. The escort and towing vehicle shall be equipped with radios such that communication between vehicles is possible. The escort vehicle will be responsible for advising the towing vehicle of any conditions arising that may require cautionary action such as reducing speed, pulling off the roadway, etc.

g. The escorting vehicle shall be equipped and have readily accessible a 10 pound Dry Chemical type fire extinguisher, four 15-minute burning flares and two red hand-held flags.

In addition, the vehicle must have four red flags that are 18 inches square and two signs with the wording "OVERSIZE LOAD". These signs must be 18 inches high and seven feet in length. The lettering must be black on a yellow background and is to be 10 inches high with 1-5/8 inch brush stroke.

h. For all overheight loads it is strongly recommended that a clearance bar of some design be attached to the escort vehicle to warn of clearance problems of the load being escorted.

## 3. ESCORTING PROCEDURES

a. Speed limit, for the escort load is to be determined by the issuing authority, and in any event shall not exceed 45 mph.

b. Movement shall be made on only those highways designated on the permit. Alternate routes shall not be used unless approved by the issuing authority.

c. Restricted permit movement hours must be adhered to on specifically designated sections of the Interstate System and the Greater New Orleans area bridges.

d. Movement shall be made only on dates and/or during times shown on the permit. No movement shall be made during hours of darkness unless prior approval is obtained from the issuing authority and the Office of State Police.

e. An escorted movement approaching any bridge structure which cannot be traversed safely because of inability to distinguish potential hazards by sight shall be parked (off the roadway where possible) and the escort vehicle shall proceed across said bridge (hill or incline). Adequate time shall be allotted to allow the escort vehicle to stop oncoming traffic before the oversize movement traverses said bridge, hill or incline.

f. Escorted movements will not impede the normal flow of traffic whenever possible. Whenever vehicular traffic to the rear becomes congested, it is required that the escort driver cause the

movement to be halted onto the shoulder or safe location. The movement shall remain off the main-traveled portion of the roadway until traffic has cleared. Movement may then continue until congestion re-occurs.

g. Movement shall not be made during severe inclement weather (rain, fog, etc.). When the movement is in progress and severe inclement weather occurs, it shall be the responsibility of the escort driver to have the oversize load removed from the traveled portion of the highway to a safe location.

h. The operator of the escort vehicle will ensure that the oversize movement is not allowed to park on the main-traveled portion of the highway unless absolutely necessary or in case of extreme emergency. Anytime the combination is parked on the highway right-of-way, it shall be adequately protected by flares, flags, flagmen, etc.

i. The escort vehicle shall travel to the rear of the overwidth movement on multi-lane highways and in front of the escorted load on two-lane highways. The escort must be behind overlength vehicles and loads.

j. The oversize load shall travel as near to the right side of the roadway as is safely possible to insure that traffic will be able to pass safely. The escort and escorted load shall not infringe upon the opposite bound lane whenever possible.

k. A single escort may be used to escort one or two overlength loads in one movement.

l. An escort will be required for each overwidth load which needs escorting.

m. The number of escort vehicles needed for overweight escort loads and critical off-road equipment will be stipulated by the Department of Transportation and Development in their authorization to move the load, as well as any additional restrictions.

n. The escort vehicle shall maintain a sufficient distance from the movement to warn oncoming traffic of the potential danger, but not so far as to hinder control over the movement.

o. Violators of these provisions or requirements shall be subject to all penalties provided by law and may have any and all escort permits revoked.

#### **ESCORT WARNING VEHICLE (LOUISIANA SPECIAL ENDORSEMENT)**

The policy shall include the obligation of the names insured under Act 113, Louisiana Regular Session, 1977, as amended to protect the State of Louisiana, the Department of Transportation and Development and all political corporations and subdivisions of the State of Louisiana from any liability, responsibility or damage resulting from the use of the motor vehicle described below, during the policy period, under (any Permit) issued under said law, subject to the following provisions:

1. The total limit of the company's liability for damages arising out of the use of any one motor vehicle is not less than \$50,000 for bodily injury to or death of one person in any one accident, \$100,000 for bodily injury to or death of two or more persons in any one accident, and \$50,000 for injury to or destruction of property to others in any one accident.

2. Cancellation of or change in the policy affecting the insurance under this endorsement shall not become effective until 30 days after written notice has been given to the Secretary of the Department of Transportation and Development through the Enforcement and Truck Permits Administrator.

3. The named insured agrees to reimburse the company for any payment made by the company which it would not have been obligated to make under the terms of the policy except for the agreement contained in this endorsement, if the company would not have been obligated to make such payment because of any exclusion, condition or endorsement of the policy.

Description of Motor Vehicle:

NOTE: Matter in brackets is to be amended to read: "the

permit described below," when premium is not charged for the full policy period.

In the Description of Motor Vehicle space enter "all motor vehicles owned or used" by the named insured if the policy covers such motor vehicles or enter "all owned motor vehicles" or "all owned or hired motor vehicles" if the policy covers only such motor vehicles or enter "all motor vehicles covered under this policy" or specifically describe the motor vehicle for which coverage is desired, if all owned or hired motor vehicles are not covered under this policy.

This endorsement shall take effect on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ and shall terminate with the policy. (12:01 a.m. Standard Time)

Subject in all other respects to all the declaration, insuring agreements, exclusions and conditions of this Policy.

This endorsement, when signed by an authorized agent of the Company and attached to Policy No. \_\_\_\_\_ issued to \_\_\_\_\_ shall be valid and shall form part of said Policy.

Countersigned at \_\_\_\_\_ Date \_\_\_\_\_

BY: \_\_\_\_\_  
Authorized Agent

#### **Fiscal and Economic Impact Statement For Administrative Rules Rule Title: Escort Vehicle Permits**

##### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)**

Initial implementation cost will be minimal with the printing costs of the permits and decals of approximately \$6,400.00. All permit issuance and enforcement will be done with existing personnel, and all costs for implementation will be absorbed by annual appropriations made to the department.

##### **II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)**

It is estimated that 12 violation tickets will be issued per month at a cost of \$100 per violation resulting in a total collection of \$14,000.00 annually.

##### **III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)**

The public will benefit from the increased use and more uniformity of escort vehicles resulting in a safer highway system. A nominal increase in insurance coverage by escort vehicle owners will be necessary.

##### **IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)**

This rule will have no significant effect on competition and employment.

Paul J. Hardy  
Secretary

Mark C. Drennen  
Legislative Fiscal Officer

#### **NOTICE OF INTENT**

#### **Department of Transportation and Development Office of the General Counsel**

Notice is hereby given that the Louisiana Department of Transportation and Development intends to modify the existing specifications on gasoline to establish an octane index for the various grades of gasoline in the State of Louisiana, to provide, as follows:

Except as provided in R.S. 51:784(B), Louisiana approved regular gasoline shall be a refined volatile hydrocarbon mixture, having a tag closed cup flash point below 110 degrees F., and shall

be free from water and suspended matter.

A clean copper strip shall not be darker than No. 1 on the ASTM copper strip Corrosion Scale, when submerged in the gasoline for three hours at 122 degrees F.

When the thermometer reads 167 degrees F. not less than 10 percent shall be evaporated. When the thermometer reads 284 degrees F. not less than 50 percent shall be evaporated. When the thermometer reads 392 degrees F. not less than 90 percent shall be evaporated. The end point shall not be higher than 437 degrees F. The residue shall not exceed 2 percent. Recovery shall not be less than 95 percent. Percent evaporation shall be found by adding the distillation loss to the amount collected in the receiver at each specification temperature.

The vapor pressure (Reid Method), shall not exceed 13.5 pounds. Sulphur shall not exceed 0.25 percent.

Louisiana approved gasoline shall meet all the foregoing specifications and in addition thereto, shall have an octane rating index as follows:

| Grade of Gasoline     | Octane Rating Index<br><u>R+M</u><br>2 |
|-----------------------|--|
| Premium, Super, Extra | 91.0 (Minimum)                         |
| Regular, Leaded       | 89.0 (Minimum)                         |
| Regular, Unleaded     | 87.0 (Minimum)                         |

The instruments and procedures used in testing the above rules shall be those of the American Society for Testing and Materials.

all as authorized by and in accordance with R.S. 51:784(B). The Secretary will accept written comments regarding the revision of this specification until 4:15 p.m., August 5, 1981, at the following address: Mr. David G. Azar, Chemical Engineer, Louisiana Department of Transportation and Development, Materials and Testing Lab, Box 44245, Baton Rouge, Louisiana, 70804.

Paul J. Hardy, Secretary  
Department of Transportation  
and Development

**Fiscal and Economic Impact Statement  
For Administrative Rules  
Rule Title: Gasoline Specifications**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
Not applicable.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
Not applicable.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
It will benefit the refining company by allowing a premium grade unleaded gasoline to some which heretofore were unable to supply a premium grade product. This type of control will also cause refineries to maintain a quality product, and eliminate considerable confusion to the motoring public that can only relate to an R + M/2 octane index which is posted and readily visible to all consumers when purchasing gasoline.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
Not applicable.

Paul J. Hardy  
Secretary

Mark C. Drennen  
Legislative Fiscal Officer

**NOTICE OF INTENT**

**Department of Transportation and Development  
Office of the General Counsel**

Notice is hereby given that the Louisiana Department of Transportation and Development intends to adopt the following rule as an amendment to its existing rules, regulations and policies governing the "Size, Weight and Load" of vehicles operated on the State Highway System relative to "Oilfield Equipment Permits." The Secretary will accept written comments and requests for a draft of the proposed rule until 4:15 p.m., August 5, 1981, at the following address: Mr. James B. Norman, Truck Permit Officer, Louisiana Department of Transportation and Development, Box 44245, Baton Rouge, Louisiana, 70804. The proposed amendment relative to "Oilfield Equipment Permits" is as follows:

**Oilfield Equipment Permits**

Oilfield Equipment Permits are for empty lowboys which are designed to transport oilfield equipment and which exceed legal length and width limitations. These permits allow the empty lowboy (tractor/trailer) combination a maximum length of 70 feet and a maximum width of 10 feet on all state highways except the Interstate system and a maximum length of 70 feet and a maximum width of 8 feet on the Interstate system.

A lowboy (tractor/trailer) combination with dimensions in excess of those permitted by an oilfield equipment permit must obtain a standard oversize or overweight permit. Vehicles with Oilfield Equipment Permits are not prohibited from traveling on Sundays after 1:00 p.m., on holidays, at night, or during moderate rain. Oilfield Equipment Permits may be issued on regular forms (P-forms), transmitted forms (telecopies) or control forms (C-forms).

The fee for an Oilfield Equipment Permit is \$15.00 per month.

This amendment to the Department's existing rules, regulations and policies governing the size, weight and load of vehicles operated on the State Highway System relative to "Oilfield Equipment Permits" is to be effective August 20, 1981. All interested persons may submit their views through August 5, 1981, at the above address.

Paul J. Hardy, Secretary  
Department of Transportation  
and Development

**Fiscal and Economic Impact Statement  
For Administrative Rules  
Rule Title: Oilfield Equipment Permits**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
There will be no additional costs necessary to implement this change since this adjustment will allow increased movement on permits that are already being used.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
This adjustment will mean a minimal loss in revenues since only a small number of vehicles will be affected.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
There will be an approximate savings of \$800.00 in permit fees per month for the affected trucking companies with this type of equipment, plus the savings on fuel and time saved by using the Interstate System.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
There should not be any effect on competition and employment since the companies this change will effect will have the

same advantages.

Paul J. Hardy  
Secretary

Mark C. Drennen  
Legislative Fiscal Officer

**NOTICE OF INTENT**

**Department of the Treasury  
Board of Trustees**

**State Employees Group Benefits Program**

In accordance with the provisions of R.S. 49:951, et seq., notice is hereby given that the Board of Trustees of the State Employees Group Benefits Program intends to adopt the following rule at its regular monthly meeting on August 26, 1981.

**Open Enrollment Periods for School Boards**

**Receiving Reimbursement from the State of Louisiana**

Reimbursements will be made to employees and retirees of school systems with private carriers who are enrolled for coverage in an open enrollment period only under the following circumstances:

1. Eligible employees and retirees may be enrolled in the life insurance program of the school board on the first day of any month upon submission of a statement of health and approval thereof by the company insuring the life program for the school system.

2. Eligible employees and retirees of the school system may enroll in the health insurance program on the first day of any month subject to the following pre-existing condition stipulation:

A physical injury or sickness will be considered a Pre-Existing Condition if treatment was received or if drugs were prescribed or taken, during the 12 consecutive month period immediately preceding the effective date of coverage. No benefits will be payable for a Pre-Existing Condition until the covered person has been a participant in the plan for 24 consecutive months.

Interested persons may submit written comments on this proposed rule until 4:30 p.m. on August 5, 1981 to: Dr. James D. McElveen, Executive Director, Board of Trustees State Employees Group Benefits Program, Box 44036, Baton Rouge, LA 70804.

Dr. James D. McElveen is responsible for responding to inquiries concerning the proposed rule.

James D. McElveen  
Executive Director

**Fiscal and Economic Statement  
For Administrative Rules  
Rule Title: Open Enrollment**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
There will be no additional costs nor will there be any savings to this agency as a result of this rule change.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
This proposed rule will have no apparent impact on revenues.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
There will be no additional cost to any affected group.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
There will be no effect on competition or employment.

James D. McElveen  
Executive Director

Mark C. Drennen  
Legislative Fiscal Officer

**NOTICE OF INTENT**

**Department of Urban and Community Affairs  
Office of Consumer Protection**

The President of the Consumer Protection Advisory Board hereby gives notice of intention to consider and give approval to Consumer Protection Rule 3:5012 - Advertising by air conditioning, refrigeration, and heating contractors and repairmen, which is proposed for adoption by the Assistant Secretary of the Office of Consumer Protection, Department of Urban and Community Affairs, at its public meeting on August 5, 1981, at 10:00 a.m. in the Mineral Board Auditorium, State Land and Natural Resources Building, Fourth and North Streets, Baton Rouge, Louisiana 70804.

Any interested person may submit, orally or in writing, his views, arguments, data, or reasons in support of or in opposition to this intended approval of the Assistant Secretary's adoption of this rule by personally appearing at the above public meeting at the above designated time, day, and place and submitting same.

Any interested person who wishes additional information may contact Mr. Charles W. Tapp, Assistant Secretary, Office of Consumer Protection, Box 44091, Baton Rouge, Louisiana 70804.

Charles W. Tapp  
Assistant Secretary

**Fiscal and Economic Impact Statement  
For Administrative Rules  
Rule Title: CPR 3:5012**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
There will be no additional cost to the agency. This rule will be promulgated and administered within the current budget. Likewise, no savings will accrue to the agency from this rule.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
There will be no change in revenue collections by the State. Those consumers who now utilize unlicensed repair firms and persons will still have a need for repair work. If such work is not directed to those unlicensed persons and firms, it will go to licensed persons and firms. Hence, no loss of State and local sales taxes will accrue.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
Hopefully, this rule will mean that those firms and persons who are not now licensed by local governing authorities where such licensing is required will become licensed as required by local laws. If not, they will lose business because of their inability to advertise. It is impossible to determine how much business could be lost in terms of dollars.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
Fairer competition between repair firms and persons who are abiding by the law and those who are now in violation of local ordinances. Also, this rule should provide more local compliance with existing ordinances. The rule will have no effect in those locales that do not require licensing of these professions.

Charles W. Tapp  
Assistant Secretary

Mark C. Drennen  
Legislative Fiscal Officer

## NOTICE OF INTENT

### Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The Louisiana Wildlife and Fisheries Commission will hold a public meeting on Tuesday, August 25, 1981, or at a special meeting if it is necessary to comply with Federal regulations, to set the 1981-82 waterfowl season dates and bag limits. The meeting will be at 10:00 a.m., at the Wildlife and Fisheries Building, 400 Royal Street, New Orleans, Louisiana.

Persons wishing to submit written comments may do so by writing to Mr. Joe L. Herring, Chief, Game Division, Department of Wildlife and Fisheries, Box 44095, Baton Rouge, Louisiana 70804.

Jesse J. Guidry,  
Secretary

### Fiscal and Economic Impact Statement For Administrative Rules Rule Title: Waterfowl Season

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
There will be no implementation costs as a result of this action.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
There will be no effect on revenue collections.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
There will be no additional costs or benefits to affected groups.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
There will be no effect on competition or employment due to implementation of this rule.

Mary Mitchell  
Fiscal Officer

Mark C. Drennen  
Legislative Fiscal Officer

# Potpourri

## POTPOURRI

### Office of the Governor Tax Commission

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:951-968), notice is hereby given that the Louisiana Tax Commission (Louisiana Constitution of 1974, Article VII, Section 18, and R.S. 47:1831-1837) intends to hold a public hearing on Tuesday, August 11, 1981 at 9:30 a.m. in Room 215, Capitol Annex, Baton Rouge, Louisiana.

The purpose of this hearing is to hear protests from North-east Louisiana Telephone Company Inc., Union Tank Car Company, Ohio Barge Line, Inc., River & Gulf Transportation Company and Mississippi River Transmission Corporation on their 1981 public service assessed valuations. The Commission shall conduct such further business as appears before it and will also hear any protests from other public service companies received in the Tax Commission office by July 31, 1981. The Commission shall not adopt, amend, or repeal a Rule nor engage in Rulemaking at this public hearing.

Those desiring to be heard will be given reasonable opportunity to make their presentations.

J. Reginald Coco, Jr.  
Chairman

## POTPOURRI

### Department of Natural Resources Fishermen's Gear Compensation Fund Claims

In accordance with the provisions of the Fishermen's Gear Compensation Fund, Act 673 of 1979, and in particular Section 700.4 thereof, regulations adopted for the fund as published in the Louisiana Register on August 20, 1980, and also the rule of the Secretary of this Department, notice is hereby given that eight completed claims were received during the month of June, 1981, amounting to \$13,440.51. Public hearings to consider these and previously completed claims will be held as follows:  
Tuesday, August 4, 1981 at 1:00 p.m. in the Lafitte Civic Center, City Park Drive, Lafitte, Louisiana to consider payment of the following claims against the fund:

Claim No. 80-159 — Dennis Creppel, while trawling in the vessel "Tee Michel" on August 15, 1980, encountered a piece of oil field pipe in East Bay, Block 24, Plaquemines Parish, causing damage to his vessel. Amount of claim: \$5,000.00.

Claim No. 81-265 — Allen D. Wiseman, while trawling in the vessel "Cajun Power" on May 16, 1981, encountered a load of batteries in the Gulf of Mexico, 1.59 miles from the Beach at Bay Marchand, Lafourche Parish, causing damage to his trawl and boards. Amount of claim: \$3,336.47.

Claim No. 81-267 — Adam R. Bruce, while trawling in the vessel "Lisa" on June 7, 1981, encountered a piece of metal in Hackberry Bay, Jefferson Parish, causing damage to his vessel. Amount of claim: \$418.90.

Thursday, August 6, 1981 at 11:00 a.m. in the L.S.U. Cooperative Extension Service Office, Greater Lafourche Port Commission Building, Highway 308, Galliano, Louisiana to consider payment of the following claims against the fund:

Claim No. 81-250 — Eule Duet, while trawling in the vessel, "Bob Jace" on May 2, 1981, encountered three pilings in the Gulf of Mexico, South of Marsh Island, Vermilion Parish, causing damage to his trawl. Amount of claim: \$542.41.

Claim No. 81-270 — Ellis J. Plaisance, Jr., while trawling in the vessel "Master Burgess" on June 2, 1981, encountered an unknown obstruction in Barataria Pass, Jefferson Parish, causing damage to his trawl and boards. Amount of claim: \$1,444.98.  
Tuesday, August 11, 1981 at 11:00 a.m. in the Louisiana State University Cooperative Extension Service Office, 1105 West Port Street, Abbeville, Louisiana, to consider payment of the following claims against the fund:

Claim No. 79-040 — Paul J. Breaux, while trawling in the vessel "Marilyn" on October 24, 1979 in the Gulf of Mexico, West of Freshwater Bayou, Vermilion Parish encountered an abandoned pipeline, causing damage to his trawl. Amount of claim: \$1,539.45.

Claim No. 81-251 — David Bruce Lowery, while trawling in an unnamed vessel, Louisiana Registration Number LA 658-ST, on May 3, 1981 in the Gulf of Mexico, one-half mile East of Joseph Harbor and one-half mile from shore, Cameron Parish, encountered an Anchor buoy, causing damage to his vessel. Amount of claim: \$1,000.80.

Thursday, August 13, 1981 at 11:00 a.m. in the Council Chamber City Hall, 2055 Second Street, Slidell, Louisiana, to consider payment of the following claim against the fund:

Claim No. 80-135 — Tom J. Halliger, while trawling in the vessel "Rango Kid" on July 28, 1980 encountered an unknown obstruction in Lake Pontchartrain, East of Point Aux Herbes, Orleans Parish, causing damage to his fifty-foot trawl and related equipment.

Any written objections to these claims must be received by the close of business August 1, 1981 by the Secretary, whose address is: Mr. Frank A. Ashby, Jr., Secretary, Department of Natural



Resources, Box 44396, Capitol Station, Baton Rouge, Louisiana  
70804.

At the hearings, any person may submit evidence on any phase of  
the claims.

Frank A. Ashby, Jr.  
Secretary

### **POTPOURRI**

#### **Department of Public Safety Municipal Police Officers Supplemental Pay**

The next scheduled meetings of the Board of Review,  
Municipal Police Officers' Supplemental Pay, will be held in Room  
218, State Police Headquarters, 265 South Foster Drive, Baton  
Rouge, Louisiana on Tuesday, July 21, 1981 at 10:00 a.m., and  
Tuesday, August 11, 1981 at 10:00 a.m.

Larry A. Messina  
Secretary-Treasurer

## **Errata**

### **ERRATA**

#### **Office of the Governor Office of Elderly Affairs**

On Page 316 of the *Louisiana Register*, Volume 7, Number  
6, June 20, 1981, the first sentence read, "The Office of the  
Governor proposes to adopt rules and regulations which amend  
the Older Americans Act of 1965." It should have read "... which  
comply with the Older Americans Act of 1965."

Larry Kinlaw  
Director

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