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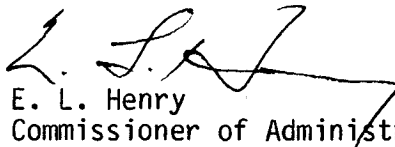
November 3, 1982

Dear Subscribers:

Due to the increased cost of printing, it is advisable to raise the Louisiana Register subscription rates \$5 per year. Beginning January 1, 1983, the regular price will be \$50 annually. The state agency rates will be \$30 per year for additional copies. Individual copies will increase from \$4 to \$4.50 each.

If you have any questions regarding these new rates, please contact Mrs. Mai Abington, Director, Department of the State Register, Box 44095, Baton Rouge, Louisiana 70804.

Sincerely,


E. L. Henry
Commissioner of Administration

ELH/pmm

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Executive Orders

NOW, THEREFORE, pursuant to the authority granted me by R.S. 39:55, I hereby prohibit the allotment and expenditure of \$1,000,000 by the Department of Urban and Community Affairs to the Economic Development Districts.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this the 22nd day of October, A.D., 1982.

David C. Treen
Governor of Louisiana

EXECUTIVE ORDER NO. DCT 82-22

WHEREAS, the Governor's Task Force on Deep Draft Vessel Access to the Lower Mississippi River was created by Executive Order 82-5; and

WHEREAS, the purpose and function of that task force is to evaluate the anticipated growth of major bulk commodities that move through the Lower Mississippi River area, evaluate the anticipated savings that would occur if the Lower Mississippi River were dredged to accommodate deep draft vessels, and evaluate the engineering and financial feasibility of such dredging; and

WHEREAS, the work of this task force holds a great potential importance to the economic future of Louisiana;

NOW, THEREFORE, I, DAVID C. TREEN, Governor of the State of Louisiana, by virtue of the authority of power invested in me by the Constitution of and applicable statutes of the State of Louisiana, do hereby recreate the Governor's Task Force on Deep Draft Vessel Access to the Lower Mississippi River.

Such a Task Force shall be placed within and shall utilize the staff and facilities of the Department of Commerce.

The membership and responsibilities of such Task Force shall be those stipulated in Executive Order 82-5.

In addition to those responsibilities included in Executive Order 82-5, the Task Force shall evaluate the engineering feasibility of dredging the lower Mississippi River to accommodate deep draft vessels.

The Task Force shall report its preliminary findings to the Governor not later than six months after the Task Force enters into contracts for necessary technical studies. The Task Force shall report its recommendations to the Governor not later than nine months after entering such contracts.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this the 28th day of October A.D., 1982.

David C. Treen
Governor of Louisiana

EXECUTIVE ORDER NO. DCT 82-23

WHEREAS, it has been reported to me by the Commissioner of Administration that the receipts of the Treasury appear likely to fall short of revenue estimates for the fiscal year 1982-83; and;

WHEREAS, continued maintenance of the appropriated level of expenditures will result, assuming the accuracy of current revenue estimates, in a deficit; and

EXECUTIVE ORDER NO. DCT 82-24

WHEREAS, in order for the Louisiana Housing Finance Agency to be able to issue in excess of One Hundred Million Dollars (\$100,000,000) of single family mortgage revenue bonds in calendar year 1982; and

WHEREAS, Section 1102(a) of the Mortgage Subsidy Bond Tax Act of 1980 added Section 103A(g)(6)(B) to the Internal Revenue Code which authorizes the establishment of a different formula from that contained in the Subsidy Act for allocating the state ceiling among the governmental units having authority to issue qualified mortgage bonds; and

WHEREAS, Act 489 of the 1982 Regular Session of the Louisiana Legislature authorizes the Governor of the State of Louisiana to allocate to the Agency all or a part of the state ceiling under the Subsidy Act for bonds which have not been sold by September 1, 1982;

NOW, THEREFORE, I, DAVID C. TREEN, Governor of the State of Louisiana, by virtue of the authority vested in me as Governor, pursuant to the Constitution and applicable statutes of the State of Louisiana and to the provisions of Section 103A of the Internal Revenue Code of 1954, as amended, proclaim the portion of the state ceiling for the calendar year 1982 for the issuance of tax-exempt mortgage subsidy bonds allocated to governmental units in the State of Louisiana other than the Louisiana Housing Finance Agency pursuant to the provisions of Section 103A of the Internal Revenue Code of 1954, except as hereinbelow expressly provided, shall be allocated to the Louisiana Housing Finance Agency effective November 1, 1982. The allocation herein to the Louisiana Housing Finance Agency shall not include any bonds actually sold by the following described issuers prior to November 1, 1982:

ISSUER	MAXIMUM AMOUNT
East Baton Rouge Mortgage Finance Authority	\$30,000,000
Jefferson Parish Home Mortgage Authority	19,175,000
New Orleans Home Mortgage Authority	16,255,000

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this the 26th day of October, A.D., 1982.

David C. Treen
Governor of Louisiana

Emergency Rules

DECLARATION OF EMERGENCY

Department of Education School of Math, Science and the Arts

Chapter I. Bylaws

Article A.

Part I. Definitions

Section a. Louisiana School of Math, Science and the Arts - The term "school" when used in these bylaws, shall refer to the school governed by the Board of Directors for the Louisiana School of Math, Science and the Arts as established by Acts 1981, No. 932, enacting Part II of Chapter 8, consisting of R.S. 17:1961 through 17:1968, effective September 1, 1982 and any amendments as may be added thereto.

Section b. The Board of directors or the "Board", as used in these laws shall refer to the governing board of the Louisiana School of Math, Science, and the Arts as duly appointed and qualified as provided by law.

Section c. The "State Board" means the State Board of Elementary and Secondary Education.

Section d. The "State Superintendent" means the State Superintendent of Education.

Section e. Chairperson of the Board - The term "Chairperson of the Board" as used by these bylaws shall refer to the Board member who is duly elected Chairperson or Acting Chairperson of the Board.

Section f. Director and Chief Administrative Officer - The Director of the School shall be selected by the Board as provided by law, and shall act as the Chief Administrative Officer of the Board. The State Superintendent of Education shall serve as the Chief Administrative Officer of the Board until such time as the Board selects a Director for the School. The State Superintendent of Education shall relinquish such administrative duties to the Director when such Director officially assumes his duties with the Board as provided by law.

Part 2. Board Officers

Section a. Election of Officers - At the first regular or special meeting of the Board in the month of July, the Board shall elect a Chairperson and a Vice-Chairperson.

The Chairperson and Vice-Chairperson shall be members of the Board.

Each of these officers shall hold office for one year or until a successor has been elected. There will be a two-year limit on the office of Chairperson. No Chairperson or officer shall be allowed to succeed themselves more than two consecutive years.

Section b. Chairperson of the Board - It shall be the duty of the Chairperson to preside at all meetings of the Board, to name the members of all standing and special committees of the Board and to fill all vacancies in the membership of such committees, in accordance with the provisions of these bylaws.

Section c. Secretary of the Board - The Director of the School shall serve as Secretary to the Board. Copies of all minutes, papers and documents of the Board may be certified to be true and correct copies thereof by the Secretary.

Article B.

Part I. Meetings

Section a. Regular Meetings - The Board of Directors for the Louisiana School of Math, Science, and the Arts shall meet at least four times per year at a location to be decided by the said Board at its previous meeting, or as may be changed by the Board by resolution at its pleasure, or on call of the Chairperson at a location to be designated by the Chairperson.

Section b. Special Meetings - A special meeting of the Board may be called by the Chairperson of the Board or upon receipt of a written request signed by nine members specifying the purpose of the desired meeting. Notification shall be sent by mail or wire to each member at least five calendar days before the time of the meeting.

Section c. Quorum - Twelve members of the Board shall constitute a quorum for the transaction of business, and all official action of the Board shall require the favorable vote of a majority of those members present and voting as provided by law.

Section d. Rules of Order - When not in conflict with any of the provisions of this article, Robert's Rules of Order (latest revision) shall constitute the Rules of parliamentary procedure applicable to all meetings of the Board.

Section e. Order of Business - The order of business for regular meetings of the Board shall be as follows:

- (1) Roll call and invocation
- (2) Correction and approval of minutes of preceding regular meeting and of all special meetings held subsequent thereto.
- (3) Reports and recommendations of standing committees.
- (4) Reports and recommendations of special committees.
- (5) Reports and recommendations of the Director of the School.
- (6) New business.

Section f. Meetings - All regular meetings of the Board shall be open except when otherwise ordered by the Board for the consideration of executive matters as prescribed by law. No final or binding action shall be taken in a closed or executive session. At least ten days prior to each regular meeting of the Board, the Chairperson and Director shall prepare and forward to each member of the Board a tentative agenda for the meeting. The above shall place a particular item or subject on the agenda upon the request of any member of the Board.

All matters requiring action of the Board, however, may be acted on even though not carried on the agenda, if agreed upon by two-thirds of the Board members present and voting.

Section g. Compensation of Members - Each member of the Board or the attending designee as stated by him may be paid \$50 for each day of actual attendance at meetings of the Board or of a committee appointed by the Board on which the member serves, or while on business for the Board as assigned by it, plus travel and other expenses incurred in the performance of official duties.

Reimbursement of travel and expenses shall be in conformity with regulations governing such expenses of state officials.

Section h. Minutes - The minutes of the meetings of the Board shall record official action taken upon motions or resolutions which are voted upon by the Board, and may contain a summary or report and pertinent discussion. In all cases when the action is not by a unanimous vote, the "ayes" and "nays" and abstentions of the individual members shall be recorded upon the request of any member of the Board.

The foregoing provisions relative to contents of the minutes shall in general also apply to minutes of committees of the Board. The minutes of the Board become official only when completed by the Secretary and approved by the Board.

Section i. Reference to Committees - In cases where practicable or desirable, before taking action on any subject or matter clearly within the sphere of any standing committee, the

Board may refer such subject or matter to the appropriate committee, which committee shall submit its recommendations in writing together with any appropriate resolutions necessary to implement them.

Section j. Presentation of Materials to the Board - The Director shall be charged with preparing the Board's agenda and materials to be submitted to the Board.

Article C.

Part I. Committees

Section a. Executive Committee - There shall be an Executive Committee consisting of the Chairperson, Vice-Chairperson, and three other members appointed by the Chairperson. The Executive Committee shall consider matters referred to it by the Board, shall execute orders and resolutions assigned to it by the Board, and shall take immediate action if an emergency requiring such action arises between Board meetings. All acts of the Executive Committee shall be submitted to the Board for ratification or rejection, at its next meeting, except in matters in which the Board shall have delegated to the Executive Committee full power to act. Whenever the Board delegates to the Executive Committee full power to act with respect to any matter, affirmative action by a majority of the entire membership of the Executive Committee shall be required.

Section b. Standing Committees - All standing committees shall consist of no less than five voting members of the Board. Unless and until otherwise decided by the vote of a majority of the membership of the Board, the standing committees of the Board shall consist of the following:

(1) Academic Affairs Committee - To this committee may be referred matters concerning academic organization, curricula, scholarships and other academic affairs.

(2) Finance Committee - To this committee may be referred all matters related to the financial and budgetary operations.

(3) Personnel Committee - To consider all matters concerning personnel.

(4) Legislative Committee - To this committee may be referred all matters of legislative nature brought before the Board.

(5) Physical Plants Committee - To this committee may be referred matters relating to physical plants of the School.

(6) Students Affairs Committee - To this Committee may be referred all matters of policy concerning non-academic affairs relating to student welfare.

Section c. Appointment and Term of Committees - Members of all standing committees, one of whom shall be designated as committee chairperson and one of whom shall be designated as committee vice-chairperson, shall be appointed by the Chairperson of the Board within 30 days following his election as Chairperson. The term of committee appointees shall run concurrently with that of the Chairperson. Vacancies occurring among the appointive members of any committees, however arising, shall be filled by the President of the Board for the remainder of the term.

Section d. Meetings of the Standing Committees - It shall be the duty of the chairperson of each committee to call and to preside over the necessary meetings. The Secretary of the Board shall keep minutes of all committee meetings. The minutes of each meeting of the committee, showing its action and recommendation, shall apply with the provisions of Article B, Part I, Section h. above.

Section e. Quorum for Committee Meetings - A majority of the members of any committee of the Board shall constitute a quorum for the transacting of business. A committee chairperson, at any committee meeting, may appoint to membership on the committee in question any Board member in attendance at the committee meeting then being held.

Section f. Special Committee(s) - As need arises, the Board may create special committees with such function, powers

and authority as it may determine. Special committees shall be established for temporary periods not exceeding the term of the Chairperson. Unless otherwise provided by the action of the Board for such a committee, the Chairperson shall determine the number of its members, shall appoint the members and shall designate the Chairperson.

Article D.

Part I. Duties, Powers and Functions of the Board

Section a. General Duties - It shall be the function of the Board of Directors to establish and maintain the Louisiana School of Math, Science, and the Arts and to provide the highest quality of instruction for the children of the School.

Section b. General Statement of Administrative Policy - The Board shall determine broad administrative and educational policies for the conduct of all of its affairs and the affairs of the School and shall provide for the execution of its policies by the Director of the School and all other employees of the School.

Section c. Other Duties, Powers and Functions - In its supervision and management of the School, the Board shall have the authority to:

(1) Accept donations, bequests, or other forms of financial assistance for educational purposes from any public or private person or agency and comply with Rules and Regulations governing grants from the federal government or from any other person or agency, which are not in contravention of the constitution and laws.

(2) Purchase land and equipment and make improvements to facilities necessary for the use of the School, in accordance with applicable law.

(3) Lease land or other property belonging to it or to the School, subject to approval of the Commissioner of Administration and in accordance with law.

(4) Sell or exchange land or other real property not needed for School purposes, but only when specifically authorized by law and then only in accordance with the procedures provided in R.S. 41:982 for the sale of unused school lands. The sale shall be authorized by a resolution adopted by the Board, and the act of sale shall be signed by the Chairperson of the Board or such other person to whom the signing may be delegated by the Board in the authorizing resolution.

(5) Adopt, amend, or repeal Rules, Regulations, and policies necessary or proper for the conduct of the business of the Board.

(6) Award certificates and issue diplomas for successful completion of programs of study. All such certificates and diplomas shall be in addition to a regular high school diploma which shall be issued by the State Board in accordance with the provisions of R.S. 17:6 (11) to any student who successfully completes the program of study adopted by the Board.

(7) Enter into contracts and agreements which have been recommended by the Director, in accordance with applicable law, and to the extent that funds are specifically appropriated therefor, with other public agencies with respect to cooperative enterprises and undertakings related to or associated with an educational purpose or program affecting education in the School. This shall not preclude the Board from entering into other such contracts and agreements that it may deem necessary to carry out its duties and functions.

(8) Perform such other functions as are necessary to the supervision and control of those phases of education under its supervision and control.

(9) The Board shall delegate to the Director such of its powers and duties as it deems appropriate to aid the Director in the efficient administration of his responsibility for the implementation of the policies of the Board.

Section d. In addition to the authorities granted herein and any powers, duties and responsibilities vested by any other applicable laws, the Board shall:

(1) Adopt Rules, Regulations, and policies necessary for the efficient operation of the School.

(2) Establish criteria to be used in determining eligibility of applicants for enrollment.

(3) Determine subjects and extracurricular activities to be offered. Such subjects shall initially be subject to approval by the State Board, and thereafter, changes in the subjects shall be subject to approval by the State Board.

(4) Select a Director who shall be the chief administrative officer of the School and who shall administer the Rules, Regulations, and policies adopted by the Board pursuant hereto.

(5) Determine faculty and staff positions necessary for the efficient operation of the School and select personnel for such positions.

(6) Prepare and adopt an annual budget necessary for the continued operation of the School.

(7) Pay the expenses of the Board and its members and the salaries and expenses, including but not necessarily restricted to facilities, equipment, and supplies of the faculty and staff of the School out of funds appropriated or otherwise made available for the operating and administrative expenses of the Board and the School.

(8) Exercise budgetary responsibility and allocate for expenditure by the School and programs under its jurisdiction all monies appropriated or otherwise made available for purposes of the Board and of such school and programs.

(9) Prescribe and select for use in the School free school books and other materials of instruction for students enrolled in the School and programs under its jurisdiction for which the legislature provides funds. Wherever practical, the Board shall select the same school books and other materials of instruction as are adopted by the State Board.

(10) Prepare and adopt or approve programs of study and rules, bylaws, and regulations for the discipline of students and for the government of the School and programs under its jurisdiction, which shall not be inconsistent with law and which shall be enforced by the staff and faculty of the School. Such programs of study shall initially be subject to approval by the State Board, and thereafter, any changes in such programs of study shall be subject to approval by the State Board.

(11) Prescribe the qualifications for teachers of this School. Such qualifications shall initially be subject to approval by the State Board, and thereafter, any changes in such qualifications shall be subject to approval by the State Board.

(12) Adopt Rules and Regulations under which faculty members may become permanent employees of the School.

(13) Develop and adopt a formula or system under which students shall be admitted. Such formula or system shall be sufficient to insure that at least one qualified applicant for admission from within the geographical boundaries of each city and parish school system shall be admitted to the School each year. If no qualified applicant from a city or parish school system applies for admission, then the slot(s) available to that school system shall be lost to that system for the duration of that student's enrollment.

(14) Adopt Rules and Regulations to provide for the evaluation of any applicant who has not been evaluated but who meets all other criteria for participation in the program.

Section e. And any other Duties, Powers and Functions as granted under R.S. 17:1962 through 1968 inclusive, or as same may be amended.

Article E.

Part I. Board Staff

Section a. The Board may authorize the employment of

such personnel as may be required to carry out the function(s) of the Board. It may assign to the personnel so employed such functions and duties as may be necessary to accomplish the purpose for which it was established.

Section b. The Board may employ on a fee basis such technical and professional assistance, including legal counsel, as may be necessary to carry out the powers, duties and functions of the Board.

Section c. The Board shall utilize the vast potential of the experienced competent professionals associated with the School.

Article F.

Amendment or Repeal of Bylaws

Section a. New Bylaws may be adopted, and bylaws may be amended or repealed, at any meeting of the Board, but no such action shall be taken unless notice of such proposed adoption, amendment, or repeal shall have been given at a previous meeting or unless notice in writing of the proposed change(s) shall have been served upon each member of the Board at least 30 days in advance of the final vote upon such change, provided, however, that by a vote of two-thirds of the **entire** membership of the Board, the requirement for such notice may be waived.

Article G.

Rules and Regulations of the Board

Section a. Any action by the Board establishing policy or methods of procedure, administrative, business, academic, or otherwise, not contained in these bylaws shall be known as "Policies and Procedures of the Board".

Section b. Policies and Procedures of the Board may be adopted by the Board, or may be amended or repealed, in whole or in part, at any meeting of the Board in accordance with law.

Robert A. Alost
Director

DECLARATION OF EMERGENCY

Department of Education School of Math, Science and the Arts

Criteria

A. Current enrollment in the tenth grade — Students who repeat the tenth grade for the expressed purpose of being nominated will not be considered.

B. Legal residency in the State of Louisiana — Legal residency established solely for the purpose of qualifying for admission to the School will not be honored.

C. Permission statement allowing nomination —
1. student 2. parent

D. Nomination form — 1. Student identification data 2. Indicators of potential. This includes transcripts of school performances, recommendations, and other indicators of potential. 3. Assessment of student(s) regarding their perception of contributions they can make to Louisiana School, in addition to their perception of what the Louisiana School experience can do for them.

E. High scores on achievement and/or aptitude tests.

F. Student performance data — 1. Students must demonstrate a sincere desire to attend Louisiana School for Math, Science and the Arts. This may be dealt with through the written application and subsequent interviews. 2. Academic nominees should emphasize scholastic and related achievement. Record of participation in science fairs, math contests, computer camps, etc. 3. Nomination requirements for each visual and performing arts

area are listed as follows: **art** - A portfolio must be submitted. All work must be original. Preferred evidences for initial screening might include drawings and paintings in any medium, photography, crafts, and/or sculptures. **drama** - The submission of a cassette tape demonstrating talent is a requirement for the nomination. **music, voice, dance** - audition cassette tape (music/voice only) — record of performance experience (participation in school music program, participation in community, church music activities, private instruction or other personal musical endeavor) — Recommendations - The applicant should submit at least three letters of recommendation from persons who have first hand knowledge of the applicant's experience and qualifications.

G. Standardized tests — 1. Students are required to take the Scholastic Aptitude Test (SAT). 2. Nationally normed achievement test scores such as the California Achievement Test (CAT) will be requested from school officials, if available. 3. Students will be required to complete Advanced Progressive Matrices (Ravens) and other tests to be administered at regional testing centers operated by the Louisiana School staff.

H. Essays — Essays will provide further evidence of ability to develop and support ideas in a coherent manner.

I. Biographical Inventory — The Biographical Inventory (BI) is a self-reporting instrument used to obtain and analyze information about an individual's characteristics and background.

J. Interview/Audition — Applicants will be asked to respond to a list of questions and to demonstrate potential in a chosen area.

Robert A. Alost
Director

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission has exercised the emergency provisions of the Administrative Procedure Act R.S. 49:953B at its meeting of October 26, 1982, and adopted by resolution the following Emergency Rule:

WHEREAS, the Joyce Foundation has donated outright to the State of Louisiana 12,809.46 acres and leased on a long term basis approximately 850.46 acres of land owned by it to be used as a wildlife management area, as a wetland, and used for public recreational purposes; and

WHEREAS, the acquisition of this property by donation and lease will significantly increase and enhance the availability and management of wildlife aquatic life for public recreational purposes; and

WHEREAS, this property shall be identified by the donor and the donee as the "Joyce Wildlife Management Area" and maintained as such by the State of Louisiana, through the Department of Wildlife and Fisheries, and to that end the State of Louisiana acting through the properly constituted officers, hereby agree that it will immediately declare and publicly proclaim said area to be a wildlife management area and wetland known as the Joyce Wildlife Management Area clothed with all the protection afforded to such areas under the conservation laws of the State of Louisiana; and

WHEREAS, it is necessary to establish Rules and Regulations concerning management of the area for the upcoming seasons,

NOW, THEREFORE BE IT RESOLVED, that this area be managed by the same seasons as the area surrounding the wildlife management area. This includes both hunting and trapping sea-

sons. Further, the area be operated under the same general Rules and Regulations as the Department's other wildlife management areas. Special emphasis should be noted on the following regulations concerning the method of taking game. (1) No permanent blinds or treestands may be constructed on the wildlife management area; (2) Deer hunting on the wildlife management area will be restricted to still hunting only; (3) Airboats, aircraft and hovercrafts will be prohibited on the wildlife management area.

Jesse J. Guidry
Secretary

Rules

RULE

Department of Agriculture Seed Commission

The Louisiana Department of Agriculture, Seed Commission, pursuant to authority granted under LSA 3:1433, et seq. and in accordance with Notices of Intent published on July 20, 1982, and August 20, 1982, adopted the following amendment to its Seed Law Regulations at a public hearing conducted on November 9, 1982, at the State Capitol, which hearing was continued from the hearing conducted on October 13, 1982:

Section VI of the Seed Law Regulations, entitled List and Limitations of Noxious Weed Seed, was amended to read as follows:

	LIMITATIONS on Weed Seed in Certified Seed (by pounds)
1. Field Bindweed (<i>Convolvulus arvensis</i>)	Prohibited
2. Hedge Bindweed (<i>Convolvulus sepium</i>)	Prohibited
3. Nutgrass (<i>Cyperus esculentus, C. rotundus</i>)	Prohibited
4. Itchgrass (<i>Rottboellia exaltata L.</i>)	Prohibited
5. Cocklebur (<i>Xanthium spp.</i>)	5 per lb.
6. Spearhead (<i>Rhynchospora spp.</i>)	5 per lb.
7. Purple Moonflower (<i>Ipomoea turbinata</i>)	9 per lb.
8. Red Rice (<i>Oryza sativa var.</i>)	9 per lb.
9. Wild Onion and/or Wild Garlic (<i>Allium spp.</i>)	9 per lb.
10. Balloon Vine (<i>Cardiospermum halicacabum</i>)	18 per lb.
11. Canada Thistle (<i>Cirsium arvense</i>)	100 per lb.
12. Dodder (<i>Cuscuta spp.</i>)	100 per lb.
13. Johnsongrass (<i>Sorghum halepense</i>)	100 per lb.
14. Quackgrass (<i>Agropyron repens</i>)	100 per lb.
15. Russian Knapweed (<i>Centaurea repens</i>)	100 per lb.

16. Blueweed, Texas (<i>Helianthus ciliaris</i>)	200 per lb.
17. Bermuda Grass (<i>Cynodon dactylon</i>)	300 per lb.
18. Bracted Plantain (<i>Plantago aristata</i>)	300 per lb.
19. Buckhorn Plantain (<i>Plantago lanceolata</i>)	300 per lb.
20. Cheat (<i>Bromus secalinus</i>)	300 per lb.
21. Hairy Chess (<i>Bromus commutatus</i>)	300 per lb.
22. Corncockle (<i>Agrostemma githago</i>)	300 per lb.
23. Darnel (<i>Lolium temulentum</i>)	300 per lb.
24. Dock (<i>Rumex spp.</i>)	300 per lb.
25. Horsenettle (<i>Solanum carolinense</i>)	300 per lb.
26. Purple Nightshade (<i>Solanum elaeagnifolium</i>)	300 per lb.
27. Sheep Sorrel (<i>Rumex acetosella</i>)	300 per lb.
28. Morning Glory (<i>Ipomoea spp.</i>)	Name & No. *
29. Wild Poinsettia (<i>Euphorbia heterophylla, E. dentata</i>)	Name & No. *
30. Wild Mustard and Wild Turnips (<i>Brassica spp.</i>)	300 per lb.
31. Wild Radish (<i>Raphanus raphanistrum</i>)	300 per lb.
32. Wild Carrot (<i>Daucus carota</i>)	300 per lb.
33. Hemp Sesbania (<i>Sesbania exaltata</i>)	300 per lb.
34. Teaweed (<i>Sida rhombifolia</i>)	300 per lb.
35. Curly Indigo (<i>Aeschynomene virginica</i>)	300 per lb.
36. Redroot Pigweed (<i>Amaranthus retroflexus</i>)	300 per lb.
37. Mexican Weed (<i>Caperonia castaneaefolia</i>)	300 per lb.
Sum of total noxious weed seed (subject to limitations above)	500 per lb.

*Tag must indicate, by name of weed, the number of weed seed per pound.

Limitations on noxious and prohibited weeds are listed on individual certified crop seed regulations. Noxious weed seed tolerance of one for regulatory action on certified seed being offered for sale in Louisiana for those noxious weed seed which are prohibited by the Louisiana Certified Seed Regulations for the specific seed kind or variety in question.

At the above public hearing, the Seed Commission also adopted the following comprehensive new seed Certification Standards:

LOUISIANA SEED CERTIFICATION STANDARDS

1.0 Classes of Seed

1.1 Breeder seed: seed directly controlled by the originator or sponsoring plant breeding institution, firm, or individual, which is the source for the production of seed of the certified classes

1.2 Foundation seed: progeny of Breeder or Foundation seed, handled so as to maintain specific genetic purity and identity, production of which must be acceptable to the Department of Agriculture

1.3 Registered seed: progeny of Breeder or Foundation seed, handled under procedures acceptable to the Department of Agriculture to maintain satisfactory genetic purity and identity

1.4 Certified seed: progeny of Breeder, Foundation, or Registered seed, handled under procedures acceptable to the

Department of Agriculture to maintain satisfactory genetic purity and identity

1.5 Tree seed

A. Certified tree seed: seed from trees of proven genetic superiority, produced so as to assure genetic identity. Seeds from interspecific hybrids of forest trees may be included.

B. Selected tree seed: progeny of rigidly selected trees or stands of untested parentage that have promise but not proof of genetic superiority and for which geographic source and elevation is stated on the label.

C. Source-identified tree seed: seed from (1) natural stands with known geographic source and elevation, or (2) plantations of known geographic origin, and which is acceptable to the Department of Agriculture.

2.0 Definitions

2.1 Certification: the process by which official recognition is given to seeds produced under a limited generation system which insures genetic purity and identity and a given minimum level of quality

2.2 Germination: percentage of seeds capable of producing normal seedlings under ordinarily favorable growing conditions

2.3 Hybrid: one or more crosses of inbred lines of the same kind of seed

2.4 Inert matter: all matter not seeds, including pieces of broken and damaged seeds one-half or less than the original size, sterile florets, fungus bodies, stones, and all matter considered as inert by the Association of Official Seed Analysts Rules for Testing Seeds

2.5 Inseparable seeds: seeds that are similar in size, shape, and weight to the seed offered for certification, which are difficult to remove

2.6 Isolation: the distance required between a crop or variety entered for certification and other plantings of the same crop or variety, not entered for certification, which are pollinating at the same time

2.7 Kind: one or more related species singly or collectively known by one common name (Examples: corn, beans, wheat)

2.8 Land requirement: the period of time during which a field entered for certification **cannot** have grown or been seeded to the same species or variety except a certified class of the same species or variety which was equal to or superior to that of the species or variety entered for certification. If a field(s) is (are) entered for certification in the Foundation class, **only** the Foundation class of seeds can have been grown in that field during the time period specified

2.9 Lot of seed: a definite quantity of seeds identified by a lot number or mark, every portion or bag of which is uniform, within permitted tolerances, relative to the factors which appear in the labeling

2.10 Noxious weeds: all weeds designated as "noxious weeds" under Rule 12.0 of these regulations

2.11 Off-type (mutations): plants or seeds which deviate in one or more characteristics from the breeder description filed with the Department of Agriculture

2.12 Originator: person, company, agent, or institution developing a new variety of seed

2.13 Other weeds/weed seeds: all weeds and/or weed seeds which have not been designated as "noxious weeds" by the Seed Commission

2.14 Recertification: official approval of a second or subsequent generation of a certified class of seed

2.15 Roguing: removal from the field of noxious weeds, off-type plants, varietal mixtures, and any other plants producing seeds which are inseparable from seeds of the crop to be certified

2.16 Species: plants designated by a common name and having common characteristics

2.17 Unit of certification: any clearly defined field(s) or portion(s) of a field entered for certification

2.18 Variety: subdivision of a kind, characterized by growth, plant, fruit, seed, or other characteristics by which it can be differentiated from other seeds of the same kind

2.19 Volunteer plants: plants of a crop kind or species other than the crop being certified that are present in a field

3.0 General Requirements for Certification

3.1 The crop or variety to be certified must have been approved for certification by the Seed Commission and the LSU Agricultural Experiment Station.

3.2 To be certified, all crops and/or varieties must conform to (A) all general requirements for certification and (B) all specific requirements for certification of a particular crop or variety. (See Rules 16.0 through 45.0 for specific requirements. In Rules 16.0 through 45.0, the percentages shown for pure seed and germination are the **minimum** acceptable levels of performance required for certification; the percentages shown for all other factors are **maximum** allowable percentages.)

3.3 The grower must submit the application described in Rule 4.0 hereof on or before the date specified in Rule 5.0 for the crop or variety to be certified. (See Rules 4.2 and 11.2 for provisions concerning late applications.)

3.4 The crop or variety to be certified must be of Breeder, Foundation, or Registered seed, or seed approved by the Seed Commission.

3.5 The grower must maintain genetic purity during seedling, production, harvesting, storage, conditioning, and labeling.

3.6 The grower must hand-rogue all off-type plants, varietal mixtures, noxious weeds, or any other plants producing seed that are inseparable from seed of the crop or variety to be certified.

3.7 Other varieties or crops, volunteer plants, and/or off-type plants cannot be present in the field, and seeds thereof cannot be present in seed to be certified, unless permitted under the specific certification standards for the crop or variety entered for certification. Noxious weeds are permitted in the field, and seed thereof are permitted in seed to be certified, within the limitations specified in Rule 12.0 hereof, unless a specific limitation on noxious weeds is contained in the specific requirements for the crop or variety entered for certification. (See Rules 16.0 through 45.0 for specific requirements.)

3.8 One or more field inspections will be made to determine genetic identity and purity. The crop or variety to be certified must be standing, reasonably free of weeds, and of relatively uniform maturity at the time of field inspection(s). A copy of the field inspection report will be furnished to the grower.

3.9 All planting, harvesting, bin storage, and cleaning equipment must be free of contamination by other seeds, insects, or plant diseases.

3.10 Storage facilities must be (A) suitable for maintaining germination and varietal purity, and (B) constructed so that a representative sample can be drawn; and all such facilities are subject to approval by the Department of Agriculture.

3.11 Moisture content for all certified seed classes shall not exceed 12.5 percent (Exception: rice and soybeans, 13.5 percent).

3.12 The grower must maintain complete records accounting for all production and final disposition of all certified seeds.

4.0 Application for field certification

4.1 The grower must apply for certification on or before the application deadline shown in Rule 5.0 for the crop or variety to be certified by completing the application form provided by the Department of Agriculture.

4.2 Applications for certification submitted after the deadline specified in Rule 5.0 will not be accepted unless field inspection(s) can be completed prior to harvest.

4.3 Information to accompany application:

A. Name of variety.

B. Copy of the purchase invoice, or statement showing class of seed purchased.

C. One sample tag from each lot number. If the grower plants seed of his own production, the class of seed and lot number shall be identified by documentation acceptable to the Department of Agriculture.

D. A map of each field presented for certification.

4.4 It is the grower's responsibility to notify the Department of Agriculture when the crop or variety to be certified is ready for field inspection.

5.0 Application deadlines

5.1 Corn - a minimum of 30 days prior to pollination

5.2 Onion bulbs and seed, shallots, sweet potatoes, and sweet potato plants - March 1

5.3 Clover (crimson, red, white), rescue grass, harding grass, Irish potatoes - April 1

5.4 Oats, wheat, ryegrass, singletary peas - April 15

5.5 Okra, watermelon - May 1

5.6 Cowpeas - a minimum of 30 days prior to harvest

5.7 Cotton, millet, sesame, rice, sorghum, sunflower, tree - July 15

5.8 Soybeans - August 1

5.9 Bermuda grasses

A. New plantings - minimum of 30 days prior to harvest

B. Established stands (fields certified the previous year) - June 1. Renewal application must be submitted.

5.10 Turf grasses

A. New plantings - at least 15 days prior to land preparation for planting

B. Established stands (fields certified the previous year) - June 1. Renewal application must be submitted.

6.0 Limitations on Generations

6.1 The originator of the variety may specify the number of generations through which a variety may be multiplied.

6.2 No variety may be multiplied more than two generations beyond the Foundation class, except as follows:

A. Older varieties of Certified seed may be recertified when Foundation seed is not being maintained.

B. One additional generation of Certified seed may be permitted on a one-year basis when, prior to planting season, the Seed Commission declares that there are insufficient supplies of Foundation and Registered seed to plant the needed acreage of the Certified variety. Permission of the variety's originator, if existent, must be obtained. In this situation, the additional generation will not be eligible for recertification.

7.0 Lot of Seed

7.1 Each lot of seed shall be limited to 150,000 pounds or 1,500 bags.

7.2 The applicant shall assign a number to each lot of seed when the seed is conditioned.

7.3 Each container in the lot shall be marked with the number assigned to that lot.

7.4 Seed lots may be blended if the variety and class are the same.

7.5 All seed must be bagged in new bags, unless other types of containers are approved by the Department of Agriculture prior to bagging.

8.0 Seed Sampling

8.1 Seed sampling will be performed at the request of the grower.

8.2 Except as provided by Rule 8.4 B, official samples to

determine eligibility for certification shall be drawn only after the seed is conditioned.

8.3 Sampling of bagged seed

A. Each lot of seed must be stacked so as to facilitate sampling.

B. A Department of Agriculture inspector will sample at random, by probing, a specific number of bags from each lot. The number of bags to be sampled from each lot is as follows: 5 bags, plus 10 percent of the total number, not to exceed 30 bags per lot. In lots containing six bags or less, every bag will be sampled.

8.4 Sampling of bulk seed

A. Cleaned seed in bulk

A Department of Agriculture inspector will collect a minimum of four samples, at intervals of four feet, by probing the entire depth of the bin or storage area. All samples will be blended into one representative sample for each bin or storage area.

B. Uncleaned seed in bulk

1. A Department of Agriculture inspector will collect a minimum of four samples, at intervals of four feet, by probing the entire depth of the bin or storage area. All samples will be blended into one representative sample for each bin or storage area. The initial sample will be done only for purposes of determining moisture content and germination. Results of the germination test will be invalid after 60 days in the absence of a second sample.

2. A second representative sample will be drawn within 60 days after the first sample, after conditioning, for determining purity.

8.5 Analysis of samples shall be performed according to the current rules of the Association of Official Seed Analysts.

9.0 Interagency Certification (Out-of-State Seed)

9.1 Seed to be certified by interagency action must meet the Louisiana Seed Certification Standards, or comparable standards of a seed certifying agency recognized by the Louisiana Commissioner of Agriculture.

9.2 Seed to be certified by interagency action must contain, on the package, evidence from another recognized certifying agency that the seed is eligible for certification.

9.3 The following information must accompany each lot of seed:

- A. Kind and variety
B. Quantity (pounds)
C. Class
D. Lot number issued by previous certifying agency

9.4 Tags on seed to be certified by interagency action must be sequentially numbered.

9.5 A Louisiana tag for the appropriate class of seed must be attached to all seed to be certified by interagency action.

10.0 Tagging

10.1 Each container of all classes of certified seed offered for sale must have an official Department of Agriculture tag attached.

10.2 The lot number of the tag attached to each container must be the same as the lot number marked on the container.

10.3 The tag shall contain the following information:

- A. Kind and variety
B. Where grown
C. Percentage of pure seed, crop seed, weed seed, and inert matter
D. Name and number of noxious weed seeds per pound
E. Grower's name and address or code number
F. Germination percentage
G. Hard seed
H. Total germination and hard seed percentage
I. Net weight
J. Lot number
K. Date of test

10.4 Tags will be issued only for seed proven by laboratory analysis to meet required germination and purity standards

10.5 The number of tags issued will be determined by the inspector's estimate of the quantity of seed at the time of sampling. All unused tags must be returned to the Department of Agriculture.

11.0 Fees

11.1 The application fee for certification shall be \$10 for each crop, plus \$2.50 for each additional variety, plus \$.10 per acre inspection fee. The application fee shall be due and payable upon filing of the application for certification.

11.2 The fee for certification on any application submitted after the deadline shown in Rule 5.0 shall be \$100.

11.3 A fee of \$15 shall be charged for each reinspection of a field.

11.4 Fees for issuance of certified seed tags shall be 6 cents each for the following classes of seed:

- A. Breeder (white tag)
B. Foundation (white tag)
C. Registered (purple tag)
D. Certified (blue tag)
E. Selected tree seed (green tag)
F. Source-identified tree seed (yellow tag)

11.5 Fees for sweet potatoes

A. An inspection fee of 3 cents per bushel will be collected on all sweet potatoes inspected in storage for seed certification purposes.

B. A fee of 5 cents per thousand plants will be collected for each thousand sweet potato plants inspected for certification purposes.

11.6 Fees for bulk seed certification

The fee for issuance of a bulk seed certification shall be 6 cents per bushel for each bushel in the lot being certified.

12.0 Noxious Weeds

12.1 The following weeds, together with the specific limitation shown for each weed, are designated as noxious weeds:

Table with 2 columns: Weed Name and Limitations on Weed Seed in Certified Seed (by pounds). Lists 15 weeds including Field Bindweed, Hedge Bindweed, Nutgrass, Itchgrass, Cocklebur, Spearhead, Purple Moonflower, Red Rice, Wild Onion and/or Wild Garlic, Balloon Vine, Canada Thistle, Dodder, Johnsongrass, Quackgrass, and Russian Knapweed.

16. Blueweed, Texas (<i>Melianthus ciliaris</i>)	200 per lb.
17. Bermuda Grass (<i>Cynodon dactylon</i>)	300 per lb.
18. Bracted Plantain (<i>Plantago aristata</i>)	300 per lb.
19. Buckhorn Plantain (<i>Plantago lanceolata</i>)	300 per lb.
20. Cheat (<i>Bromus secalinus</i>)	300 per lb.
21. Hairy Chess (<i>Bromus commutatus</i>)	300 per lb.
22. Corncockle (<i>Agrostemma githago</i>)	300 per lb.
23. Darnel (<i>Lolium temulentum</i>)	300 per lb.
24. Dock (<i>Rumex spp.</i>)	300 per lb.
25. Horsenettle (<i>Solanum carolinense</i>)	300 per lb.
26. Purple Nightshade (<i>Solanum elaeagnifolium</i>)	300 per lb.
27. Sheep Sorrel (<i>Rumex acetosella</i>)	300 per lb.
28. Morning Glory (<i>Ipomoea spp.</i>)	Name & No.*
29. Wild Poinsettia (<i>Euphorbia heterophylla, E. dentata</i>)	Name & No.*
30. Wild Mustard and Wild Turnips (<i>Brassica spp.</i>)	300 per lb.
31. Wild Radish (<i>Raphanus raphanistrum</i>)	300 per lb.
32. Wild Carrot (<i>Daucus carota</i>)	300 per lb.
33. Hemp Sesbania (<i>Sesbania exaltata</i>)	300 per lb.
34. Teaweed (<i>Sida rhombifolia</i>)	300 per lb.
35. Curly Indigo (<i>Aeschynomene virginica</i>)	300 per lb.
36. Redroot Pigweed (<i>Amaranthus retroflexus</i>)	300 per lb.
37. Mexican Weed (<i>Caperonia castaneaefolia</i>)	300 per lb.
Sum of total noxious weed seed (subject to limitations above)	500 per lb.

*Tag must indicate, by name of weed, the number of weed seed per pound.

12.2 Noxious weed seeds are permitted in seed to be certified, within the limitations specified in Rule 12.1, unless prohibited or otherwise limited under the specific rules for the crop or variety entered for certification. (See Rules 16.0 through 45.0 for limitations on each noxious weed for each crop or variety.)

12.3 Limitations on noxious weeds (in the field or in seed to be certified), may be more restrictive for a particular crop or variety to be certified than the limitations shown in Rule 12.1 above. The limitation on noxious weeds stated in Rules 16.0 through 45.0 shall supersede the limitations shown in Rule 12.1 whenever a more restrictive limitation is stated in the specific requirements for the crop or variety.

13.0 Bulk Certification Requirements

13.1 Limitations

A. Bulk certification shall be limited to the Certified class of the following commodities:

1. Wheat
2. Oats

B. Seed eligible for bulk certification shall meet all field and laboratory standards established for Certified seed as specified in these regulations.

C. Seed certified in bulk shall not be eligible for recertification.

D. Seed certified in bulk can be sold **only** to a farmer who will plant the seed.

13.2 Application for bulk certification

The seed owner is responsible for making application for bulk certification and for securing prior approval of the Department of Agriculture for the facility in which the seed will be stored.

13.3 Storage requirements

A. Storage bins must be constructed so that all bin openings can be sealed to prevent contamination and maintain genetic purity. The Department of Agriculture inspector will affix an official seal on all bin openings upon completion of sampling.

B. The identity of all bulk lots must be maintained, by the use of bin designations and lot numbers, until the entire lot is disposed of.

C. No additional seed may be added to any lot after the official seals are affixed.

13.4 Sampling of seed to be certified in bulk

Seed sampling shall be conducted as provided in Rule 8.4, except that, at the option of the applicant, the sample to determine purity may be drawn at the same time that the sample to determine moisture content and germination is drawn.

13.5 Certification

A. No certified seed tags will be issued for seed certified in bulk, except as provided by Rule 13.6.

B. A bulk seed certificate will be issued to cover all bulk seed which meets the general requirements for seed certification and the specific requirements for the crop/variety being certified.

C. The owner of seed covered by a bulk seed certificate must:

1. Issue a Retail Sales invoice, on forms to be provided by the Department of Agriculture, to each purchaser or such seed

2. Provide a copy of each Retail Sales invoice to the Department of Agriculture within ten days after each sale

3. Maintain a copy of each Retail Sales invoice in his file, which invoice shall be available for examination by the Department of Agriculture upon reasonable request

13.6 Subsequent bagging of seed certified in bulk

A. If the owner of seed certified in bulk later elects to bag any remaining portion of a lot, the owner must give prior notification of his intention to bag the seed to the Department of Agriculture.

B. The Department of Agriculture will then issue a number of certified seed tags equal to the unsold portion of the seed covered by the bulk seed certificate as reflected by the Retail Sales invoices.

14.0 Violations

14.1 Any of the following acts shall be considered as violations:

A. Failure to comply with the requirements of the Seed Law (R.S. 3:1431-3:1447) or these Rules and Regulations

B. Any sale or offer for sale of any agricultural seeds that are not properly labelled in accordance with the Rules and Regulations of the Seed Commission

C. Any attempt to mislead or defraud by altering, erasing, destroying, forging, disfiguring, reusing, or substituting in any manner any labels, tags, tape, or certificates which pertain to quality, quantity, or condition of agricultural seeds. This prohibition applies for labels, tags, tape, or certificates issued by any duly constituted seed certifying agency.

D. Any damage or breaking of official seals on containers of certified seeds.

E. Failure to keep accurate records and maintain lot identity

F. Adding any seed of any kind, whether certified or not, to any lot of certified seed (except as permitted under Rule 7.4)

14.2 Each day on which any of the activities listed above occurs shall be considered a separate offense.

15.0 Penalties; adjudicatory hearing required

15.1 Whenever the Chairman of the Seed Commission

has reason to believe that there has been a violation of the Seed Law of any of these Rules and Regulations, he shall notify the person believed to have committed the violation, the notice to be in accordance with the requirements of the Administrative Procedure Act.

15.2 No penalty shall be imposed on any individual, firm, corporation, or other legal entity regulated under the Seed Law until such time as an adjudicatory hearing is conducted, such hearing to be conducted in accordance with the requirements of the Administrative Procedure Act.

15.3 Whenever the Seed Commission determines that a violation has occurred, the Seed Commission may impose any of the following penalties:

A. Withdraw from the offender the right to have seed certified under these procedures

B. Destroy any seed which is not in compliance with the requirements of the Seed Law or the requirements of these regulations

C. Impose a penalty not to exceed \$100 for each offense.

PART II: REQUIREMENTS FOR CERTIFICATION OF SPECIFIC CROPS/VARIETIES

16.0 Bahia Grass Seed Certification Standards

16.1 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	5 yr.	1 yr.	1 yr.
Isolation	1,320 ft.	660 ft.	330 ft.
Other varieties	None	None	5 plants per acre
Other grass with inseparable seed	10 plants per acre	10 plants per acre	25 plants per acre
Other crops	Other crops with seed that can be separated will be permitted in the field.		

16.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	98.0%	98.0%	98.0%
Inert matter	2.0%	2.0%	2.0%
Other varieties	0.1%	0.1%	0.25%
Noxious weeds	None	None	None
Other weeds	0.5%	0.5%	1.0%
Germination	80.0%	80.0%	80.0%

17.0 Bermuda and Zoysia Grass Seed Certification Standards

17.1 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	5 yr.	1 yr.	1 yr.
Isolation	33 ft.	33 ft.	33 ft.
*Other varieties (per 1,000 plants)	None	1 plant	3 plants
Noxious weeds: Johnsongrass, Cheat & Nutgrass	None	None	None
*Including all other Bermuda and Zoysia grass that can be differentiated from the variety to be certified.			

17.2 Planting Stock Standards

Factor	Foundation	Registered	Certified
Pure live sprigs containing roots (minimum by count)	90.0%	90.0%	90.0%
Other living plants (maximum by count)	2.0%	2.0%	2.0%
Noxious weeds: Johnsongrass, Cheat & Nutgrass	None	None	None

18.0 Crimson Clover Seed Certification Requirements

18.1 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	5 yr.	3 yr.	2 yr.
Isolation	1,000 ft.	1,000 ft.	600 ft.
Other varieities	None	0.2%	0.5%

18.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	98.0%	98.0%	98.0%
Inert matter	2.0%	2.0%	2.0%
Other crops	None	45 seed/lb.	90 seed/lb.
Noxious weeds	None	None	None
Other weeds	50 seed/lb.	180 seed/lb.	360 seed/lb.
Germination	85.0%	85.0%	85.0%

19.0 Louisiana White, Louisiana White S 1, Ladino and Other White Clover Seed Certification Standards

19.1 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	5 yr. ¹	3 yr. ¹	2 yr. ²
Isolation	1,320 ft.	660 ft.	330 ft.
Other varieties and/or species that can be differentiated from the variety being certified	None	None	None
Other crops (inseparable)	10 plants per acre	50 plants per acre	100 plants per acre

¹A Foundation and/or Registered field may produce only two successive seed crops following seeding except that each may be reclassified to the next lower class after being harvested for seed for two years. A stand will not be eligible to produce any class of seed after four successive seed crops.

²A Certified field on which a stand of perennial plants is maintained may produce a maximum of four successive seed crops following seeding.

19.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	98.0%	98.0%	98.0%
Inert matter	2.0%	2.0%	2.0%
Other crops	None	45 seed/lb.	100 seed/lb.
Other varieties	None	None	10 seed/lb.
Other kinds	None	45 seed/lb.	90 seed/lb.
Sweet Clover	None	45 seed/lb.	80 seed/lb.
Other clovers	None	None	None
Noxious weeds:			
Bracted plantain			
Buckhorn plantain			
Wild carrot	None	None	None
Other weeds	0.04%	0.07%	0.14%
Germination	85.0%	85.0%	85.0%

20.0 Red Clover Seed Certification Standards

20.1 Field Standards

Factor	Foundation	Registered	Certified
*Land requirement	5 yr.	3 yr.	2 yr.
Isolation	1,320 ft.	660 ft.	330 ft.
Other varieties	None	0.2%	0.5%

*No stand of Red Clover will be eligible to produce any class of certified seed after two successive seed crops. These seed crops may be produced in the same or consecutive years.

20.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	99.0%	99.0%	99.0%
Inert matter	1.0%	1.0%	1.0%
Other crops	18 seed/lb.	90 seed/lb.	180 seed/lb.
Noxious weeds:			
Dock, Cheat, Darnel, Johnsongrass, Wild Mustard	45 seed/lb.	90 seed/lb.	100 seed/lb.
Dodder	None	None	None
Other weeds	0.15%	0.15%	0.25%
Germination	85.0%	85.0%	85.0%

21.0 Cottonseed Seed Certification Standards

21.1 Field Standards

Factor	Foundation	Registered	Certified
*Isolation	100 ft.	100 ft.	50 ft.
Other varieties & Off-type plants	None	1 plant per acre	5 plants per acre
Noxious weeds: Cocklebur	5 plants per acre	8 plants per acre	10 plants per acre

*Fields entered for certification must be isolated at least 600 feet from Sea Island cotton, red leaf cotton, or other cottons which vary greatly in plant characteristics from the variety entered for certification; and at least one-half mile from G. barbadense and inter-specific hybrids involving G. barbadense.

21.2 Handling and Storage Requirements

A. Ginning

Cottonseed entered in all classes of certification shall be ginned on a thoroughly cleaned, one-variety gin approved by the Department of Agriculture prior to ginning seed to be certified. With special permission of the Department of Agriculture, cottonseed for all classes of certification may be ginned on thoroughly cleaned, mixed-variety gins.

B. Delinting

Delinters must conform to the same requirements set forth for ginners. No cottonseed entered for certification may be delinted outside the State of Louisiana except by special permission of the Department of Agriculture.

21.3 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	99.0%	99.0%	99.0%
Inert matter	1.0%	1.0%	1.0%
Other crops	None	3 seed/lb.	5 seed/lb.
Noxious weeds:			
Cocklebur	None	1 seed/2 lbs	1 seed/2 lbs
Germination	70.0%	70.0%	70.0%

22.0 Dallis Grass Seed Certification Standards

22.1 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	5 yr.	3 yr.	3 yr.
Isolation	60 ft.	50 ft.	50 ft.
Other crops	10 plants per acre	10 plants per acre	10 plants per acre

22.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	40.0%	40.0%	40.0%
Inert matter	60.0%	60.0%	60.0%
Other crops	None	None	10 seed/lb.
Noxious weeds	None	None	None
Germination	50.0%	50.0%	50.0%

23.0 Gulf Ryegrass Seed Certification Standards

23.1 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	5 yr.	1 yr.	1 yr.
Isolation	900 ft.	900 ft.	350 ft.
Other varieties	None	1.0%	2.0%
Other crops	0.1%	0.2%	0.3%

23.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	97.0%	97.0%	96.0%
Inert matter	3.0%	3.0%	4.0%
Other crops	0.1%	0.25%	0.25%
Noxious weeds	None	None	None
Other weeds	0.25%	0.25%	0.25%
Germination	85.0%	85.0%	80.0%

24.0 Harding Grass Seed Certification Standards

24.1 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	5 yr.	1 yr.	1 yr.
Isolation	60 ft.	30 ft.	15 ft.

24.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	99.0%	97.0%	95.0%
Inert matter	1.0%	3.0%	5.0%
Other crops	1.0%	1.0%	1.0%
Other grasses	0.1%	0.1%	0.25%
Noxious weeds	None	None	None
Germination	70.0%	70.0%	70.0%

25.0 Hybrid Seed Corn Certification Standards

25.1 Eligibility Requirements

The double-cross hybrid, which is the first generation of a cross between two single crosses, the single-cross hybrid, the three-way hybrid, and the modified single hybrid will be eligible for certification.

25.2 Field Inspection

A. Seed fields shall be inspected at least once prior to the pollination period for purity as to plant type. Any off-type or doubtful plants must be destroyed before they shed pollen.

- B. At least three field inspections shall be made during the pollinating period, said inspections to be made without previous notification to the grower.

25.3 Field Standards

A. Unit of certification

The entire acreage of any one specific commercial hybrid must be entered for certification.

B. Isolation Requirements

Fields in which commercial hybrid corn is being produced must be so located that the female parent is not less than 600 feet in all directions from other corn of a different kernel color or type (sweet, pop, flint, white, red, etc.)

C. Border Rows

When the kernel type and color of the corn in the contaminating field are the same as those of the parents in the crossing field, the isolation distance may be modified by the planting of border rows of the pollen parent. The following table indicates the minimum number of border rows required for fields of various sizes when located at different distances from other corn:

When the number of acres in the crossing field is:

9 or less	10-24	15-19	20-24	25-29	30-34	35-39	40 or over	Then at least this number of border rows is required
660	643	627	610	594	577	560	544	1
628	602	585	569	552	536	519	503	2
577	561	544	528	511	495	478	462	3
536	519	503	486	470	453	437	420	4
495	478	462	445	429	412	396	379	5
453	437	420	404	387	371	354	338	6
412	396	379	363	346	330	313	297	7
371	354	338	321	305	288	272	255	8
330	313	297	280	264	247	231	214	9
288	272	255	239	222	206	189	173	10
247	231	214	198	181	165	148	132	11
206	189	173	156	140	123	107	90	12
165	148	132	115	99	82	66	49	13

The above isolation requirements do not apply to crossing fields when the same male or pollen parent is used

in each. In such cases the two fields must be clearly divided by use of an area not less than fourteen (14') feet or a natural boundary which is permanent and distinctive e.g., ditch, road, headland, etc.

D. Detasseling

1. A commercial hybrid will be disqualified for certification, when five percent or more of the female seed parent plants have receptive silks:
 - a) if more than one percent of the male seed parent plants have shed pollen on one inspection, or
 - b) if a total of two percent of the male seed parent plants have shed pollen on three inspections.
2. Sucker tassels, portions of tassels, or tassels on main plants will be counted as shedding pollen when two (2") inches or more of the central stem, the side branches, or a combination of the two have anthers extended from the glumes. In cases where a few silks are out and tassels of the seed parent have begun to shed pollen, the field can be approved by immediate and complete detasseling of the seed parent and removal of the ear shoots with exposed silks, if done to the satisfaction of the Department of Agriculture.

25.4 Seed Standards

	<u>Certified</u> <u>Class</u>
Pure seed	98.0%
Inert matter	2.0%
Other varieties	0.5%
Noxious and other weeds	None
Off-color, off-type kernels	0.1%
Germination	90.0%

26.0 Seed Corn (Open-Pollinated) Seed Certification Standards

26.1 Field Standards

Factor	Foundation	Registered	Certified
*Isolation	1,200 ft.	1,200 ft.	1,200 ft.
Varietal mixture	None	None	0.5%
Off-type plants	0.2%	0.2%	0.5%

*Does not apply to other corn with different maturity dates.

26.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	98.0%	98.0%	98.0%
Inert matter	2.0%	2.0%	2.0%
Other crops	None	None	5 seed/lb.
Other varieties	None	None	3 seed/lb.
Noxious & other weeds	None	None	None
Germination	90.0%	90.0%	90.0%

27.0 Millet Seed Certification Standards

27.1 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	1 yr.	1 yr.	1 yr.
Isolation	1,320 ft.	1,320 ft.	1,320 ft.
Other varieties	None	1 plant per acre	10 plants per acre

27.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	99.0%	98.0%	97.0%
Inert matter	1.0%	2.0%	3.0%
Other crops	None	5 seed/lb.	10 seed/lb.
Other varieties	None	None	9 seed/lb.
Noxious weeds	None	None	None
Other weeds	None	0.1%	0.1%
Germination	80.0%	80.0%	70.0%

28.0 Okra Seed Certification Standards

28.1 Field Standards

Factor	Foundation	Registered	Certified
*Land requirement	1 yr.	1 yr.	1 yr.
Isolation	300 ft.	300 ft.	300 ft.
Other varieties	None	None	0.1%
Off-type plants	None	1.25%	1.25%

*Requirement can be waived if previous crop was grown from certified seed of the same variety.

28.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	98.0%	98.0%	98.0%
Inert matter	2.0%	2.0%	2.0%
Other crops	None	5 seed/lb.	10 seed/lb.
Noxious weeds	None	None	None
Other weeds	5 seed/lb.	5 seed/lb.	5 seed/lb.
Germination	75.0%	75.0%	75.0%

29.0 Onion Bulbs and Seed Certification Standards

29.1 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	1 yr.	1 yr.	1 yr.
Isolation	5,280 ft.	5,280 ft.	1,320 ft.
Varietal mixtures & Off-type plants	2.0%	2.0%	2.0%
Diseases:			
Onion mosaic	1.0%	1.0%	1.0%
Pink root	10.0%	10.0%	10.0%
Onion smut	2.0%	2.0%	2.0%
Mildew	5.0%	5.0%	5.0%

29.2 Field Inspections

Two field inspections shall be made, one after seed heads are formed and one at harvest.

29.3 Handling and Storage of Bulbs

A. Bulbs must be inspected once at harvest and once in a storage house prior to planting, except that when a grower follows a seed-to-seed system, no bulb inspection shall be necessary.

B. Bulbs of any class must be free from decay; uniform in size, shape, and color; and not to exceed 0.5% varietal mixture.

29.4 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	99.5%	99.5%	98.0%
Inert matter	0.5%	0.5%	2.0%
Other crops	0.2%	0.2%	0.2%
Noxious weeds	None	None	None
Germination	80.0%	80.0%	80.0%

30.0 Rescue Grass Seed Certification Standards

30.1 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	5 yr.	2 yr.	2 yr.
*Isolation	900 ft.	900 ft.	330 ft.
Other crops (inseparable)	10 plants per acre	10 plants per acre	100 plants per acre

*A portion of a field may be certified, provided that an adequate boundary of at least seven (7') feet is established by disking or mowing before harvesting the certified portion of the field.

30.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	98.0%	98.0%	95.0%
Inert matter	2.0%	2.0%	5.0%
Other crops	None	None	10 seed/lb.
Noxious weeds	None	None	None
Other weeds	50 seed/lb.	50 seed/lb.	360 seed/lb.
Germination	80.0%	80.0%	80.0%

31.0 Rice Seed Certification Standards

31.1 Isolation Requirements

Fields offered for certification must be clearly separated from other fields by a ditch, levee, roadway, fence, or

barren strip a minimum of ten (10') feet if the adjoining crop is the same variety of similar purity. If another variety, seeded by air parallel to the edge of the field being certified, at least one hundred (100') feet shall separate the two crops; if seeded by air at right angles to the field being certified, a minimum of one-fourth mile (1,320 feet) shall separate the fields.

31.2 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	1 yr.	1 yr.	1 yr.
Other varieties	None	10 plants per acre	25 plants per acre
*Harmful diseases	None	None	None
Noxious weeds:			
Red Rice (including Black Hull Rice) & Spearhead	None	None	4 plants per acre
Curly Indigo & Mexican Weed	None	4 plants per acre	4 plants per acre
*Diseases seriously affecting quality of seed and transmissible by planting stock			

31.3 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	98.0%	98.0%	98.0%
Inert matter	2.0%	2.0%	2.0%
Other crops, including other varieties	None	None	2 seed/lb.
Off-color grains, if of similar size, quality and maturity	5 seed/lb.	10 seed/lb.	20 seed/lb.
Noxious weeds:			
Red Rice (including Black Hull Rice)	None	None	1 seed/4 lbs
Spearhead			
Itchgrass			
Curly Indigo			
Mexican Weed	None	None	None
Other weeds	0.05%	0.05%	0.1%
Germination	80.0%	80.0%	80.0%

32.0 Seed Irish Potato Certification Standards

32.1 Inspections

- A. At least two field inspections shall be made.
- B. An inspection shall be made of the tubers at the time of shipment.

32.2 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	1 yr.	1 yr.	1 yr.
Isolation	10 ft.	10 ft.	10 ft.
Other varieties & Off-type plants	None	None	0.1%
*Diseases	0.2%	0.2%	0.2%
Mild Mosaic	0.5%	0.5%	5.0%
Sclerotium Rolfsii wilt	0.5%	0.5%	1.0%
Potato Wart, Ring Rot, Late Blight	None	None	None
Total Diseases	0.3%	0.3%	0.3%
Harmful Insects:			
Tuber moth	None	None	None
*Rugose Mosaic, Leafroll, Spindle Tuber, Yellow Dwarf, Witches' Broom, Haywire, Giant Hill, Rosette, Spinach Leaf, Curly Dwarf			

32.3 Tuber Standards

Factor	Foundation	Registered	Certified
Stem End Discoloration	2.5%	2.5%	5.0%
Hair Sprout	0.5%	0.5%	5.0%
Spindle Tuber	0.2%	0.2%	1.0%
*Scab & Rhizoctonia	6.0%	6.0%	6.0%
Net Necrosis	0.5%	0.5%	5.0%
Late Blight, Golden & Potato Rot, Potato Wart, and Ring Rot	None	None	None
Tuber Moth	None	None	None
Sclerotium Rolfsii Wilt	0.5%	0.5%	1.0%
**Nematodes (Root-Knot)	1.0%	1.0%	1.0%
*6.0% of tubers by weight have more than 5% of the surface covered by Scab or Rhizoctonia			
**1.0% of tubers by weight showing nematode (root-knot) infection			

33.0 Seed Irish Potato Certification Standards (Out-of-State)

33.1 Out-of-State Seed Irish potatoes must be free of the following:

Nematodes	Net Necrosis
Late Blight	Potato Wart
Stem End Discoloration	Tuber Moth
Spindle Tuber	Mosaic (Rugose)
Scab	Yellow Dwarf
Rhizoctonia	Curly Dwarf
Sclerotium Rolfsii wilt	Hair Sprout
Leafroll	Ring Rot
Giant Hill	Rosette
Spinach Leaf	Witches' Broom
Haywire	Mild Mosaic

- 33.2 The shipper must register with the Department of Agriculture, on a form to be furnished by the Department, before making shipments into Louisiana.
- 33.3 On or before the date of shipment, the shipper must notify the Department of Agriculture of each shipment or movement into Louisiana, using a notification form to be furnished by the Department of Agriculture.
- 33.4 A certificate from the authorized certification agency of the State or territory of origin must be attached securely to the inside and near the top of the door in refrigerated cars in which the seed Irish potatoes are shipped, or mailed to the Department of Agriculture, certifying that:
- A. The area in which the seed Irish potatoes were produced is apparently free of late blight infection, or
 - B. The Irish potatoes were produced in a field apparently free of late blight infection, and the tubers on bin or tuber inspection were apparently free of late blight infection.

33.5 Transit Inspection

- A. Certified seed Irish potatoes shipped into Louisiana must be inspected by a representative of the Louisiana Department of Agriculture. Requests for inspection shall be made prior to shipment by contacting the Louisiana Department of Agriculture.
- B. A Louisiana Department of Agriculture certificate of inspection must be attached to the bill of lading accompanying each load of potatoes.

34.0 Seed Sweet Potatoes and Sweet Potato Plant Certification

34.1 Seed Bed Inspection and Standards

- A. Seed sweet potatoes must be treated with an approved pesticide prior to planting.
- B. Seed beds shall be located at least 100 feet from the previous two years' seed beds, and in such manner that there will be no wash from the previous two years' seed beds, or treated in a manner satisfactory to the Department of Agriculture.
- C. Inspections shall be made to determine that quality plants, apparently free of insects and diseases, are being produced.

34.2 Field Inspections

At least two field inspections shall be made each year.

34.3 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	2 yr.	2 yr.	2 yr.
*Isolation	20 ft.	20 ft.	20 ft.
Other varieties	None	None	10 plants per acre
Mutations (current season)	5 plants per acre	5 plants per acre	10 plants per acre
Harmful insects:			
Sweet potato weevil (<u>Cylas formicarius</u> Fab. var. <u>elegantus</u> Summers)	None	None	None
Harmful diseases:			
Stem Rot (<u>Fusarium hyperoxysporum</u> f. <u>batatas</u>)	None	None	5 plants per acre
Soil Rot (<u>Actinomyces ipomoea</u>)	70 plants per acre	70 plants per acre	140 plants per acre
Other harmful diseases	None	None	None

*In sweet potato plant certification, the unit of certification shall be a seed bed or seed row, and such unit cannot be divided for the purpose of certification.

34.4 Storage and Grading Requirements

- A. Before sweet potatoes grown for certification can be stored, the storage house must be cleaned and disinfected in a manner approved by the Department of Agriculture.
- B. Sweet potatoes grown for certification shall be stored in new standard crates, or used containers that have been treated with an approved pesticide.
- C. Each unit of sweet potatoes that passed field inspection shall be:
 1. Marked or labelled to correspond with the field unit
 2. Treated with an approved pesticide
 3. Separated in storage by an aisle at least two (2') feet wide
- D. Sweet potatoes entered for certification must be well shaped. The minimum size shall be one (1") inch in diameter and four (4") inches in length, thirty (30) ounces maximum weight.

E. Specific grades of sweet potatoes in accordance with Federal regulations shall be optional to the grower and purchaser.

34.5 Tuber Standards

Factor	Foundation	Registered	Certified
Off-type (mutations)	0.2%	0.2%	0.5%
Harmful insects:			
Sweet potato weevil (<u>Cylas formicarius</u> Fab. var. <u>elegantus</u> Summers)	None	None	None
Harmful diseases:			
Soil Rot (<u>Actinomyces ipomoea</u>)	5.0%	5.0%	10.0%
Black Rot (<u>Ceratomyces fimbriata</u>)	None	None	0.2%
Scurf (<u>Monilochaetes infuscans</u>)	1.0%	1.0%	2.0%
Surface Rot (<u>Fusarium oxysporum</u>)	None	None	5.0%

There shall not be more than 10% of sweet potatoes of poor quality and/or poor condition, brought about by internal breakdown, lack of latex, excessive bruising, chilling, or any other factor, and not more than a total of 15% of the foregoing factors that would cause the sweet potatoes to be of poor quality and/or condition.

34.6 Tagging and Certificate Tape

A. Each container of seed sweet potatoes and all certified sweet potato plants shall be tagged as follows:

1. Foundation (white tag)
2. Registered (purple tag)
3. Certified (blue tag)

B. Each tag shall contain the following:

1. Kind and variety
2. Year in which grown
3. Grower's name and address
4. Lot number

C. Sweet potato plants shall be tied in bundles of approximately 100 each with official tape issued by the Department of Agriculture.

D. All seed sweet potatoes and sweet potato plants moved into Louisiana from out-of-state shall be required to comply with all provisions of Rule 9.0 of these regulations.

34.7 Sweet Potato Weevil Quarantine Area

A. Sweet potato plants grown in a sweet potato weevil quarantine area will be approved for seed or plant sources within the quarantined area only if:

1. All requirements for certification are met;
2. There are no sweet potato weevils within a two-mile radius of the field or storage house; and
3. All seed and/or plants are fumigated in an approved manner.

B. No certified seed tags or sweet potato tape will be issued to cover sweet potatoes grown in a sweet potato weevil quarantine area.

35.0 Sesame Seed Certification Standards

35.1 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	1 yr.	1 yr.	1 yr.
Isolation	1,200 ft.	1,200 ft.	600 ft.
Other varieties	5 plants per acre	7 plants per acre	10 plants per acre

35.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	98.0%	98.0%	98.0%
Inert matter	2.0%	2.0%	2.0%
Other varieties	10 seed/lb.	50 seed/lb.	100 seed/lb.
Noxious weeds:			
Cheat & Darnel	6 seed/lb.	6 seed/lb.	12 seed/lb.
Germination	80.0%	80.0%	80.0%

36.0 Small Grain (Oats, Wheat, Rye) Seed Certification Standards

36.1 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	1 yr.	1 yr.	1 yr.
Isolation	10 ft.	10 ft.	10 ft.
Other crops	None	10 plants per acre	30 plants per acre
Other varieties	None	10 plants per acre	30 plants per acre
Diseases:			
Loose smut	1.0%	1.0%	1.0%

36.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	98.0%	98.0%	97.0%
Inert matter	2.0%	2.0%	3.0%
Other crops	5 seed/lb.	5 seed/lb.	10 seed/lb.
Other varieties	1 seed/lb.	5 seed/lb.	10 seed/lb.
Noxious weeds:			
Johnsongrass	None	None	None
Cheat & Darnel	6 seed/lb.	6 seed/lb.	12 seed/lb.
Other weeds	.01%	.02%	.03%
Germination	85.0%	85.0%	85.0%

37.0 Shallot Seed Certification Standards

37.1 Land Requirement

The unit of certification shall be a field, which must be at least three hundred (300') feet from garlic, onions, or uncertified shallots and shall not have been planted to shallots for two (2) previous years.

37.2 Field Inspections

Three or more inspections shall be made of the shallots while growing:

- A. The first inspection shall be in the seed bed, between November 15th and December 15th. On first inspection, more than five (5%) percent severe Yellow Dwarf shall cause the shallots in the entire plot to be ineligible for certification.
- B. The second inspection shall be after transplanting, during March or April. On second inspection, Yellow Dwarf infection shall not exceed one (1%) percent in any area of a unit plot.
- C. The third inspection shall be just prior to or at harvest time, generally around May 1 through May 15. A field having in excess of three (3%) percent plants of irregular growth and maturity and/or more than three (3%) percent pink root infection shall be ineligible for certification.

37.3 Storage Requirements

- A. There shall be at least one inspection of the seed while in storage between June 15 and July 15.
- B. The identity of shallot seed produced in each unit plot must be maintained by the grower.

C. Shallot seed with more than three (3%) percent storage rot and/or pink root infection shall not be eligible for certification.

D. Seed severely infested with bulb mites shall not be eligible for certification. Seed lightly infested with bulb mites must be treated in a manner prescribed by the Department of Agriculture before certified permit tags will be issued.

37.4 Use of Certified Tags for Shallots

Shallot certificate permit tags shall be valid only during the season (June 1 of one year through May 31 of the succeeding year) in which issued and shall be invalid after being used one time only.

38.0 Singletary Pea Seed Certification Standards

38.1 Field Standards

Factor	Foundation	Registered	Certified
*Land requirement	1 yr.	1 yr.	1 yr.
Isolation	12 ft.	12 ft.	12 ft.
Other varieties	3 plants per acre	3 plants per acre	6 plants per acre

*Land must be free from vetch.

38.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	97.0%	97.0%	97.0%
Inert matter	3.0%	3.0%	3.0%
Other crops	2 seed/lb.	2 seed/lb.	3 seed/lb.
Other varieties	2 seed/lb.	2 seed/lb.	5 seed/lb.
Noxious weeds	None	None	None
Other weeds	10 seed/lb.	10 seed/lb.	10 seed/lb.
Germination	80.0%	80.0%	80.0%

39.0 Sorghum Seed Certification Standards

39.1 Field Standards

Factor	Foundation	Registered	Certified
*Land requirement	1 yr.	1 yr.	1 yr.
Isolation	1,300 ft.	1,300 ft.	1,300 ft.
Other varieties	None	1 head per 5 acres	1 head per 2 acres
Head smut	None	1 head per acre	1 head per acre
Kernel smut	None	None	1 head per 2500 heads

*No field will be eligible for certification if it grew sudan grass, broomcorn, or sorghum of another variety the previous year.

39.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	98.0%	98.0%	98.0%
Inert matter	2.0%	2.0%	2.0%
Other varieties	None	None	9 seed/lb.
Other crops	None	5 seed/lb.	5 seed/lb.
Noxious weeds	None	None	None
Germination	80.0%	80.0%	80.0%

40.0 Soybean Seed Certification Standards

40.1 Field Standards

Factor	Foundation	Registered	Certified
*Land requirement	1 yr.	1 yr.	1 yr.
Isolation	10 ft.	10 ft.	10 ft.
Noxious weeds:			
Purple Moonflower (<i>Ipomoea turbinata</i>) & Balloon Vine (<i>Cardiospermum</i> <i>halicacabum</i>)	None	5 plants per acre	10 plants per acre

*Land requirement will be waived if the previous crop was grown from certified seed of the same variety having different plant pubescence or hilum color than the variety to be certified.

40.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	98.0%	98.0%	98.0%
Inert matter	2.0%	2.0%	2.0%
Other crops	2 seed/lb.	2 seed/lb.	5 seed/lb.
Other varieties	2 seed/lb.	2 seed/lb.	5 seed/lb.
Noxious weeds	None	None	None
Other weeds	10 seed/lb.	10 seed/lb.	10 seed/lb.
Germination	80.0%	80.0%	80.0%

41.0 Southern Field Pea (Cowpea) Seed Certification Standards

41.1 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	1 yr.	1 yr.	1 yr.
Isolation	10 ft.	10 ft.	10 ft.
Other varieties & Off-type plants	3 plants per acre	3 plants per acre	6 plants per acre

41.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	98.0%	98.0%	98.0%
Inert matter	2.0%	2.0%	2.0%
Other crops	None	None	1 seed/lb.
Other varieties	None	None	1 seed/lb.
Noxious weeds	None	None	None
Other weeds	None	None	1 seed/lb.
Germination	80.0%	80.0%	80.0%

42.0 Sunflower Seed Certification Standards

42.1 Field Inspections

Two inspections shall be made of the growing crop, the first at early blooming stage and the second just before harvest. Only one inspection shall be required in the case of open-pollinated varieties.

42.2 Field Standards

A. Sunflower seed grown for certification shall not be on land that was planted the previous year to sunflower of another variety.

B. The isolation distance between varieties for all classes shall be at least 2,640 feet.

C. Flowering

In a crossing field for the production of hybrid sunflower seeds, the male parent must be in bloom and producing pollen at the time the female parent is in bloom. If the female sunflower heads produce pollen before the male parent heads, then the female pollen must be removed to prevent cross-pollination.

D. Maximum Impurity Tolerances (maximum limits per 1,000 plants)

Hybrid Production Foundation and Certified	Female Seed Parent	Male Pollinating Parent
Maximum (including Off-types)	1	1
Wild-type branching	1	1
Purple plants	1	1
White seeded	1	0
Obvious off-types	4	4

42.3 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	99.0%	99.0%	98.0%
Inert matter	1.0%	1.0%	2.0%
Other crops	None	None	1 seed/lb.
Other varieties	1 seed/lb.	1 seed/lb.	1 seed/lb.
Weed seeds	None	None	None
Germination	90.0%	90.0%	90.0%

43.0 Tall Meadow Fescue Seed Certification Standards

43.1 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	5 yr.	2 yr.	2 yr.
Isolation	900 ft.	330 ft.	330 ft.
Other varieties	10 plants per acre	10 plants per acre	100 plants per acre

43.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	98.0%	98.0%	95.0%
Inert matter	2.0%	2.0%	5.0%
Other crops	None	None	10 seed/lb.
Noxious weeds	None	None	None
Other weeds	50 seed/lb.	50 seed/lb.	360 seed/lb.
Germination	80.0%	80.0%	80.0%

44.0 Tree Seed Certification Standards

44.1 Classes of Seed

A. Only the following classes of tree seed shall be recognized in tree seed certification:

1. Certified (blue tag)
2. Selected (green tag)
3. Source-Identified (yellow tag)

B. For all classes of forest tree seed, the exact geographic source of the parent trees and the stand must be known. Location of the source shall be given at least down to the section or comparable land survey unit. (Alternatively, in the case of seed from seed orchards containing selected stocks from a number of separate sections, the location of the orchard shall be given and the exact sources of its individual components shall be kept on file and furnished on request.)

44.2 Land Requirements

Elevation to the nearest 500 feet of the original geographic source and the average height and age of the trees from which seed has been collected shall be shown on the tag for all forest tree seed. If available, site index (the capacity of a given site to produce trees as measured by the height of the trees at a specified age) may be recorded instead of tree height and age.

44.3 Field Inspection

A field inspection must be made prior to flowering.

44.4 Field Standards

A. Unit of certification

An individual tree, clone, or stand of trees may be certified in producing certified or selected seed.

B. Isolation

For certified or selected seed, an adequate isolation zone shall be maintained free of off-type plants and other species which might cross-pollinate producing trees. There shall be no isolation requirements for source-identified trees.

C. Progeny testing

All clones used in seed orchards shall be progeny tested.

44.5 Seed Standards

Factor	Certified	Selected	Source Identified
Pure seed	98.0%	98.0%	98.0%
Inert matter	2.0%	2.0%	2.0%
Other species	.01%	.01%	.5%
Germination	85.0%	85.0%	85.0%

45.0 Watermelon Seed Certification Standards

45.1 Field Inspections

- A. The initial inspection will be made before the first blooms are open. At this time, volunteer plants and citron must be removed from the field to be certified and the isolation zone by the grower.
- B. The second inspection will be made when the melons are ready to harvest. The presence of any citron plants within 2,640 feet of a unit entered for Foundation or Registered classes or within 1,320 feet of a unit entered for Certified class will disqualify the unit for certification.

45.2 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	1 yr.	1 yr.	1 yr.
Isolation	2,640 ft.	2,640 ft.	1,320 ft.
At harvest time:			
Citron	None	None	None
White heart fruits	None	2.0%	5.0%
Total off-type plants or varietal mixtures	None	None	2 plants per acre
*Plants free from fusarium wilt	93.0%	93.0%	90.0%
Plants free from anthracnose	95.0%	95.0%	90.0%

*Applies to wilt-resistant varieties only.

45.3 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	98.0%	98.0%	98.0%
Inert matter	2.0%	2.0%	2.0%
Other crops	None	2 seed/lb.	5 seed/lb.
Other varieties	None	None	4 seed/lb.
Citron	None	None	None
Weed seeds	None	None	0.05%
Germination	80.0%	80.0%	80.0%

PART III: REPEAL OF PRIOR SEED CERTIFICATION RULES AND REGULATIONS

46.0 Repeal of Prior Rules and Regulations of the Seed Commission

Upon promulgation of these Rules and Regulations, the following rules and regulations previously adopted by the Seed Commission shall be repealed in their entirety:

1. Regulation 1 - Cottonseed (revised effective January 15, 1967)
2. Regulation 2 - Seed Oats (revised effective May 15, 1963)
3. Regulation 3 - Louisiana White, Louisiana White S 1, Ladino and Other White Clover Seed (revised effective August 1, 1964)
4. Regulation 4 - Soybean (revised effective January 1, 1968)
5. Regulation 5 - Seed Corn (Open-Pollinated) (revised effective September 1, 1958)
6. Regulation 6 - Okra (revised effective June 25, 1958)
7. Regulation 7 - Onion Bulbs and Seed (revised effective September 1, 1958)
8. Regulation 8 - Hybrid Seed Corn (revised effective September 1, 1958)
9. Regulation 9 - Seed Sweet Potatoes and Sweet Potato Plants (revised effective September 1, 1958)
10. Regulation 10 - Seed Rice (revised effective September 15, 1964)
11. Regulation 11 - Shallot Seed (revised effective September 1, 1958)
12. Regulation 12 - Crimson Clover Seed (revised effective August 1, 1964)
13. Regulation 13 - Tall Meadow Fescue Seed (revised effective September 1, 1958)
14. Regulation 14 - Dallis Grass Seed (revised effective September 1, 1958)
15. Regulation 15 - Seed Irish Potatoes (revised effective September 1, 1958)
16. Regulation 16 - Wheat Seed (revised effective July 1, 1968)
17. Regulation 17 - Red Clover Seed (revised effective August 1, 1964)

18. Regulation 18 - Singletary Pea Seed (revised effective September 1, 1958)
19. Regulation 19 - Rescue Grass Seed (revised effective September 1, 1958)
20. Regulation 20 - Watermelon Seed (revised effective September 1, 1958)
21. Regulation 21 - Tiflawn, Tiffine, Coastal and Suwanee Bermudas and Emerald Zoysia
22. Regulation 22 - Sorghum Seed (revised effective September 1, 1958)
23. Regulation 23 - Harding Grass (revised effective September 1, 1958)
24. Regulation 24 - Millet Seed (revised effective September 1, 1968)
25. Regulation 25 - Sesame Seed (revised effective November 1, 1958)
26. Regulation 26 - Bahia Grass Seed (revised effective September 1, 1958)
27. Regulation 27 - Gulf Ryegrass Seed (revised effective April 1, 1960)
28. Regulation 28 - Tree Seed (revised effective September 1, 1966)
29. Regulation 29 - Southern Field Pea (Cowpea) Seed (effective January 1, 1968)
30. Regulation 30 - Sunflower Seed (effective October 7, 1968)
31. Non-numbered Regulation - Seed Irish Potatoes (Out-of-State) (effective January 14, 1952)
32. Regulation 28 - (duplicate numbering; not the same as Regulation 28 for Tree Seed) Bulk Sampling of Certified Small Grain, Soybean and Rice Seed (effective May 20, 1979)
33. Regulation 29 - (duplicate numbering; not the same as Southern Field Pea (Cowpea) Seed) Tagging of All Classes of Certified Seed

The above amendment to the Seed Law Regulations and the new Seed Certification Standards will become effective on January 1, 1983.

Bob Odom
Commissioner

RULE

**Department of Culture, Recreation and Tourism
Office of the State Library**

The Department of Culture, Recreation and Tourism, Office of the State Library, pursuant to the authority in R.S. 25:14, and in accordance with the Notice of Intent published on October 20, 1982, has adopted an amendment regarding State Aid to Public Libraries Grant.

IV. Maintenance of local effort

D. For each item of library material purchased 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.

Thomas F. Jaques
State Librarian

RULE

Board of Elementary and Secondary Education

Rule 3.01.05

The Board adopted the Louisiana State Plan for the Nutrition Education and Training Program, FY 1983.

Rule 3.01.70.v(27)(a)

The Board adopted an amendment to Bulletin 746, page 74, paragraphs (2) and (3) to revise the wording in the certification requirements for Parish or City School Supervisors of Special Education as follows:

Page 74

Parish or City School Supervisor/Director of Special Education**

2. Must have graduate training in special education, including at least one course in administrative/supervision of special education, and hold generic certification in special education and/or fulfill certification requirements in two areas of exceptionality as specified in Bulletin 746. In lieu of the second area of exceptionality, a person must be certified or hold a license or credential requirements in a related service area as noted in the Regulations of Act 754.

3. Have had five years of successful professional experience, at least three of which must have been in special education. For the purpose of this part, special education shall be defined as experience in any of the identified positions recognized by the State Board of Elementary and Secondary Education in Appendix I of Act 754 Regulations. The classroom experience shall have been as itinerant, resource or self-contained special class teacher as verified on the annual school report.

The Board adopted an amendment to Bulletin 746, page 75, paragraph (3) to revise the wording in the certification requirements for Special School Principal as follows:

Page 75

Special School Principal

3. Have had five years of successful professional experience, at least three of which must have been in special education.

** This title will apply to all persons, regardless of title, who serve in this capacity.

Rule 6.03.49

The Board adopted a policy that the Civil Service approval date for reclassified personnel shall be the effective date of salary adjustment for the new position.

Rule 5.00.80(1)

The Board adopted the 1982-83 revisions to Bulletin 1533: Regulations, Tuition Exemption Continuing Education Program.

James V. Soileau
Executive Director

RULE

**Office of the Governor
Division of Administration
Office of Contractual Review**

Regulations for the Procurement of
Professional, Personal, and Consulting Services

All Contracts for Personal, Professional
or Consulting Services

I

Delegation of Authority

The Director of Contractual Review may delegate in writing certain responsibilities set forth herein; however, he shall review any actions taken by his designee.

II

Definitions and Classes of
Contractual Services

The following services shall be contracted out in accordance with these regulations:

A. "Personal Service" means work rendered by an independent contractor which requires the use of creative or artistic skills, such as, but not limited to, graphic artists, sculptors, musicians, photographers, and writers, or which requires the use of highly technical or unique individual skills or talents, such as, but not limited to, paramedicals, therapists, handwriting analysts, and expert witnesses for adjudications or other court proceedings.

B. "Professional Service" means work rendered by an independent contractor who has a professed knowledge of some department of learning or science used by its practical application to the affairs of others or in the practice of an art founded on it including, but not limited to lawyers, doctors, dentists, veterinarians, architects, engineers, landscape architects, and accountants. A profession is a vocation founded upon prolonged and specialized intellectual training which enables a particular service to be rendered. The word "professional" implies professed attainments in special knowledge as distinguished from mere skill.

C. "Consulting Service" means work, other than professional or personal service, rendered by an independent contractor who possesses specialized knowledge, experience, and expertise to investigate assigned problems or projects and to provide counsel, review, design, development, analysis, or advice in formulating or implementing programs or services or improvements in programs or services, including, but not limited to, such areas as management, personnel, finance, accounting, planning and feasibility studies, data processing, advertising and public relations.

D. Interagency contracts between state departments, agencies, boards, commissions, colleges or universities for any of the services enumerated in A, B, or C above shall be governed by these regulations, except that contracts between boards of higher education and their respective institutions shall be exempt.

III

Contracts for \$5,000 or Less

A. The Director of the Office of Contractual Review may, in accordance with R.S. 39:1488, 1490B(3), and 1508, delegate to other state using agencies certain responsibilities in the review

and approval process of professional, personal and consulting service contracts, to specifically include contracts for professional, personal and consulting services for \$5,000 and under. Such delegations of authority may be made upon written request by the head of the using agency and shall be provided for in a written Memorandum of Agreement between the Office of Contractual Review and each using agency receiving such a delegation. All provisions of law and of these regulations not delegated remain applicable. Upon execution of the Memorandum of Agreement as herein provided, such delegation of authority shall remain in full force and effect, until it may be cancelled in writing, by the Director of the Office of Contractual Review.

B. A contract meeting the definition of "small purchase" under R.S. 39:1508 may be approved by the agency director without the necessity of forwarding a copy to the Office of Contractual Review. The agency shall maintain a file for all small purchase contracts. This file shall be available for inspection by the Director of the Office of Contractual Review or his designee upon request.

C. The using agency shall submit a quarterly report to the Office of Contractual Review and to the Division of Administration Budget Office. This report shall contain a listing of all small purchase contracts to include: the name of contractor, amount of contract, specific nature of services rendered, date of contract, and total dollar amount of all small purchase contracts entered into by the using agency for that quarter. If no such contracts have been entered into during this period, a report still shall be submitted notifying the Office of Contractual Review of same. See Attachment E for format of report.

IV

Contract Contents

A. Each contract for professional, personal, and consulting services shall follow the provisions of R.S. 39:1498.1.

B. Contracts funded fully or in part by federal funds, in addition to meeting all the requirements of these guidelines and R.S. 39:1428-1473, shall meet all applicable federal standards and shall contain all necessary clauses required by federal statutes, Rules or Regulations. The burden of complying with federal regulations shall rest with the using agency.

C. Travel expenses shall be reimbursed in accordance with Division of Administration Policy and Procedure Memorandum 49 (the State General Travel Regulations).

D. When a contract is to include travel and/or other reimbursable expenses, it shall contain language to effect the following:

1. Travel and other reimbursable expenses shall constitute part of the total maximum payable under the contract; or
2. No more than (a certain sum) of the total maximum amount payable under this contract shall be paid or received as reimbursement for travel and other reimbursable expenses.

V

Modification of Contract

All amendments to contracts for professional, personal and consulting services shall be submitted to the Office of Contractual Review and shall become effective only upon approval by the Director of the Office of Contractual Review. If an amendment extends a contract beyond one year, justification for a multi-year contract must be submitted with said amendment in accordance with Part XII, and if an amendment increases the amount of a contract to \$25,000 or more, an extra copy of the contract and amendment must be submitted in accordance with Part VII.

VI

Termination of Contract

Whenever a contract is terminated prior to the termination date stated in the contract, the Office of Contractual Review shall be notified in writing by the using agency of such prior termination, and the reasons therefor.

VII

Submission of Contracts

The original contract and two copies of said contract and attachments shall be submitted to the Office of Contractual Review for contracts less than \$25,000. Contracts for \$25,000 or more must be submitted with three copies (the extra copy will be forwarded to the Legislative Fiscal office). The Office of Contractual Review will not accept for review and approval any contract that is not accompanied by the necessary attachments and copies as required herein. (Attachments being submittal letters, R.S. 39:1497 certification, BA-22, etc.)

VIII

Contractual Review Process

A. Contracts arriving in the Office of Contractual Review will be date stamped and logged in. Contracts should be submitted prior to their effective dates and no contract shall be approved which has been submitted 60 days after its effective date, unless written justification is provided by the using agency and approval granted by the Director of Contractual Review or his designee. All submittals will be required to have a cover letter attached thereto in conformity with Attachment D.

B. If a contract does not appear to be out of the ordinary and appears to have the necessary attachments and inclusions, it will be routed to the appropriate Budget Analyst for the submitting agency. A BA-22, or its equivalent, shall be submitted with every contract submitted to the Office of Contractual Review.

C. Contracts that are incomplete as to form may be returned to the submitting agency. If a contract is merely missing an attachment then the necessary attachment may be secured from the submitting agency.

D. Contracts returned from Budget

1. Not Recommended for Approval - If a contract is not recommended for approval, the Office of Contractual Review shall discuss the reason with the Budget Analyst. If the problem cannot be resolved the contract shall be returned to the submitting agency with a letter explaining the problem.

2. Recommended for Approval - If a contract is recommended for approval the review process shall continue.

E. Legal and content review. There are a number of different types of contracts, and content requirements may vary a little. All contracts shall contain the following:

1. Signatures of both the head of the using agency or his designee and the contractor. At least one submitted copy of each contract shall bear an actual, nonfacsimile signature of each party.

2. Scope of services that clearly and completely identifies the work to be performed and products to be delivered.

3. Beginning and termination dates for the contract. Normally, such contracts should be for a term no longer than one year, although the Director of Contractual Review may approve contracts with terms up to three years. Contracts shall not include a clause permitting automatic renewal or extension of the original beyond a three year period.

4. The maximum amount of compensation to be paid under the contract. This maximum must be inclusive of all payment, fees, travel expenses, etc. When applicable the amounts shall be stated by category and then given as a comprehensive total.

5. A statement giving the Legislative Auditor authority to audit the financial records of the contractor relative to work done under the contract.

6. A clause providing that the contractor shall not assign any interest in this contract, and shall not transfer any interest in the same (whether by assignment or novation), without the prior written consent of the submitting agency thereto, provided, however, that claims for money due or to become due to the contractor from the using agency under this contract may be

assigned to a bank, trust company, or other financial institution without such approval. Notice of any such assignment or transfer shall be furnished promptly to both the using agency and the Director of the Office of Contractual Review.

7. A statement giving the contractor the responsibility for paying any taxes which may be due as a result of the contract. The taxes could include state or federal income taxes or payroll taxes.

F. Each contract submitted for approval shall be accompanied by a certification letter as described in R.S. 39:1497, signed by the using agency's representative (See Attachment B).

G. Proof of review and approval by other agencies shall accompany submitted contracts as follows; or contracts will be returned to the submitting agency without final approval:

1. Civil Service - All contracts must have Civil Service approval except agreements between state agencies. If a non-state agency is involved, the contract must have Civil Service approval.

2. Attorney General - contracts for legal services that are not consulting work and that do involve or lead to litigation must be reviewed by the Attorney General for approval of the fee structure. Approval of the Attorney General can be evidenced by the signature on the contract documents or by a letter from the Attorney General. Contracts with Louisiana District Attorneys do not require this approval.

3. Legislative Auditor - Contracts for financial auditing of state agencies must have prior written approval of the Legislative Auditor.

4. Office of Data Processing - The Office of Data Processing shall review and recommend any contract containing data processing elements before returning it to Contractual Review for completion of the review process.

5. If the contractor is a corporation not incorporated under the laws of the State of Louisiana, then the contractor must secure a certificate of authority pursuant to R.S. 12:301 from the Secretary of State of Louisiana and a copy of such certificate must be attached to the contract.

6. The Office of Telecommunications Management shall review and recommend any contract containing elements of telecommunication services before returning it to the Office of Contractual Review for completion of the analysis.

H. Consulting Services Contracts for \$75,000 or more. If a contract is for services defined as consulting in R.S. 39:1484(4) and is for an amount equal to or exceeding \$75,000, it must have been awarded pursuant to the requirements of R.S. 39:1503, unless exempt by Section XV(A) or (B). Failure to so comply shall result in the using agency having to reconduct the process. A statement in accordance with R.S. 39:1503 C as to why the award was made must be submitted with the contract.

I. When a contractor is a corporation, a formal, dated, Board Resolution must be secured and attached to the contract indicating that the signatory is a corporate representative and authorized to sign said contract.

J. When it has been determined that a contract is complete, the contract shall be returned to the submitting agency with an approval letter attached and signed by the Director of Contractual Review.

IX

Exempt Occupations

The following list of occupations shall be construed as falling within the definition of medical, nursing or allied health fields given in R.S. 39:1498.2. Personnel employed in these fields would therefore be exempt from the prohibition contained in R.S. 39:1498(4) which disallows personal, professional or consulting service contracts between the State of Louisiana and state employees:

Audiologist, Clinical Psychologist, Dental Assistant, Dentist, Electroencephalograph Technician, Inhalation Therapist,

Medical Laboratory Technologist, Nurse Anesthetist, Occupational Therapist, Optometrist, Osteopath, Pharmacist, Physical Therapist, Physician, Podiatrist, Practical Nurse, Professional Dietitian, Psychiatrist, Radiologic Technologist, Radioisotope Technologist, Registered Nurse, Respiratory Therapy Technician, Respiratory Therapy Technologist, Social Worker, Speech Pathologists and Ultrasonography Technologist.

Other Specialists as may be included later by the Director of the Office of Contractual Review.

X

Delegation of Signature Authority

R.S. 39:1502 requires that the head of the using agency or his designee shall sign all contracts for personal, professional or consulting services. All delegations of signature authority by the head of the using agency must be in writing and must be approved by the Office of Contractual Review. Normally, delegations of signature authority to the level of Assistant Secretary or equivalent will be approved if circumstances warrant the delegation. Delegations of signature authority to a level below that of Assistant Secretary may be granted in unusual situations - for example, where the volume of contracts is very heavy.

In addition, autonomous or semi-autonomous boards or commissions may sign their own contracts if such authority is granted them by their enabling legislation or by the heads of the agency in which they are placed.

XI

Confidentiality of Technical Data or Trade Secrets

The using agency shall be responsible for protecting technical data, financial information, overhead rates, and trade secrets which may come into their possession from individuals and businesses doing business with the State. Any such information received by the Office of Contractual Review shall be returned to the using agency upon completion of said review.

XII

Multi-Year Contracts

All contracts in excess of one year shall be submitted to the Office of Contractual Review with written reasons why a multi-year contract is needed. Justification of multi-year contracts shall be submitted in accordance with R.S. 39:1514 in compliance with the Delegation of Authority from the Commissioner of Administration.

XIII

Determination of Responsibility

A. In order to qualify as responsible, an offerer must meet the following standards as they relate to the particular procurement under consideration:

1. Has adequate financial resources for performance, or has the ability to obtain such resources as required during performance.

2. Has the necessary experience, organizations, technical qualifications, skills, and facilities, or has the ability to obtain them (including probable subcontractor arrangements).

3. Is able to comply with the proposed or required time of delivery or performance schedule.

4. Has a satisfactory record of integrity, judgment, and performance (contractors who are seriously delinquent in current contract performance, considering the number of contracts and the extent of delinquencies of each, shall in the absence of evidence to the contrary or evidence of compelling circumstances, be presumed to be unable to fulfill the requirement).

5. Is otherwise qualified and eligible to receive an award under applicable laws and regulations.

B. An offerer shall present acceptable evidence of financial resources, experience, organization, technical qualifications, skills, and facilities, to perform the service called for by the contract.

C. No contract for consulting services for \$75,000 or more shall be awarded to any person or firm unless the head of the using

agency has first determined that such person or firm is responsible within the meaning of Sections A and B.

D. In any case where a contract for consulting services is for \$75,000 or more, the head of the using agency shall prepare, sign, and place in the contract file a statement of the facts on which a determination of responsibility was based. Any supporting documents or reports and any information to support determinations of responsibility of the offerer or potential subcontractors should be kept on file with the agency, subject to inspection upon the request by the Director of Contractual Review or his designee.

E. Before making a determination of responsibility, the head of the using agency shall have sufficient current information to satisfy himself that the prospective contractor meets the standards in Sections A and B. Information from the following sources shall be utilized before making a determination of responsibility:

1. Information from the prospective contractor, including representations and other data contained in proposals, or other written statements or commitments, such as financial assistance and subcontracting arrangements.

2. Other existing information within the agency, including financial data, the list of debarred and ineligible bidders and records concerning contractor performance.

3. Publications, including credit ratings and trade and financial journals.

4. Other sources, including banks, other financial companies, and state departments and agencies.

F. To the extent that a prospective contractor cannot meet the standard in Section A.2 except by means of proposed subcontracting, the prospective prime contractor shall not be considered to be responsible unless recent performance history indicates an acceptable subcontracting system or prospective major subcontractors are determined by the head of the using agency to satisfy that standard.

XIV

Suspension, Debarment and Reinstatement

A. Authority. After reasonable notice to the person involved and reasonable opportunity for that person to be heard, the Director of the Office of Contractual Review shall have authority to suspend or debar a person for cause from consideration for a contract, provided that doing so is in the best interest of the State.

B. Suspension. The Director of the Office of Contractual Review may suspend a person from consideration for a contract if he determines in writing that there is probable cause to believe that such person has engaged in any activity which might lead to debarment. Said suspension shall not exceed 60 days if debarment is not forthcoming.

C. Causes for Debarment. The causes for debarment include, but are not limited to, the following:

1. Conviction for a criminal offense as an incident to obtaining or attempting to obtain a public or private contract or subcontract, or in the performance of such contract or subcontract.

2. Conviction under state or federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or any other offense indicating a lack of business integrity or business honesty which currently, seriously, and directly affects responsibility as a state contractor:

3. Conviction under state or federal antitrust statutes arising out of the submission of bids or proposals:

4. Violation of contract provisions, or a recent record of failure to perform, or of unsatisfactory performance in accordance with the terms of one or more contracts; provided that failure to perform or unsatisfactory performance caused by acts beyond the control of the contractor shall not be considered to be a basis for debarment; and

5. Any other cause the Director of Contractual Review determines to be so serious and compelling as to affect responsibility

as a state contractor, including debarment by another governmental entity for any cause listed in regulations.

D. Decision. The Director of the Office of Contractual Review shall issue a written decision stating his reasons and findings therein.

E. Notice of decisions. A copy of the decisions under Subsection D of this Section shall be mailed or otherwise furnished immediately to the debarred or suspended person and any other party intervening.

F. Finality of decision. A decision under Section D of this Part shall be final and conclusive, unless appealed as provided for in Section G.

G. Appeal. The Contractor or business who is directly affected by the decision of the Director of Contractual Review may appeal in writing to the Commissioner of Administration within ten days of the receipt of said decision.

H. Reinstatement. If the Commissioner finds that the Director of Contractual Review was in error, then he may reinstate said individual or business. If the Commissioner affirms the decision of the Director of Contractual Review, that decision is final and conclusive.

1. The Director of Contractual Review, upon request of a debarred contractor, shall review the requesting debarred contractor's file on an annual basis, and may reinstate said contractor for future consideration if he believes the circumstances warrant reinstatement and it would be in the best interest of the state. A list of debarred contractors shall be kept by the Office of Contractual Review and made available upon request to our state agencies.

Contracts for Consulting Services Where Compensation equals or exceeds \$75,000

XV

Source Selection Methods

Pursuant to R.S. 39:1496, professional or personal services contracts for any amount, and consulting services contracts less than \$75,000 may be awarded without competitive negotiation or bidding, therefore this part shall be applicable to consulting services contracts for \$75,000 or more.

A. Emergency Purchases. An emergency situation must be determined in writing by the Director of Contractual Review or his designee. The using agency which requests an emergency procurement must indicate in writing the basis of the emergency.

B. Sole Source Procurement. A determination in writing, supported by using agency documentation, must be made by the Director of Contractual Review or his designee that only one source exists for the services requested by the using agency.

C. A determination by the Director of Contractual Review that contracts are necessary under Sections A and B above will dispense with the requirement of a Request for Proposal pursuant to 39:1496(B).

D. Record. A record of emergency procurements and Sole Source Procurements shall be maintained by the Office of Contractual Review, and shall contain:

1. Contractor's name

2. The amount of contract

3. Services to be rendered

4. Reason for the emergency or sole source procurement

XVI

Request for Proposals

A. Prequalification of Offerers. A using agency which intends to issue a Request for Proposal (RFP) shall request the Prequalified Offerers list, as described below, prior to issuing an RFP. A using agency shall forward a request for proposals to those businesses on said list who offer the services requested in the RFP.

1. The Office of Contractual Review shall prepare and maintain a prequalified list of offerers to be used in the Request for Proposal procedure as provided for in R.S. 39:1506.

2. Contractors who are interested in being placed on this list shall submit a statement of qualifications to the Office of Contractual Review. This statement must describe the potential contractor's current qualifications by subject area and include key personnel currently employed or associated, and be accompanied by a resume of each. Additionally, a list should be provided describing previous work done (by subject area), with whom (governmental agency or private business) and the names of contact persons for each client listed.

3. Each statement of qualifications shall have attached to it a financial statement or other evidence of financial solvency.

4. Finally, any other current information or material which would further describe a potential contractor's qualifications will be accepted.

B. Advertisements. Written notices shall contain a general description of the consulting services desired and state the name and address of the using agency desiring to contract for consulting services; where and how the Request for Proposal may be obtained and where proposals are to be sent; in the event of a proposer's conference, the date, time and place it will be held; the date and time not later than which proposals must be received; and the date, time, and place that a proposal may be accepted.

C. Questions to be received from potential contractors must be in writing and all responding answers must be provided by the using agency to all potential contractors participating in the selection process. A proposer's conference may be provided in lieu of the above question-and-answer process. However, copies of the proceedings shall be made available to all those who are participating in the selection process.

D. Written or oral discussions shall be conducted by the using agency with all responsible offerers who submit proposals determined in writing to be reasonably susceptible of being selected for award. Discussions shall not disclose any information derived from proposals submitted by competing offerers. Discussions need not be conducted:

(1) With respect to prices, where such prices are fixed by law or regulation, except that consideration shall be given to competitive terms and conditions; or

(2) Where time of delivery or performance will not permit discussions, or

(3) Where it can be clearly demonstrated and documented from the existence of adequate competition or accurate prior cost experience with that particular service that acceptance of an initial offer without discussion would result in fair and reasonable prices, and the Request for Proposals notifies all offerers of the possibility that an award may be made on the basis of the initial offers.

E. In addition to the requirements of R.S. 39:1503(B) and these regulations, a Request for Proposals shall:

1. Specifically define the task and desired results of project;

2. Identify agency liaison personnel and resources available to the consultant, both in preliminary studies and the project itself;

3. State approximately when the consultant can begin the study, plus an estimate of the time necessary to accomplish the work;

4. Specify applicable procedures concerning billing, documentation requirements, progress reports, and final reports;

5. Specify that a minimum of two copies of the proposal be submitted; and

6. Inform the potential contractors of the criteria and the selection methodology and the weight which will be applied to each significant evaluation criteria to be used in evaluating the proposals' responsiveness to the RFP.

7. Require potential contractors to include the following information in their proposals:

a. A description of the consultant firm's qualifications to include a specific list of personnel to be used in this project and their qualifications (at least list the number and the qualifications of each position). However, a resume will be required on each of the key personnel. Additionally, consultant must stipulate that these personnel will not be removed from the contract without prior approval of the using agency.

b. A list of the agencies with names and contact persons, for whom similar work has been done.

c. The length of time needed for the project, broken down by phases, if phasing is necessary.

d. The proposed methodology for accomplishing the project with a precise statement of what the State will receive as an end product of the project (this is sometimes referred to as the technical section of the proposal).

e. An itemized cost statement showing various classes of man-hours at appropriate rate, delineated by phases, if phasing is used, and an itemized listing of all other expenses or fees that are expected to be paid by the State and a complete breakdown of consultant overhead rate.

F. The final selection of a contractor shall be made by the using agency in accordance with the selection criteria established in the RFP. However, no contract can be awarded until final approval of the selection has been granted by the Director of the Office of Contractual Review. When a final selection has been made by the using agency, the contract file containing that information outlined in Sections A through E including the Request for Proposals, and the proposed contract, along with a selection memorandum justifying the final selection shall be sent to the Office of Contractual Review for final concurrence (R.S. 39:1503C). The selection memorandum shall include, but not be limited to:

1. A list of criteria used along with the weight assigned each criteria.

2. Scores of each proposal considered in each of the categories listed above along with overall scores of each proposal considered.

3. A narrative justifying selection.

G. Right to Protest. Any contractor who is aggrieved in connection with the request for proposal or award may protest to the head of the agency issuing the proposal, at which time the agency shall notify the Office of Contractual Review that a protest has been lodged. Said protest shall be in writing and state fully the reason(s) for the protest. A protest of a solicitation must be filed at least 14 days prior to the date for receipt of proposals. Protests with respect to an award shall be submitted within 14 days after the award has been announced by the agency.

H. Stay of Award during protest. If a person protests the proposal, then an award shall not be made until said protest is resolved. If a person protests an award, then work on the contract shall not be commenced until the protest is resolved administratively.

I. Decision. The head of the agency must notify the protesting party within ten days after receipt of said protest whether or not the protest is denied or granted. If granted as to the proposal the request for proposal may be amended if possible or cancelled and reissued. If the protest is granted as to the award then the contract will be voided and the remaining proposals may be re-evaluated for another selection. If another selection can not be made or if it appears to be in the best interest of the state, a new request for proposal shall be issued.

J. Appeal. If an aggrieved party is not satisfied with the agency's decision, then that party may appeal said decision in writing to the Commissioner of Administration. Such appeals must be made within 14 days of receipt of the agency's decision by the protesting party. The protesting party should fully explain the basis

of his appeal. The Commissioner then must render a decision in writing within ten days of receipt of the appeal or the date of the hearing. The Commissioner's decision is final and an aggrieved party must bring judicial action within six months from receipt of said decision; an agency may proceed with an award after the Commissioner so decides.

K. Delays. The delays provided for in this Part may be extended only with the concurrence of the using agency, the protesting party and the Commissioner of Administration.

XVII

Revised Statutes

A. These regulations shall be read and interpreted jointly with Louisiana R.S. 39:1481-1526.

B. A Rule or Regulation shall not change any contract commitment, right, or obligation of the state or of a contractor under a state contract in existence on the effective date of that Rule or Regulation (R.S. 39:1491 D).

Attachment A

Sample Contract adaptable for use by state agencies. (This sample contract contains the minimum language required in a state contract. Additional items may be added as required by the individual agency's needs and applicable federal requirements.)

STATE OF LOUISIANA
PARISH OF _____

CONTRACT

Be it known, that on this _____ day of _____, 19____, the _____ (Agency Name) _____ (hereinafter sometimes referred to as "State") and _____ (Contractor's name and legal address) _____ (hereinafter sometimes referred to as "Contractor") do hereby enter into contract under the following terms and conditions.

1.

Contractor hereby agrees to furnish the following services:
(If the Scope of Services is more lengthy than will fit here, it may be attached separately as an addendum.)

2.

In consideration of the services described above, state hereby agrees to pay to Contractor a maximum fee of _____. Payment will be made only on approval of _____. If progress and/or completion to the reasonable satisfaction of the agency is obtained, payments are scheduled as follows:

3.

This contract may be terminated by mutual consent of both parties upon _____ days written notice.
(Other conditions for termination may be stated here.)

4.

Upon completion of this contract, or if terminated earlier, all records, reports, worksheets or any other materials related to this contract shall become the property of the State.

5.

Contractor hereby agrees that the responsibility for payment of taxes from the funds thus received under this agreement and/or legislative appropriation shall be said contractor's obligation and identified under Federal tax identification number _____.

6.

The contractor shall not assign any interest in this contract and shall not transfer any interest in same (whether by assignment or novation), without prior written consent of the State, provided however, that claims for money due or to become due to the Contractor from the State may be assigned to a bank, trust company, or other financial institution without such prior written con-

sent. Notice of any such assignment or transfer shall be furnished promptly to the State.

7.

It is hereby agreed that the Legislative Auditor of the State of Louisiana shall have the option of auditing all accounts of contractor which relate to this contract.

8.

This contract shall begin on _____ and shall terminate on _____.

THUS DONE AND SIGNED AT Baton Rouge, Louisiana, on the day, month and year first written above.

CONTRACTOR

STATE AGENCY

Attachment B

Sample Certification as required by R.S. 39:1497
Ms. Bonita B. Brown, Director
Office of Contractual Review
Division of Administration
State Capitol Annex
Baton Rouge, Louisiana 70804

Dear Ms. Brown:

In reference to the attached contract we do certify the following:

1. Either no employee of our agency is both competent and available to perform the services called for by the proposed contract or the services called for are not the type readily susceptible of being performed by persons who are employed by the state on a continuing basis.

2. The services are not available as a product of a prior or existing professional, personal or consulting service contract.

3. When applicable, the requirements for consultant service contracts, as provided for under R.S. 39:1503-1507, have been complied with.

4. The Department of _____ has developed and fully intends to implement a written plan providing for:

A. The assignment of specific Agency personnel to a monitoring and liaison function.

B. The periodic review of interim reports or other indicia of performance to date; and

C. The ultimate use of the final product of the service.

Sincerely,

Attachment C

Suggested checklist for review of personal, professional and consulting contracts

1. Minimum Contract Content:

Yes	No	
_____	_____	1. Contains a date upon which the contract is to begin and upon which the contract will terminate.
_____	_____	2. Contains a description of the work to be performed and objectives to be met.
_____	_____	3. Contains an amount and time of payments to be made.
_____	_____	4. Contains a description of reports or other deliverables to be received, when applicable.
_____	_____	5. Contains a date of reports or other deliverables to be received, when applicable.
_____	_____	6. When a contract includes travel and/or other reimbursable expenses, it contains language to effect the following:

- a. Travel and other reimbursable expenses constitute part of the total maximum payable under the contract; or
- b. No more than (a certain sum) of the total maximum amount payable under this contract shall be paid or received as reimbursement for travel or other reimbursable expenses; and
- c. Travel expenses shall be reimbursed in accordance with Division of Administration Policy and Procedure Memorandum 49 (The State General Travel Regulation).

- 7. Contains the responsibility for payment of taxes, when applicable.
- 8. Contain the circumstances under which the contract can be terminated either with or without cause and contains the remedies for default.
- 9. Contains a statement giving the Legislative Auditor the authority to audit records of the individual(s) or firm(s).
- 10. Contains an Assignability clause.
- 11. Budget Form BA-22 P.S. fully completed and attached to the contract.

2. Determination of Responsibility of Contractor:

Yes No

- 1. Has adequate financial resources for performance, or has the ability to obtain such resources as required during performance.
- 2. Has the necessary experience, organization, technical qualifications, skills, and facilities, or has the ability to obtain them (including probable subcontractor arrangements).
- 3. Is able to comply with the proposed or required time of delivery or performance schedule.
- 4. Has a satisfactory record of integrity, judgment and performance (contractors who are seriously delinquent in current contract performance, considering the number of contracts and the extent of delinquencies of each, shall, in the absence of evidence to the contrary or compelling circumstances, be presumed to be unable to fulfill this requirement).
- 5. Is otherwise qualified eligible to receive an award under applicable laws and regulations.
- 6. If a contract for consulting services is for \$75,000 or more, the head of the submitting agency has prepared, signed and placed in the contract file a statement of the facts on which a determination of responsibility was based.
- 7. On subcontracting, it has been established that contractor's recent performance history indicates acceptable subcontracting systems; or, major subcontractors have been determined by the head of the submitting agency to satisfy standard.

3. Consulting Contract for \$75,000 or more:

Contract file attached and this includes:
 Criteria for Selection.
 Proposals.

- _____ Pertinent Documents.
- _____ Selection Memorandum.
- _____ Request for Proposals.
- _____ Contract.

Attachment D

Agency Transmittal Letter

Ms. Bonita B. Brown, Director
 Office of Contractual Review
 Division of Administration
 Fifth Floor - Capitol Annex
 P. O. Box 44095
 Baton Rouge, Louisiana 70804

Ms. Brown:

The following contract(s) is/are being submitted to your office this date for review and approval in accordance with R.S. 39:1481 et seq. and the Rules and Regulations adopted pursuant thereto:

Submitting Agency Contractor Amount
 Upon approval of said contract(s) please return to:
 (List Return Address)

Your cooperation in this regard is greatly appreciated.

Attachment E

Mrs. Bonita B. Brown, Director
 Office of Contractual Review
 Division of Administration
 Fifth Floor - Capitol Annex
 P. O. Box 44095
 Baton Rouge, Louisiana 70804

Ms. Brown:

During the quarter ending _____ the following contracts for \$5,000 or less were approved by the Department of _____.

Contract Date	Contractor
Purpose or Service Rendered	Contract Amount

Total

cc: Budget Analyst

Bonita B. Brown
 Director, Office of Contractual Review

RULE

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

The Department of Health and Human Resources, Office of Family Security has amended its definition of resources under the Medical Assistance (Title XIX) Program to specify that burial plots or prepaid burial contracts are not resources for the purposes of determining eligibility for Medical Assistance. This policy applies only to a burial plot or prepaid burial contract intended for the use of an applicant for, or recipient of, Medical Assistance; or to such plots or contracts for the use of persons whose resources, if any, are deemed to the Medical Assistance applicant/recipients.

The definition of income is being amended in regard to burial plots or prepaid burial contracts as follows:

- 1) The receipt of a burial plot or prepaid burial contract as a gift or inheritance shall not be counted as income;
- 2) Installment payments on burial plots or contracts made

by a third party directly to the provider of funeral services and burial items on behalf of the Medical Assistance applicant/recipient shall not be counted as income. However, if money is given directly to the applicant/recipient, it is counted as income;

3) Any increase in the value of a burial plot or contract or any interest derived from funds paid toward the cost of a burial contract shall not be counted as income. However, if interest is paid directly to the Medical Assistance applicant/recipient, rather than made a part of the contract, it shall be considered under the policies applicable to interest income;

4) The proceeds from the sale of a burial plot or contract shall be counted as income in the month received and if retained, shall be considered a resource in the following month.

This policy was implemented effective August 17, 1982 with the publication of an Emergency Rule in the September 20, 1982 issue of the *Louisiana Register* (Volume 8, No. 9, page 464). These Rule changes bring the Medical Assistance Program into compliance with Interim Final regulations published in the August 17, 1982 issue of the *Federal Register* (Volume 47, No. 159, 35948-35949) and in teletype message from the Social Security Administration in Baltimore, Maryland received August 23, 1982.

Roger P. Guissinger
Secretary

RULE

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, does hereby implement a Rule which modifies earned income policy for Title XIX recipients in public and private Intermediate Care Facilities for the Handicapped (ICF-H) who have earned income. Effective December 1, 1982, an earned income disregard of the first \$65 and one-half of the remaining amount of the gross monthly earnings of a recipient shall be deducted from the total gross monthly earnings reported to determine the net earned income to be applied towards the determination of patient liability for long term care facility payment. This is identical to the earned income disregard used by SSI in determining eligibility.

This Rule applies only to private and public ICF-H recipients with earned income. All other intermediate care facility recipients with earned income shall continue to be subject to all existing policy related to earned income disregards.

This change is implemented by special provision of Title XIX regulations (42 CFR 435.725) which permit income disregards to special classes of recipients. Title XIX recipients in private or public ICF-Hs are recognized as a special class who have a need for a greater amount of protected earned income to encourage habilitation through employment.

Roger P. Guissinger
Secretary

RULE

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, shall require that all applicants and recipients

provide the Office of Family Security with a Social Security account number for each person for whom he is requesting General Assistance.

If the applicant is unable to produce the account number for any individual applying for General Assistance benefits, the applicant shall be assisted in securing the account number.

Roger P. Guissinger
Secretary

RULE

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, shall provide reimbursement to providers for hyperalimentation therapy (parenteral). This policy was implemented July 1, 1982, and was published as an Emergency Rule in the September 20, 1982 *Louisiana Register* (Volume 8, number 9, page 465).

The adoption of this Rule is in concurrence with federal regulations 42 CFR 440.120.

Roger P. Guissinger
Secretary

RULE

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, has amended the Title XIX State Plan for the Medical Assistance Program concerning provision of non-emergency medical transportation services as follows:

1. To change the designation of "regular" provider to "profit" provider.

2. To distinguish between profit and non-profit organizations and individuals who provide non-emergency medical transportation to Medicaid recipients.

3. To incorporate rates and manner of reimbursement to profit and non-profit organizations and individuals who provide non-emergency medical transportation to Medicaid recipients, as follows:

Payment for taxis, non-profit organizations, and individuals who are providers of non-emergency medical transportation services shall be at the provider's usual rate not to exceed the maximums established for each class of provider, as follows:

1) Taxis

Usual and customary charge to the public not to exceed the maximums established for profit providers.

2) Non-Profit Organization

All non-profit organizations may be reimbursed at a rate equal to the amount currently paid State employees for mileage traveled on official business. Any non-profit provider who would like to have their rate set based on cost may complete a cost reporting document which will be audited by this Agency.

3) Individuals

All individuals who provide transportation for one specific recipient may be reimbursed at a rate equal to the amount currently paid state employees for mileage traveled on official business.

Roger P. Guissinger
Secretary

RULE

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

The Department of Health and Human Resources, Office of Family Security, hereby increases nursing home rates to the following amounts:

I. Private LTC Facilities:

Level of Care	Daily Rate	Monthly Rate
Skilled Nursing Facilities	\$34.80	\$1,058.50
Intermediate Care Facility I	29.76	905.20
Intermediate Care Facility II	23.87	726.05

II. New Orleans Home and Rehabilitation Center:

Level of Care	Daily Rate	Monthly Rate
Skilled Nursing Facility	\$45.74	\$1,391.26
Intermediate Care Facility I	40.57	1,234.00
Intermediate Care Facility II	34.68	1,054.85

III. Villa Feliciana

Level of Care	Daily Rate	Monthly Rate
Skilled Nursing Facility	\$59.84	\$1,820.13
Intermediate Care Facility I	55.28	1,681.43
Intermediate Care Facility II	42.60	1,295.75

This policy was effective August 1, 1982 for July, 1982 services and was published as an Emergency Rule in the September 20, 1982 issue of the *Louisiana Register* (Volume 8, number 9, page 465) and as a Notice of Intent in the October 20, 1982 issue of the *Louisiana Register* (Volume 8, number 10, page 545).

Federal Regulation 42 CFR 447.273 and the Title XIX State Plan specify that the Medicaid agency must pay for long term care facility services on a reasonable cost-related basis. The rate is set based on the 60th percentile by level of care.

Roger P. Guissinger
Secretary

RULE

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

The Department of Health and Human Resources, Office of Family Security shall not allow Refugee Resettlement recipients an earned income disregard of \$30 plus one third of the remainder of the earnings when determining the grant amount.

This is mandated by federal regulations as published in the *Federal Register* of March 12, 1982, Vol. 47, No. 49, page 10849.

Roger P. Guissinger
Secretary

RULE

**Department of Health and Human Resources
Office of Human Development**

As provided for in the Appropriations Act of the 1982 Louisiana Legislature and in accordance with Executive Order No. DCT 82-21 of October 15, 1982, the Department of Health and Human Resources, Office of Human Development hereby adopts upon publication of this Rule or the date of Legislative Budget Committee approval of this action, whichever is latest, the following Rule changes which increases (as shown) the fees or rates paid for the following Foster Care services:

1. Monthly board rate for a foster child in Foster Family Care under age six - from \$6.03 per day (\$186.93 per month) to \$6.21 per day (\$192.51 per month).

2. Monthly board rate for a foster child in Foster Family Care between the ages of six years and twelve years - from \$7.03 per day (\$217.93 per month) to \$7.24 per day (\$224.44 per month).

3. Monthly board rate for a foster child in Foster Family Care ages 13 or older - from \$8.03 per day (\$248.93 per month) to \$8.27 per day (\$256.37 per month).

Roger P. Guissinger
Secretary

(Editor's Note: Below is an amended Fiscal and Economic Impact Statement regarding the change from 5 percent to 3 percent for the increase in Foster Care payment rates due to Executive Order No. DCT 82-21.)

**Fiscal and Economic Impact Statement
For Administrative Rules**

Rule Title: Foster Care Board Rate Increase

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

The cost of implementing this Rule is \$225,400 which funds are included in the FY 82-83 Appropriation for the foster care program. This \$225,400 is the cost of a \$7 increase in the average board payment from 219 per month to \$226 per month, or \$7 per month x 4,600 children x 7 months. The amount originally appropriated would have provided an increase in the average board payment from \$219 per month to approximately \$227.65 per month, or \$8.65 per month x 4,600 children x 12 months. The reduced increase is in accordance with Executive Order 82-21.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

There will be no effect on revenue collections.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

These rate increases will benefit both foster parents and foster children by bringing the payments for these services more in line with the actual cost of providing the service.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

These increases have no effect on competition and employment.

Arthur J. Dixon
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

RULE
Department of the Treasury
Bond Commission

RULE OF THE STATE BOND COMMISSION
ESTABLISHING MINIMUM CRITERIA FOR
PROMINENT NOTICE OF A PUBLIC HEARING
WITH RESPECT TO THE ISSUANCE OF NON-
TRADITIONAL BONDS FOR DEVELOPMENT
AND/OR HOUSING PROJECTS

Notices of Intent

NOTICE OF INTENT

Department of Culture, Recreation and Tourism
Office of State Parks

I. In addition to the existing notice requirements contained in the Guidelines of the Commission adopted July 28, 1981 (the "Guidelines") as amended on April 13, 1982 and other applicable laws, the notice of public hearing to issue non-traditional bonds which do not satisfy the Guidelines but which are proposed to be issued under the amended Guidelines established at the April 13, 1982 meeting of the Commission shall conform to the following minimum requirements:

A. The notice of public hearings shall be published in a newspaper of general circulation in the area in which the project to be funded is located, and in the official journal of the industrial development board or public trust authority.

B. The newspaper notice referred to in sub-paragraph A above shall be set off by a solid black line border, shall be at least 2 columns in width by 2½ column inches in length, or of physical dimensions not less than 4 by 3 inches, whichever is greater.

C. The newspaper notice shall be captioned with a title set forth in boldprint which substantially sets forth the following: "NOTICE OF PUBLIC HEARING REGARDING ISSUANCE OF NON-TRADITIONAL REVENUE BONDS".

D. The newspaper notice, in addition to setting forth the subject, date, and place of such public hearing, shall include a brief description of the nature of the project and set forth its proposed location in reasonable detail.

II. A written public notice conforming to the requirements set forth above for the newspaper notice shall be posted at the principal office of the industrial development board holding the meeting, or if no such office exists, at the building in which the meeting is to be held.

III. In the event that a housing project is to be the subject of action at a public meeting, notice must be posted at the proposed site for such housing project. Such posting shall be of sufficient size and be located in a position or positions prominent enough to allow ease of reading.

IV. All industrial development boards or public trust authorities shall provide five days notice to state legislators from the pertinent localities of all projects submitted for initial approval and 24 hour notice of subsequent approval of the project(s).

Thomas D. Burbank, Jr.
Director and Secretary

The Office of State Parks, Department of Culture, Recreation and Tourism, intends to revise, update, and republish Rules and Regulations as well as procedures governing activities, functions, facilities and events on state park operated areas as herein presented.

The authority for the establishing of the Rules and Regulations as well as the fees for the operation of state parks is provided pursuant to R.S. 56:1681-1699. It is intended that these Rules and Regulations, procedures and fees become effective January 1, 1983.

RULES AND REGULATIONS
OFFICE OF STATE PARKS

These Rules and Regulations were enacted by the Office of State Parks to govern all State Parks, State Commemorative Areas, State Preservation Areas, State Preservation Sites, State Experimental Sites and all other holdings under its jurisdiction, pursuant to the authority given in Title 56, Chapter 6 of the Louisiana Revised Statutes of 1950.

SECTION 1. PARK PROPERTY AND ENVIRONMENT

1.1 It is strictly forbidden to destroy, deface, remove, or in any other manner damage any natural feature or plant within a park. (The word "park" is defined for these Rules and Regulations to mean any holding of the Office of State Parks.)

1.2 It is strictly forbidden to deface, destroy, remove, alter, damage or disturb any building, sign, marker, structure, or other park property.

1.3 No timber may be cut, destroyed, or damaged except as necessary to meet established park management criteria including insect control, public safety, and approved park construction. No timber cutting or removal may occur without the written permission of the Assistant Secretary or his authorized agent.

1.4 No building, structure, or other park feature may be altered, erected, or constructed without written consent of the Assistant Secretary or his authorized agent.

1.5 A park manager or his agent may close the park to incoming visitors when the maximum use capacity of the park has been reached or when it is determined that additional users may cause damage to the park.

1.6 No food, beverage or smoking is permitted in structures or areas containing historical furnishings or displays except in designated meeting rooms and assembly locations.

1.7 The use of metal detectors or other devices for the purpose of locating surface or subsurface artifacts or relics is prohibited. It is strictly forbidden to dig for or otherwise remove any historical feature, relic or artifact. Excavations for and removal of historical features by professional archaeological means may be considered by a special permit for historical and scientific research purposes. All such requests will be reviewed by the Louisiana State Archaeological Survey and Antiquities Commission. Applications for such permits must be made to the Assistant Secretary, Office of State Parks.

1.8 No plant material may be planted or otherwise introduced on any state park area without the written approval of the Assistant Secretary.

SECTION 2. VEHICLE USE

2.1 Automobiles, trucks, motorcycles, bicycles, recreation vehicles, or any other wheeled vehicles must be operated only on those roads, lanes, or byways designated for vehicular park traffic unless otherwise authorized by the park manager.

2.2 Vehicles, including recreational vehicles, shall be parked only in designated parking areas unless otherwise authorized by the park manager.

2.3 The vehicular speed limit in parks is 15 miles per hour unless otherwise posted.

2.4 The operation of motorcycles, trailbikes, minibikes, motorscooters, or other two-wheel motor vehicles is prohibited from 6:30 p.m. to 6:30 a.m., except for ingress into or egress out of the park. The operation of any vehicle on public roads in state parks must meet all licensing requirements and be properly licensed for operation on public roads as specified by the Louisiana Department of Public Safety or other regulatory agencies.

2.5 The driving of any vehicle, carelessly or heedlessly, disregarding the rights or safety of others, or without due caution and at a speed or manner so as to endanger or be likely to endanger any person or property, is prohibited.

2.6 All motor vehicles must be operated with a muffler in good working order and are not to be operated in such a manner as to create excessive or unusual noise or annoying smoke.

2.7 No motorist may excessively accelerate the engine of a motor vehicle or motorcycle when such vehicle is not moving or is approaching or leaving a stopping point.

2.8 All persons operating a licensed vehicle must possess a valid operator's license on their person.

2.9 No two-wheel motor vehicles are allowed beyond the entrance to the Grand Isle State Park. All such vehicles must be parked in the designated area, locked and registered with the gate attendant.

2.10 The removal of any barrier to gain access to a restricted area is prohibited.

SECTION 3. BOATING USE

3.1 The operation of all water craft in and on all waters or streams, on or adjacent to park property, must be done in a careful and reasonable manner, subject to the rules of safety imposed by the laws of Louisiana and by the United States Coast Guard.

3.2 It is strictly forbidden to operate or be a passenger in or on any boat, vessel, conveyance, or other water craft on any waters owned by or subject to the supervision of the Office of State Parks without a life jacket, ring, belt, or other device approved by the United States Coast Guard.

3.3 Boats shall be launched only from designated boat ramps or launching areas within a park.

3.4 Any power boat under way at night must display a white stern light higher than the forward red and green port and starboard running lights. Canoes, pirogues, and other similar craft must carry a white light that can be flashed at intervals to prevent collisions.

3.5 When at anchor, all power boats must display a white light that can be seen by any boat approaching from any direction.

3.6 Persons renting boats must return the boat to the original docking location after use.

3.7 No boat may be operated in a designated swimming area or in any other area designated by signs or any area restricted from boat operation or docking.

3.8 Boats left docked and unattended must be properly secured in designated areas only. The Office of State Parks will not be responsible for theft or damage to boats, equipment or supplies left unattended.

3.9 Boats will be considered abandoned when left unattended for more than seven consecutive days unless written approval is granted in advance by the park manager.

SECTION 4. DAY USE

4.1 Day use facilities such as shelters, barbecue pits, tables, etc., which do not require prior reservations shall not be reserved by placing personal articles at these facilities prior to their immediate use. This includes firewood, ice chests, or any other personal property. The use of all such facilities is on a first come, first served basis.

4.2 The use of any facility in a park area is subject to certain conditions or policies set down on an individual facility basis by the park manager. These conditions or policies must be approved in writing by the Assistant Secretary.

SECTION 5. OVERNIGHT USE

5.1 Any overnight use of a park requires a written permit or cash receipt from the park.

5.2 Any permit may be terminated by the Assistant Secretary of the Office of State Parks and may be immediately terminated by the park manager upon the violation of any established park rule, regulation, or any condition of the permit.

5.3 Overnight camping, lodge use, or cabin use is limited to a 14 day period within 30 days. No campsite may be vacated for longer than a 24 hour continuous period under any permit agreement.

5.4 In no case will public residency be allowed in a state park.

5.5 State parks campgrounds are intended for tents and recreational vehicles only, and in no case will mobile homes be allowed.

5.6 Campsite occupancy is limited to one family unit per night or a non-family unit not to exceed six persons. Not applicable to areas set aside for special group camping activities, i.e. Scouts, etc. (A family unit is composed of members of an immediate family group, husband, wife, and/or children.)

5.7 Only one camping rig will be allowed in each campsite.

5.8 A camper rig is defined as the maximum combination of camping equipment that will be allowed to occupy one campsite. These allowable combinations are:

- A. One passenger vehicle and one tent.
- B. One passenger vehicle and one camping trailer.
- C. One van-type camping vehicle and one tent.
- D. One van-type camping vehicle and one camping trailer.
- E. One pickup truck camper and one tent.
- F. One pickup truck camper and one camping trailer.
- G. One motorized camper (or bus).

5.9 In no case may a campsite be reserved by payment or other means prior to actual physical occupancy by the permittee.

5.10 Permittee may not transfer or assign any use permit nor sublet any facility or part thereof.

5.11 Upon termination of any use permit, the facility must be delivered up in good repair and in the same condition in which it was found. Where applicable, all doors and windows will be closed, all water taps shut, and all fires extinguished. Permittee will be responsible for any and all damages resulting from his use of the facility.

5.12 Established time schedules (check-in and check-out) are strictly enforced. Failure to comply without advanced approval of the park manager may result in additional charges and denial of any future use of the facility.

5.13 No permittee may repair or install any park equipment or furnishings unless authorized and supervised by the park manager.

5.14 Permittee waives and releases all claims against the State of Louisiana for any damage to person or property arising from the privileges granted by any use permit.

5.15 No camper may erect or display unsightly or inappropriate structures or features which, in the opinion of the park manager, may create a disturbing or otherwise unpleasant condition detrimental to the general park use.

5.16 Tents and/or camping vehicles must be erected or parked only on designated campsites provided for such purposes.

5.17 Campers must maintain a reasonably quiet camp between the hours of 10 p.m. and 6 a.m.

5.18 Beds are arranged under Health Service recommendations and cannot be changed without the permission of the park manager.

5.19 Keys or lock combinations are issued for the personal use of the permittee who is prohibited from allowing others to use the key or lock combination otherwise making the facilities open so that others not covered by the permit may enter or leave the facility or area.

5.19.1 Gate keys are available at some parks for the use of overnight visitors at a refundable deposit rate of \$2 each. The key must be surrendered when the visitor completes his stay.

5.20 The park manager has the authority to require registration of every person occupying a campsite or overnight facility.

5.21 No one occupying an overnight facility will be allowed to reregister for the use of that facility for a period of more than 14 days within a 30 day period.

5.22 All overnight facilities have a check-in time of 4 p.m. and a check-out time of 2 p.m.

5.23 The park manager will furnish or post in each overnight structure an inventory of movable equipment and furnishings which are available in the unit. The user should check the inventory immediately upon occupancy and report to the manager any deviation between the actual inventory and the printed inventory. The user may be required to reimburse the Office of State Parks for the cost of any equipment or furnishings which, if not reported upon occupancy, is missing or damaged when the unit is vacated.

SECTION 6. HUNTING, TRAPPING, AND THE USE OF FIREARMS OR FIREWORKS

6.1 The wildlife in state parks areas is under strict protection and must not be hunted, molested, disturbed, destroyed, or removed, except for scientific purposes when approved by the Assistant Secretary.

6.2 Bringing or keeping of any hunting dogs on park property for the purpose of hunting inside or adjacent to a park area is prohibited.

6.3 The display or discharge of any weapon, including but not limited to shotguns, rifles, pistols, and bow and arrows within a park area is prohibited.

6.4 The taking and hunting of frogs with a light after dark on any park property is prohibited.

6.5 No fireworks of any type are allowed in a park area.

6.6 The taking of fish by nets, traps or any means other than hook or line is prohibited on any state park area except for management purposes authorized by special permit. Taking of Flounder by gigs is permitted.

SECTION 7. HORSES, CATTLE, AND PETS

7.1 Horseback riding is allowed on only those parks with specifically developed areas and/or trails for their use. Under no circumstance may horses be ridden in parks unless authorized by the park manager.

7.2 Dogs or pets are not allowed to run at liberty in the parks. Any dog or pet brought within the park area must be leashed, caged or crated, and under no circumstances be permitted within buildings or other enclosed structures of the park (the leash is not to exceed five feet in length). Only seeing eye dogs will be permitted near developed swimming areas. Owners of pets causing any injury or damage will be fully responsible.

7.3 Under no circumstances will livestock be allowed to run or graze on park property.

7.4 No pets are allowed on State Preservation Areas or the Louisiana State Arboretum.

7.5 In the event that a park visitor or employee is attacked, bitten or scratched by an animal on a park area, a report shall be made immediately to the park manager. When applicable, the manager will take steps necessary and feasible to ensure that law enforcement and/or animal control agents are properly advised of the incident. Such animals, at the option of the park manager or other enforcement agents, may be seized or impounded for observation.

7.5.1 All costs associated with such action will be the responsibility of the animal owner. No animal shall be brought on a park area by a visitor unless he bears a current rabies inoculation tag indicating that he has been properly and currently inoculated against the disease.

7.5.2 Release or final disposition of an impounded animal will be the responsibility of the Parish Health Officer or a registered veterinarian.

SECTION 8. SANITATION

8.1 Visitors using parks must dispose of all paper, garbage, litter, and other refuse by placing such materials in receptacles provided for that purpose.

8.2 Draining or dumping refuse waste from any trailer or other vehicle except in places or receptacles provided for such uses is prohibited.

8.3 Cleaning fish or food, or washing clothing or articles of household use at hydrants or at water faucets located in restrooms is prohibited.

8.4 Polluting or contaminating water supplies or water used for human consumption or swimming is prohibited.

8.5 Depositing, except into receptacles provided for that purpose, any body waste in or on any portion of any comfort station or any public structure, or depositing any bottles, cans, cloth, rags, metal, wood, stone, or other damaging substance in any of the fixtures in such stations or structures is prohibited.

8.6 Using refuse containers or other refuse facilities for dumping household or commercial garbage or trash brought to a park as such is prohibited.

8.7 Glass containers of any kind are prohibited within any perimeter boundaries of pools, enclosed swimming areas, enclosed beach areas, and beach parks.

SECTION 9. FIRES

9.1 Fires shall be built only in places specifically designated for that purpose.

SECTION 10. SWIMMING

10.1 Swimming is permitted only at designated places, and persons are not permitted to swim unaccompanied.

10.2 All children under 12 years of age must be accompanied by an adult at any swimming area not under the supervision of a certified lifeguard.

10.3 The capacity of all pools and beach areas is determined, regulated and enforced by the park manager.

SECTION 11. AMPLIFIED SOUND EQUIPMENT

11.1 There will be no playing of amplified musical instruments within areas.

11.2 The operation or use of any public address systems, whether fixed, portable, or vehicle mounted, without prior approval of the park manager is prohibited.

11.3 Remote public broadcast activities involving the use of amplified sound equipment is prohibited on all state park holdings.

SECTION 12. CONDUCT OF VISITORS

12.1 Disorderly or boisterous conduct is forbidden.

12.2 The manager and/or his agent is authorized to control

the use and consumption of alcoholic beverages in a park. The consumption of alcoholic beverages may be allowed to the extent that such activity does not adversely affect the use and enjoyment of the park by a majority of the park users.

SECTION 13. BUSINESS ACTIVITIES

13.1 No one may sell or offer for sale any merchandise or service in a park area without the written consent of the Assistant Secretary.

13.2 No one may distribute, post, place, or erect any advertising device in the park area without the written consent of the Assistant Secretary.

SECTION 14. FEES, FINES, AND ENFORCEMENT OF THE RULES AND REGULATIONS

14.1 The use of certain parks and/or facilities is subject to charges which will be imposed by the manager according to the schedule of fees approved by the Office of State Parks. The manager or his agents are responsible for the collection and enforcement of these fees.

14.2 Persons violating the Rules and Regulations of the respective parks are subject to fines for each violation of not less than \$15 nor more than \$250 (L.R.S. 56:1689).

14.3 Park managers and other park agents including rangers, watchmen, and guards if certified as "park wardens" are fully authorized to administer and enforce the Rules and Regulations applicable to the park areas and are empowered to issue citations and make arrests for violation of these Rules and Regulations. The manager and his agents if certified as "park wardens" are permitted to carry concealed weapons (L.R.S. 56:1689).

14.4 The Assistant Secretary or his authorized agent may direct the closing of a park to public use when or if any natural or man-made occurrence has affected or is expected to affect the operation and management of the park to a degree that normal public use and enjoyment are altered, or when such use may impair the health, safety, and well-being of the public or employees of the agency.

14.5 Entering a park when closed or entering a park without proper registration or any effort to avoid payment of user fees is prohibited. Anyone entering a park without proper registration will be subject to a fine of not less than \$25.

14.6 In addition to the Rules and Regulations as printed herein, there may be other specific Rules and Regulations that are applicable to the operation of an individual area or facility. Any such regulation in order to be effective must be approved according to the Administrative Procedure Act (L.R.S. 40:951-968). Such regulations are enforceable as any Rule or Regulation printed herein and these Rules and Regulations are subject to enforcement action and/or fines identified in L.R.S. 56:1689.

SECTION 15. REFUNDS

15.1 Refunds can be granted in certain cases where the visitor is forced to leave the park prematurely for reasons beyond his control except when evicted for enforcement or disciplinary reasons. In emergency situations where the park must be closed due to natural or man-made emergencies (water shortage, fire, weather, and equipment failure), refunds will be issued at the park site. In all other situations, refunds will be issued through the Administrative Office; however, the refund procedure will be initiated at the individual park. The visitor must remit to the park attendant his original receipt which the park attendant will certify and submit with the appropriate form to the Administrative Office. The refund decision will be based upon the visitor's explanation and the park attendant's verification of the refund need.

15.2 Visitors are encouraged to request a temporary visitor pass for the purpose of inspecting the park facilities prior to an anticipated visit. Refunds are not granted when a visitor by his own choosing leaves the park as a result of inclement weather.

These Rules and Regulations are hereby approved pursuant to Louisiana Revised Statutes 56:1687-1688.

PROCEDURES GOVERNING ACTIVITIES, FUNCTIONS, FACILITIES AND EVENTS

SECTION 1 OPERATING SCHEDULE

Unless otherwise noted, the following schedule applies to the operation of all State Park Areas.

1.1 State Parks

Summer Schedule (1 April - 30 September)

Parks Open: 7 a.m. - 10 p.m. daily (exception: Chicot State Park, South Landing, 5 a.m. and Grand Isle State Park, 6 a.m.)

Winter Schedule (1 October - 31 March)

Parks Open: 8 a.m. - 7 p.m. daily (exception Chicot State Park, South Landing, 7 a.m.)

(Note: Attendant on duty until 10 p.m. on weekends for camper registration)

1.2 State Commemorative Areas

Museums - Year-round Schedule

Open: 9 a.m. - 5 p.m. daily

Closed: Christmas Day; New Year's Day; Thanksgiving Day

Day-Use Facilities and Grounds

Summer Schedule (1 April - 30 September)

Open: 8 a.m. - 7 p.m. daily

Winter Schedule (1 October - 31 March)

Open: 8 a.m. - 5 p.m. daily

1.2.1 Exceptions:

Kent House SCA - October - February; Second Wednesday each month,

Open: 2 p.m. - 9 p.m. Closed Second Thursday each month; Christmas Day; New Year's Day; Thanksgiving Day

Old Arsenal SCA - Year-round Schedule

Open: 10 a.m. - 4:30 p.m. Wednesday - Monday

Closed: Tuesday; Christmas Day; New Year's Day; Thanksgiving Day

1.3 State Preservation Areas

Open: 9 a.m. - 5 p.m. Monday - Saturday

1 p.m. - 5 p.m. Sunday

Closed: Christmas Day; New Year's Day; Thanksgiving Day

1.4 Temporary Operating Schedule

Some areas are not fully operational pending completion of programs or facilities. Such areas operate on a part time schedule as follows:

1.4.1 Port Hudson State Commemorative Area

Open: 8 a.m. - 5 p.m. Thursday - Sunday

Special group tours may be made through the Park Manager on other days.

1.4.2 Plaquemine Locks State Commemorative Area

Open: 8 a.m. - 5 p.m. Thursday - Sunday

Special group tours may be made through the Park Manager on other days.

1.4.3 Fort St. Jean Baptiste State Commemorative Area

Open: 8 a.m. - 5 p.m. Thursday - Sunday

Special group tours may be made through the Park Manager on other days.

SECTION 2 FEES AND FACILITIES

2.1 General Admission Day Use Facilities

2.1.1 A day use fee is charged at all state parks and at two state commemorative areas (Audubon SCA and Longfellow-Evangeline SCA). Non-commercial vehicles with up to four people are charged \$1 per day. Each additional person is charged \$0.25. Buses used as public conveyances are charged \$10 per day. Walk-in visitors are charged \$0.25 per person for the day. All prices include state and local taxes.

2.1.2 In any cases where entrance fees are charged, there is no additional charge for the use of picnicking, boat launching, or swimming facilities.

2.1.3 Exception: St. Bernard State Park: Swimming Pool Fee \$1 per person per day.

2.2 Museums:

2.2.1 An admission of \$1 per adult and \$0.50 per child (between the ages of six and twelve) is charged for all park museums except Audubon SCA and Longfellow-Evangeline SCA.

2.2.2 All children under six years of age accompanied by an adult 18 years of age or older are admitted free.

2.2.3 School groups are requested to notify the Park Manager in advance of their arrival.

2.2.4 Candlelight Tours

2.2.4.1 Special candlelight tours are offered at Kent House SCA on the second Wednesday of each of the following months: October, November, December, January and February. Tour hours are 6 p.m. to 9 p.m. on these days with the first hour reserved for the general public. Group reservation use may be scheduled to occur between 7 p.m. and 9 p.m. No tours will begin after 8 p.m.

2.2.4.2 The fee for the candlelight tours is \$5 per person during the public use period and \$5 per person for group use with a minimum charge of \$50 for group reservations. Contact the Historic Site Manager at Kent House SCA for group reservations and other information at least 30 days before the proposed use. A group reservation permit is required. The number of visitors and group size will be controlled by the site manager. Reservations are taken on a first come, first served basis. The operating hours of Kent House SCA on days when candlelight tours are held will be 2 p.m. until 9 p.m. The House will be closed on the second Thursday (following the candlelight tours) during the months of October through February.

2.3 Boating

2.3.1 Rental boats range in length from 12 feet to 14 feet and are available in most parks. The use of motors on these boats is limited to the manufacturer's recommended horsepower capacity.

2.3.2 Boats are available at a rental rate of \$3 per boat per day.

2.3.3 Life jackets are available at some parks and may be rented for \$1 per day. A refundable deposit of \$2 per jacket is required.

2.3.4 Paddles are available at no charge and have a refundable deposit of \$2 per paddle.

2.3.5 Certain parks maintain a boat system utilizing a central fee collection and a boat lock system. The boat keys are issued upon renting a boat and must be returned when rental period expires. A refundable deposit of \$2 is required for the use of the key.

2.4 Swimming Pools and Enclosed Beach Areas

2.4.1 Pools and enclosed beach areas are usually operated from June 1 through Labor Day, subject to an operating schedule per individual park. All pools and enclosed beach areas are closed on Monday, except holidays.

2.5 Fishing Piers

2.5.1 A fishing pier extending into the Gulf of Mexico is located at Grand Isle East State Park. Tickets available at the park are \$1 for children (12 years of age and under) and \$2 for adults. Tickets are available for either day or night fishing and must be purchased in addition to the regular day use or overnight use fees.

2.5.2 A day use ticket allows a person to use the pier from 7 a.m. until 7 p.m. during the summer season (April 1 through September 30) or from 8 a.m. until 6 p.m. during the winter season (October 1 through March 31). The pier is closed for cleanup between 7 p.m. and 8 p.m. in the summer and between 6 p.m. and 7 p.m. in the winter.

2.5.3 A night use ticket allows a person to use the pier from 8 p.m. until 6 a.m. in the summer or from 7 p.m. until 7 a.m. in the winter. Night use tickets are sold between 8 p.m. and 10 p.m. in the summer and between 5 p.m. and 7 p.m. in the winter. Night tickets become invalid if the user leaves the park. The pier is closed for cleanup between 6 a.m. and 7 a.m. in the summer and between 7 a.m. and 8 a.m. in the winter.

2.6 Marina Facilities

2.6.1 Fort Macomb Marina Boat Slip Rental. The Office of State Parks will rent for public use 37 covered boat slips located at Fort Macomb State Commemorative Area, Orleans Parish, Louisiana. Each boat slip is approximately 47 feet long and 18 feet wide. Utility connections including water and electricity are available at each site.

2.6.1.1 A rental agreement will be executed between all boat rental slip occupants and the Office of State Parks, Department of Culture, Recreation and Tourism.

All requests for an assignment of boat slips will be coordinated by the Office of State Parks' Land Administrator in care of the Office of State Parks, Department of Culture, Recreation and Tourism, Drawer 1111, Baton Rouge, Louisiana 70821-1111.

Term "Request for Rental" as herein used shall mean a written application addressed to the Office of State Parks requesting rental of a boat slip. No telephone requests will be accepted.

The "Owner" as herein defined shall mean the Office of State Parks, Department of Culture, Recreation and Tourism.

The "Tenant" as herein defined means the responsible party who is contracting with the Office of State Parks for the rental of boat slip at Fort Macomb State Commemorative Area, Orleans Parish, Louisiana.

2.6.1.2 All requests for rental must be received, dated, and stamped by the Office of State Parks no earlier than July 1 and no later than December 31 annually preceding the annual July reassignment date.

Between January 1 and May 1 annually the Office of State Parks, through the State Parks and Recreation Commission, will hold an annual drawing for assignment of boat rental slips.

The boat rental slip will become available for occupancy on July 1 annually following the drawing between January 1 and May 1.

The applicant for boat rental slips will be advised of the selection on or about May 1 annually.

A rental agreement will be executed between the tenant and owner for a period of one year beginning July 1 annually. This agreement will be submitted to the tenant for execution between May 1 and June 1.

2.6.1.3 The rental cost for each boat slip, with one boat per slip, will be \$80 per month payable on a monthly basis in advance. No multiple payments will be accepted.

2.6.1.4 The duration of the rental agreement is for a maximum of one year payable monthly in advance on the first day of the month.

2.6.1.5 If a tenant is selected by the State Parks and Recreation Commission to occupy a slip immediately following an approved rental period, he may request approval to retain the same rental space he utilized in the previous rental period.

2.6.1.6 If vacancies occur in the interim between selections, assignments will be handled on a first come, first served basis established on the date the request for rental was received in the Office of State Parks. No telephone requests for rental will be accepted.

2.6.1.7 It will be the responsibility of the tenant to make the necessary contacts with the public utilities to arrange for connections and disconnections of services to his rental slip.

2.6.1.8 The rental agreement must be executed before the tenant takes occupancy of the slip. The rental slip is to be used solely for berthing and docking of boats and vessels.

2.6.1.9 The tenant shall maintain at all times a liability insurance coverage with limits not less than \$100,000 for bodily injuries including accidental death to any one person subject to the same limit for each person in an amount not less than \$300,000 for a single accident; and property damage in an amount not less than \$100,000. Tenant will deliver to the owner attached to rental agreement a certificate of insurance which sets forth the terms of coverage.

2.6.1.10 Only one application per applicant will be considered in the annual drawing. If more than one request for rental is received the one bearing the earliest date of receipt by the Office of State Parks will be used for the drawing purpose.

2.6.1.11 Requests received before July annually but not assigned during that assignment period will not be carried forward. Each request for the applicable drawing period must be filed after July 1 annually and before December 31 of the same calendar year.

2.7 Assembly Rooms

2.7.1 Any meeting room or enclosed facility of a park used to accommodate meetings and functions of private groups, clubs and other organizations is available at a rate of \$50 per day (a normal day is the period between 9:30 a.m. and 3:30 p.m.) or \$10 per hour for day use, whichever is the lower. All use after 3:30 p.m. until normal closing hours of the park is charged at a rate of \$15 per hour or at a flat rate of \$75, whichever is the lower. Kitchen facilities may be used if available.

2.7.2 All use after regular closing hours requires written approval from the Assistant Secretary and is available at a flat rate of \$50 plus \$25 per hour.

2.7.3 Assembly rooms are available at Fort Jesup SCA and Chemin-A-Haut SP.

2.8 Exemptions

2.8.1 Senior Citizens - All persons age 62 or older are admitted free upon proof of age. All persons accompanying a visitor 62 or older in a private, non-commercial vehicle are exempt from the entrance fees and the museum charges.

2.8.2 Disabled Veterans - A special "Veteran Entrance Permit" allows any disabled U. S. Veteran and any person(s) accompanying him in a single, private, non-commercial vehicle free entrance to all day use areas and museums. Applications for a veteran permit may be made to the Louisiana Department of Veterans' Affairs Service Office serving the parish in which the applicant resides. After certification of eligibility has been established by the Department of Veterans' Affairs, the Assistant Secretary of the Office of State Parks will issue a permit directly to the applicant.

2.8.3 School Groups - Any school child who is on a field trip conducted as part of the curriculum of the school and any classroom teacher, parent, bus driver and any other person accompanying a school child on such a field trip are exempt from paying the general admission charge to any state park, museum or related state facility in Louisiana. This exemption shall be valid from Monday through Friday during the school year.

2.9 Annual Permits

2.9.1 Annual Day Use Permits allow a single, private non-commercial vehicle and its occupants entry to all state parks and are available at a cost of \$25 per year. The permit, to be permanently affixed to the vehicle, may be obtained by application and payment to the Office of State Parks, P. O. Drawer 1111, Baton Rouge, Louisiana 70821. Permit applications are available at all State Park areas. The permit is valid for a period of one year beginning January 1 and ending December 31.

The annual day use permits are valid for exemption of the general admission day use charge only.

SECTION 3. OVERNIGHT USE

3.1 Camping Fee

Reservations for campsites are not accepted. Improved campsites rent for \$6 per night. Unimproved campsites rent for \$4 per night.

Each campsite is restricted to use by one camping unit.

Improved sites are equipped with picnic table, grill, electric-ity and water hookups.

3.1.1 Specific primitive areas accommodating organized groups (Boy Scouts, Girl Scouts, etc.) are located at the following State Park areas: Chicot State Park, Fountainebleau State Park, Lake Bistineau State Park, Lake Claiborne State Park, and Sam Houston Jones State Park. Reservations for these areas are made directly with the Park Manager. The group charge is \$10 per night. Capacity level will be set by the Park Manager.

3.2 Rally Camping Areas are those areas of a Louisiana state park delineated and reserved for use by organized groups of overnight 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:

3.2.1 Reservations for rally camping areas may be obtained for group reservation through the park's reservation office on a first come, first served basis. A \$25 advance deposit is required to confirm reservations, which will be applied to the first night's use. Reservations must be made at the park where the facilities are to be used. Reservations for use between January 1 and May 31 are accepted beginning October 1 annually. Reservations placed for this period between October 1 and October 10 are accepted by telephone only and are on a first come, first served basis. Reservations for this period are accepted after October 10 annually by either telephoning or writing the individual park at which accommodations are desired. Reservations for use between June 1 and December 31 are accepted beginning January 1 annually. Reservations placed for this period between January 1 and January 10 are accepted by telephone only and are on a first come, first served basis. Reservations for this period are accepted after January 10 annually by either telephoning or writing the individual park at which accommodations are desired. Reservations are accepted only from persons 18 years of age or older and adults must accompany all minors.

3.2.2 Fees - A lump sum fee of \$25 per night is assessed to the group for the exclusive use of the area, plus an additional \$6 per unit per night is for each individual camper rig occupying the area.

3.2.3 Carrying Capacity - A maximum carrying capacity for improved and unimproved sites is established by individual parks and information concerning these capacities is available through the individual park offices.

3.3 Exemptions

3.3.1 All persons 62 years of age or older and anyone accompanying such person in the same vehicle are entitled to a \$2 per night discount on the use of camping facilities. Proof of age is required.

3.4 Backpacking

3.4.1 Backpacking is available only at Chicot State Park at the present time. A permit is required for all overnight backpacking use and may be obtained at the park entrance station. For group outings this permit must be obtained two weeks in advance and may be obtained by writing to Chicot State Park.

3.4.2 Each person will be assessed a fee of \$0.25 per night. A copy of the backpacking regulations can be obtained at the park entrance station.

3.4.3 Backcountry camping or backpacking is defined as camping in undeveloped areas of the park where there are no designated campsites and no facilities provided. These areas are reached by backpacking or by boat. The following regulations for backcountry use have been developed to protect users and park resources:

3.4.3.1 A written backcountry permit issued at the individual park office is required for all overnight backcountry use. This permit may be obtained at the park entrance station. For group outings this permit must be obtained two weeks in advance and may be obtained by writing to the individual state park.

3.4.3.2 A trip plan including expected area of camping, route of travel, and expected departure and return times must be filed with designated personnel.

3.4.3.3 All garbage and litter must be brought back to the main park for proper disposal in trash containers. The camping area should be left as clean or cleaner than it was before you used it.

3.4.3.4 Human waste is to be buried well away from camp areas and streams.

3.4.3.5 Fires are permitted but only dead wood collected from the ground is to be used for fuel. Fires should be modest in size and fully extinguished when camp is left.

3.4.3.6 Digging, ditching, or leveling of ground for tent sites is prohibited. Installation of permanent camp facilities is prohibited.

3.4.3.7 No horses, dogs, cats, mechanized or wheeled vehicles, or motor boats are allowed in backcountry areas.

3.4.3.8 Possession of firearms, traps, seines, etc., is prohibited. Fishing is permitted with a valid Louisiana fishing license.

3.4.3.9 Campers should be self-sufficient and carry enough water, food, and first aid equipment for emergency situations.

3.4.3.10 Vehicles used to get to the trail head will be left in areas designated by appropriate park personnel.

3.4.3.11 Because of the delicate nature of the backcountry environment at Chicot State Park no more than 20 people per campsite will be allowed at any given time. Since there are five campsites, permits will be issued to a maximum of 100 people.

3.4.4 Backcountry Camping Permit Procedure

3.4.4.1 Provide user with copy of regulations and have trip leader fill out permit in duplicate.

3.4.4.2 Collect use fee for park at rate of \$0.25 per night of use per person.

3.4.4.3 Review trip plan with party leader and impress

upon him the importance of following plan to greatest extent possible.

3.4.4.4 Sign permit and give one copy to party leader. Keep second copy in park office.

3.4.4.5 Tell users where you want them to leave their vehicles.

3.4.4.6 Plastic trash bags will be issued to those users unable to carry out their garbage in any other manner.

3.5 Cabins and Lodges

3.5.1 Class "A" Cabins - There are two types of class "A" cabins, the modular and the standard. Both are two bedroom, accommodate six persons with a maximum of eight persons, and rent for a nightly rate of \$30, with bed linen and kitchen equipment furnished. Modular cabins are furnished with one double bed, two single beds, and two single day beds. Standard cabins contain two double beds and two single beds and have a screened porch. Both modular and standard cabins are available at Lake Bistineau State Park and Sam Houston Jones State Park. Modular cabins are available at Chicot State Park.

3.5.2 Class "B" Cabins - These cabins are furnished similarly to class "A" cabins but have a normal capacity of four persons with a maximum of six persons and rent for a nightly rate of \$25. Class "B" cabins are available at Chemin-A-Haut State Park and Chicot State Park. Cabins at Chemin-A-Haut SP contain one bedroom with two double bed-sized bunks and a fireplace. Cabins at Chicot SP contain two bedrooms with one double bed in each. All class "B" cabins have screened porches.

3.5.3 Park Lodges - These are large overnight structures equipped with kitchen, bath and sleeping facilities and can accommodate a large family or several family groups. Reservations for lodges are made through the park reservation office.

The Chicot State Park Lodge is available at a rate of \$50 per night, and a one night advance deposit is required. This unit contains sleeping facilities for 12 persons with a maximum of 16 persons.

The Fontainebleau State Park Lodge is available at a rate of \$40 per night, and a one night advance deposit is required. This unit contains sleeping facilities for nine persons with a maximum of 13 persons.

3.6 Group Camps

These are available at certain parks for organized group use. The capacity, type of facility, rate and location are as follows:

Park Location	Type of Facility	Capacity (No. Persons)	Minimum Rate and Deposit Overnight	Day Use Rate
Chemin-A-Haut SP	1 Dormitory	52	\$ 56	\$30
Chicot Area No. 1	5 Cabins, 1 Dormitory	160	172	90
Chicot Area No. 2	6 Cabins	48	52	30
Fontainebleau No. 1 (West end-large)	1 Dormitory	150	162	90
Fontainebleau No. 2 (West end-small)	1 Dormitory	30	33	20
Fontainebleau No. 3 (East end)	2 Dormitories	65	70	40
Lake Bistineau Area No. 1	20 Cabins	160	172	90
Lake Bistineau Area No. 2	6 Cabins	48	52	30
Longfellow-Evangeline	1 Dormitory	60	65	40

3.6.1 Minimum overnight rate is based on 50 percent capacity of the facility. Rate is \$2 per person per night for each person over the 50 percent capacity.

3.6.2 Group camps may be reserved for day use only at a basic rate. In addition the normal day use entrance fee will be assessed each vehicle entering the group camp area.

3.6.3 Beds, kitchen and necessary cooking ware are furnished. User must furnish his own tableware (silver, dishes, glasses, etc.), bed linens, pillows, towels, and toilet necessities.

3.7 Reservation Policy

Reservations may be made in advance for use of cabins, group camps, lodges and assembly rooms; beginning October 1 reservations must be made at the park where the facilities are to be used.

3.7.1 Reservations for use between January 1 and May 31 are accepted beginning October 1 annually. Reservations placed for this period between October 1 and October 10 are accepted by telephone ONLY and are on a first come, first served basis. Reservations for this period are accepted after October 10 annually by either phoning or writing the individual park at which accommodations are desired.

3.7.2 Reservations for use between June 1 and December 31 are accepted beginning January 1 annually. Reservations placed for this period between January 1 and January 10 are accepted by telephone ONLY and are on a first come, first served basis. Reservations for this period are accepted after January 10 annually by either phoning or writing the individual park at which accommodations are desired.

3.7.3 Reservations are accepted only from persons 18 years of age or older. Adults must accompany all minors.

3.7.4 The minimum reservation period for a weekend is from 4 p.m. Friday through 2 p.m. Sunday.

3.8 Special Facilities (Overnight)

3.8.1 Poverty Point SCA Dormitory

3.8.1.1 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.

3.8.1.2 Eligible Users - 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 SCA.

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.

3.8.1.3 Application Process - Requests for use of the dormitory must be made by letter addressed to the Assistant Secretary, Louisiana Office of State Parks, P. O. Drawer 1111, Baton Rouge, Louisiana 70821-1111.

Review of request and evaluation by Assistant Secretary or his designee.

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."

Phone calls are not acceptable in this first come, first served application process.

3.8.1.4 Facility Use Agreement

All parties granted permission to use the dormitory must execute a Facility Use Agreement. 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.

The user must execute the agreement and return it to the Assistant Secretary before occupying the dormitory.

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.

3.8.1.5 Fees

All user groups unless otherwise authorized by the Assistant Secretary, Office of State Parks, will be required to pay a fee for overnight use.

The user must deposit \$50 with the Historic Site Manager within ten 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.

After arriving at Poverty Point SCA, the user is required to pay all rental fees to the Historic Site Manager before occupying the dormitory.

A minimum overnight rate of \$50 is based on 50 percent capacity of the facility (38 people). An additional fee of \$2 per person per night will be charged for each person over the 50 percent capacity.

3.8.1.6 Occupancy Requirements

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.

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.

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.

Articles and facilities furnished by the Office of State Parks are as follows:

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.

Articles not furnished by the Office of State Parks are as follows:

1. Linens, blankets and pillows.
2. Towels and all personal articles.
3. Food.

3.8.1.7 Housekeeping Procedures

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.

No modifications or repairs of any type will be done by the boarders to the dormitory building and equipment.

Any problems with the building or equipment should be reported to the Historic Site Manager immediately.

3.8.1.8 Check-out Procedure

- Contact manager and return keys.
- Report of damage or equipment failure by user.
- Inspection of dormitory by manager.
- Inventory of furnishings by manager.

3.8.1.9 Special Conditions

All programs and activities conducted at Poverty Point SCA by groups using the dormitory must be approved in writing by the Assistant Secretary or his designee.

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.

No trailer or tent camping is permitted on any property at Poverty Point SCA.

3.8.1.10 Rules and Regulations of the Office of State Parks

All boarders will adhere to all Rules and Regulations of the Office of State Parks.

3.8.1.11 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.

3.8.1.12 The Historic Site Manager has the administrative responsibility for all matters relating to the daily operation of the dormitory building and site facilities.

SECTION 4 SPECIAL USES AND RESTRICTIONS

4.1 Special Use

Any function requiring special or restricted use of any facility or area within a state park holding must be approved by the

Assistant Secretary and the fee for such will be computed on the same basis as the use for Assembly Rooms. Written request for special use of a facility must be received at the Office of State Parks, P. O. Drawer 1111, Baton Rouge, Louisiana 70821-1111 at least 30 days prior to the scheduled event. No telephone requests are accepted.

4.2 Political Activities

Political events involving the use of state park areas are discouraged; however, each event is considered on an individual request basis and, if approved, will be authorized by the Assistant Secretary. Such activities will be considered only when in the judgement of the Assistant Secretary the function will not adversely affect the normal programmed use of the area by the general public. Requests for such events must be submitted in writing to the Assistant Secretary at least 30 days in advance of the proposed use. Such events will be considered "Special Use Events" and fees and permits will be regulated by the special use provisions herein. No political candidates or organizations will be granted or shall expect to receive special consideration for use or fee waivers.

4.3 Use Restrictions

4.3.1 A "State Commemorative Area is an area which possesses a historical, cultural, or memorial significance when judged on a statewide basis." The state commemorative area is established to allow the visiting public an opportunity to experience man's past through the resources preserved at the area, and is restricted to this use.

4.3.2 It is necessary that development on a state commemorative area be limited to that which is essential for visitor accommodation and enjoyment of the area's theme or feature. Day use facilities will be limited to these activities which are not in conflict with the historical theme of the site, and confined to areas of the grounds set aside for usage of this nature.

4.3.3 As important as the artifactual evidence existing on the areas is the atmosphere created around these objects which make their study by the public more conducive. In order that the greater interest and primary function of the area be served, it is necessary to restrict certain incompatible activities from the sites. Organized sports such as baseball, football, field hockey, soccer, and the like cannot contribute to a greater understanding of the historical, cultural, or memorial theme of the area and is therefore prohibited on any State Commemorative Areas.

4.3.4 It has also been determined that the use of State Commemorative Areas for such activities and events as fairs, circuses, carnivals, amusement rides, and other promoter sponsored, commercial activities and events is not deemed in the best interest of the state commemorative areas. Such use fails to achieve the intent outlined in the preservation purpose and may increase the potential for serious damage to the quality and character of the area, adversely affecting the experience of the visitor.

4.3.5 Organizations offering support to commemorative areas, either one in particular or on a general basis through such things as historical societies or service groups, may be permitted special functions at a commemorative area if a written request is made and written permission is obtained from the Assistant Secretary, Office of State Parks. Such functions may not be specifically for the benefit of an individual, but must be held to benefit the commemorative area either directly or indirectly through greater public awareness in the site or history of the area.

SECTION 5 SPECIAL FEATURES

5.1 Sculpture and Monuments

Policies regarding such sculptures or monuments are as follows:

5.1.1 The proposed monument or statue shall have a theme which is in keeping with the theme of the area or park in which it is to stand and shall be of general interest.

5.1.2 The monument shall be commissioned through a

recognized professional artist based upon models and/or drawings submitted by artists in open competition. The models will be reviewed by the sponsoring agency and the Office of State Parks, a monument or statue agreeable to both parties selected from the competition.

5.1.3 Should an existing sculpture or monument be proffered, it will be considered as would any other donation of a piece of art. The sculpture will be reviewed by the Office of State Parks, the Visual Arts Council, and the sponsoring agency to determine whether or not the proposed site is a fitting receptacle of the object. Once accepted the same stipulations as to placement and erection, ownership, etc., apply to it as to commissioned pieces accepted after competition.

5.1.4 Any foundation construction, pedestals, or supportive apparatus for the statue or monument shall also be presented to the review committee for their approval at the time of the general competition or proposal.

5.1.5 The Office of State Parks shall be responsible only for the site on which the proposed sculpture is to be placed and it is the prerogative of that office to select the site location for the sculpture.

5.1.6 No portion of the project is to be initiated until the sponsoring agency has certified to the Office of State Parks that funds have been secured and are on deposit in sufficient amount to bring the project to completion.

5.1.7 The Office of State Parks shall in no way be financially obligated to the artist, subcontractors, or sponsoring agency for any cost associated with the preparation or placement of the proposed monument or sculpture.

5.1.8 After the sculpture or monument is placed on the site it shall become the property of the Office of State Parks.

5.1.9 The sponsoring agency shall be solely responsible for the fiscal management of the project and shall receive all donations, grants, and other means of financing and shall also disburse all payments relative to the preparation and erection of the monument. All financial records shall be subject to the review of the State Legislative Auditor and shall comply with sound accounting practices and procedures.

5.1.10 The Office of State Parks shall review and approve all literature and promotional material relating to the project which includes any reference to or utilizes the name of the State of Louisiana, Department of Culture, Recreation and Tourism, Office of State Parks, or name of the area or park on which the statue is to be placed.

5.1.11 In the event the project fails to materialize within a certain length of time to be specified in contract and the project terminated, the Office of State Parks shall not be responsible in any way for funds and donations acquired by the sponsoring agency, their return, or disbursement.

SECTION 6

OFFICE OF STATE PARKS OPERATING UNITS STATE PARKS, STATE COMMEMORATIVE AREAS AND STATE PRESERVATION AREAS

6.1 Audubon State Commemorative Area (P. O. Box 546, St. Francisville, LA 70775, 504-635-3739) is located in West Feliciana Parish, near St. Francisville on LA 956. The 100-acre woodland setting is the site of Oakley Plantation House, built in 1799, where artist-naturalist John James Audubon created many of his famous bird paintings. Oakley has been restored as a museum containing Audubon memorabilia. Formal garden accents exterior of house. The house is included on the National Register of Historic Places.

6.2 Camp Moore State Commemorative Area (P. O. Box 15, Tangipahoa, LA 70465, 504-229-8200) is located in Tangipahoa Parish in the community of Tangipahoa on U. S. 51. The

four-acre site includes a cemetery where several hundred Confederate soldiers are buried. A museum houses many artifacts relating to the Civil War and Camp Moore which was one of the largest Civil War training camps in the South. Included on the National Register of Historic Places.

6.3 Chemin-A-Haut State Park (Route 5, Box 617, Bastrop, LA 71220, 318-281-5805) is located east of LA 139, ten miles north of Bastrop. The 405-acre park, lying at the intersection of Bayous Chemin-A-Haut and Bartolomew, is a portion of the high road to the south used by Indians in their seasonal migrations. A beautiful lake in the park is stocked full of freshwater fish. Four cabins and a camping area offer overnight accommodations. A swimming pool and a playground are also available.

6.4 Chicot State Park (Route 3, Box 494, Ville Platte, LA 70586, 318-363-2503, Reservations 318-363-2403) is located in North Evangeline Parish, six miles north of Ville Platte on LA 3042. This 6500-acre park features large rolling hills, surrounding a 2,000-acre artificial lake, well-stocked with fish such as bream, bass and crappie. Two camping areas, 27 fully-equipped cabins and two group camps are available to overnight visitors. Day-use facilities included at picnic sites, a biking trail and a swimming pool.

6.5 Clinton Confederate State Commemorative Area (P. O. Box 546, St. Francisville, LA 70775, 504-635-3739) is a cemetery located in the town of Clinton, one block south of LA 10 in East Feliciana Parish. The four-acre site contains the remains of hundreds of Civil War troops, both Confederate and Union. Connected by railroad to the Mississippi River, Clinton received numerous sick and wounded soldiers from nearby Port Hudson. Cemetery was originally a public burial ground.

6.6 Cypremort Point State Park (Star Route B, Box 428AA, Franklin, LA 70538, 318-867-4510) is located 24 miles south of Jeanerette off LA 319 in Iberia and St. Mary Parishes. The 185-acre site offers access to the Gulf of Mexico. Its man-made beach located in the heart of a natural marsh offers fresh and saltwater fishing and most seashore recreation opportunities. Picnic sites also available. The park is a favorite for sail-boaters and it hosts several annual regattas.

6.7 Earl K. Long State Commemorative Area (Route 2, Many, LA 71449, 318-256-5480) is located in the city of Winnfield. It was established as a memorial to the only man ever to serve three terms as Governor. The symmetrical design of the park, from its eight-foot bronze statue at the apex of a partially hedged circular walk to its pavilion, is enhanced by effective landscaping throughout.

6.8 Edward Douglass White State Commemorative Area (RFD 2, Box 234, Thibodaux, LA 70301, 504-447-3473) is located five miles north of Thibodaux in Lafourche Parish on LA 1. This park includes the 130-year-old homestead of the former statesman and Chief Justice of the U. S. Supreme Court. The white frame raised cottage of Creole origin has been restored and sits amidst six acres of land. The facility is a National Historic Landmark.

6.9 Fairview-Riverside State Park (P. O. Box 97, Madisonville, LA 70447, 504-845-3318) is located two miles east of Madisonville in St. Tammany Parish on LA 22. The park consists of 98 acres of picturesque moss-draped oaks and woodlands near the banks of the Tchefuncte River. Boat dock, fishing pier and canoe trail offer many opportunities for fishermen and other water sportsmen. Campsites and picnic facilities available.

6.10 Fontainebleau State Park (P. O. Box 152, Mandeville, LA 70448, 504-626-8052) is located southeast of Mandeville in St. Tammany Parish on U. S. 190. The park embraces over 2,800 acres on the north shore of Lake Pontchartrain. The ruins of a plantation brickyard and sugar mill, and an alley of live oaks lining the entrance road are popular assets of the park. The park offers swimming, fishing, camping and picnicking. A nature trail is very popular.

6.11 Fort Jesup State Commemorative Area (Route 2, Many, LA 71449, 318-256-5480) is located on LA 6, formerly the original El Camino Real. This site features replicas of a large two-story brick and frame structure and of an army field kitchen. The site was selected by Zachary Taylor in 1822 and the fort existed for 26 years as one of the strongest garrisons in Louisiana. The facility is a National Historic Landmark.

6.12 Fort Pike State Commemorative Area (Route 6, Box 194, New Orleans, LA 70129, 504-662-5703) is located adjacent to the Old Spanish Trail (U. S. 90) in eastern New Orleans. The Fort, set on a 125-acre site, was constructed shortly after the War of 1812 to defend navigational channels leading into the city of New Orleans. Visitors can stroll through authentic brick archways and stand overlooking the Rigolets as sentries once did. A museum exhibits numerous artifacts related to the fort. The facility is included on the National Register of Historic Places.

6.13 Fort St. Jean Baptiste State Commemorative Area (P. O. Box 1127, Natchitoches, LA 71457, 318-357-0001) is located in downtown Natchitoches, oldest town in the Louisiana Purchase. The reconstructed facility is an exact replica of the fort as it existed in 1732. Includes a long barracks building, small warehouse, chapel, messhall and several Indian huts. The fort was a strategic outpost for the French to prevent the Spanish from advancing further into Louisiana. Park personnel wear period dress as part of the interpretive program.

6.14 Grand Isle State Park (P. O. Box 741, Grand Isle, LA 70358, 504-787-2559) is located on the east end of Grand Isle on LA 1 in Jefferson Parish. This 140-acre site offers access to the Gulf of Mexico and its beach and fishing jetties afford seashore recreation opportunities. A 400 foot fishing pier built out over the water offers day/night fishing. Picnicking and camping are also available.

6.15 Kent House State Commemorative Area (3601 Bayou Rapides Road, Alexandria, LA 71301, 318-445-5611) is located in the city of Alexandria in Rapides Parish. The house, built in the early 1800's is the oldest remaining such structure in central Louisiana. Situated on a four-acre site, the house and grounds are restored to the period of the early 19th century. Out buildings include a working kitchen, slave cabins and milk house. The facility is included on the National Register of Historic Places.

6.16 Lake Bistineau State Park (P. O. Box 607-A, Doyline, LA 71203, Reservations 318-745-3505) is located east of LA 163 in Webster Parish, near Doyline. This beautiful 750-acre park site is set in the heart of a pine forest and takes its name from the large lake which borders its area. Twelve cabins, two group camps, 67 campsites, 150 picnic sites and two swimming pools are available for visitors.

6.17 Lake Bruin State Park (Route 1, Box 183, St. Joseph, La 71366, 318-766-3530) is located east of U.S. 65 near St. Joseph in Tensas Parish. The park takes its name from the adjacent natural lake and features a magnificent cypress growth along the shore. Waterskiing and boating are prime pleasures of the park. A special area for swimmers, picnic sites and campsites are also available.

6.18 Lake Claiborne State Park (P. O. Box 246, Homer, LA 71040, 318-927-2976) is located in Claiborne Parish on LA 146, just seven miles southeast of Homer. The park consists of some 620 acres of woodland touching the shores around a 6,400-acre lake. Rental boats and several boat landings are available to fishermen and water sportsmen. Designated swimming area in the lake, picnic sites and campsites facilitate the park.

6.19 Lake D'Arbonne State Park (102 Sportsman Drive, Farmerville, LA 71241, 318-368-8322) is located west of LA 15 near Farmerville in Union Parish. The park is set in wooded surroundings adjoining the shores of Lake D'Arbonne. Observation tower affords visitor the opportunity to view the entire lake which is a popular spot for fishermen. Fishing pier, boat dock, rental boats, picnic sites and playground for youngsters available.

6.20 Locust Grove State Commemorative Area (P. O. Box 546, St. Francisville, LA 70775, 504-635-3739) is located northeast of St. Francisville in West Feliciana Parish off U. S. 61. In this one-acre cemetery are buried Sarah Knox Taylor, wife of Jefferson Davis, and General Eleanor W. Ripley, who was noted for his distinction at the Battle of Lundy's Lane during the War of 1812.

6.21 Longfellow-Evangline State Commemorative Area (P. O. Box 497, St. Martinville, LA 70582, 318-394-3754) is located in St. Martinville along the banks of Bayou Teche. Developments centered around an Acadian house of the late 18th century and its kitchen-garden. Also of note is the Acadian craft shop. The 157-acre park and its structures interpret the history of the early French settlers of Louisiana. The house is a National Historic Landmark.

6.22 Los Adaes State Commemorative Area (P. O. Box 248, Robeline, LA 71469, 318-472-6582) is located on LA 6, east of Robeline in Natchitoches Parish. Originally built in 1721, the fort protected Spanish territory from the French. Despite official friction, the Spanish of Los Adaes and the French of Fort St. Jean Baptiste maintained friendly relations. Important archaeological site. Included on the National Register of Historic Places.

6.23 Louisiana State Arboretum State Preservation Area (Route 3, Box 489, Ville Platte, LA 70586, 318-363-6287) is located on LA 3042, approximately eight miles north of Ville Platte and a mile and a half from the main entrance to Chicot State Park in Evangeline Parish. The 300-acre facility features several miles of nature trails which lead beside more than 100 species of plant life native to Louisiana. The plants are labeled. Library on site contain dried samples of the native plantlife. Tours are offered.

6.24 Mansfield State Commemorative Area (Route 2, Box 252, Mansfield, LA 71052, 318-872-1474) is located four miles south of the town of Mansfield. This park is the site of the most important battle of the Civil War fought west of the Mississippi. The 44-acre site includes a museum noted for its variety of military artifacts. The interpretive program explains how the badly-outnumbered Rebels defeated the union, ending the Red River Campaign. The facility is included on the National Register of Historic Places.

6.25 Marksville State Commemorative Area (P. O. Box 336, Marksville, LA 71351, 318-253-9546) is located adjacent to the town of Marksville, east of LA 1 and LA 452. The park area is of great archaeological significance due to the buried evidence of an Indian culture which flourished some 2,000 years ago. Visitors can enjoy prehistoric Indian mounds located on a bluff overlooking Old River. Interpretive program and museum adds to visitor enjoyment. The facility is a National Historic Landmark.

6.26 Old Arsenal State Commemorative Area (P. O. Box 44121, Baton Rouge, LA 70804, 504-342-5097) is located on the new State Capitol grounds in Baton Rouge. This facility was built in the 1830's as an arsenal. The heavy masonry structure now houses artifacts pertaining to the theme "Louisiana Under Ten Flags." The site was part of very important battle during American Revolution, the only battle fought outside the 13 original colonies. The area is included on the National Register of Historic Places.

6.27 Plaquemine Locks State Commemorative Area (P. O. Box 107, Plaquemine, LA 70764, 504-687-8159) is located in downtown Plaquemine about 15 miles south of Baton Rouge. This five-acre site interprets the history of the Mississippi River and its traffic. Included on the site are the original lock structure, lock-house, huge viewing tower and a pavilion. The Plaquemine Locks, built in 1900, provided the only link to waterways west of the Mississippi River. The facility is included on the National Register of Historic Places.

6.28 Port Hudson State Commemorative Area (P. O. Box 453, Zachary, LA 70791, 504-654-3775) is located on U. S. Highway 61, 14 miles north of Baton Rouge. The 650-acre site

encompasses a high battlefield, site of the longest siege in American military history. It features three huge viewing towers, Civil War gun, trenches and seven miles of hiking trails. Interpretive program tells the story of how 6,800 Confederates held off Union force of 30,000 to 40,000 between May 23 and July 9, 1865. Fort Desperate, one of the primary Confederate positions, is accessible by a wooden boardwalk. This facility is a National Historic Landmark.

6.29 Poverty Point State Commemorative Area (P. O. Box 248, Epps, LA 71237, 318-926-5492) is located on LA 577, north of Epps. Poverty Point is the site of the earliest culture yet discovered in the Mississippi Valley. Dated between 700 and 1700 B.C., this 400-acre site is said to be among the most significant archaeological finds in the country. Interpretive museum and guided tours are park's highlights. The facility is a National Historic Landmark.

6.30 Rebel State Commemorative Area (P. O. Box 127, Marthaville, LA 71450, 318-472-6255) is located in Natchitoches Parish, three miles north of Marthaville off LA 1221. This 11½ acre park is the site of the grave of an unknown Confederate soldier and the state's only facility dedicated to the explanation and enjoyment of country and bluegrass music. A stage, dressing room and amphitheater are used throughout the year for performances.

6.31 St. Bernard State Park (P. O. Box 534, Violet, LA 70092, 504-682-2101) is located 18 miles southeast of New Orleans on LA 39 in St. Bernard Parish. This 350-acre park on the Mississippi River affords the visitor viewing points of the River. Man-made lagoons feature canoeing and fishing. The park is also a convenient stop off point for Chalmette National Historic Park and the City of New Orleans. Camping and picnic facilities are available.

6.32 Sam Houston Jones State Park (Route 4, Box 294, Lake Charles, LA 70601, 318-855-2665, Reservations 318-855-7371) is located 12 miles north of Lake Charles on LA 378 in Calcasieu Parish. The 1068-acre tract features camping areas, 12 vacation cabins, boating, fishing, picnic areas and nature trails. The densely wooded park was named for the Alamo hero who, according to legend, often stayed in the area. Nature interpretive program during the summer.

6.33 Winter Quarters State Commemorative Area (Route 1, Box 91, Newellton, LA 71357, 318-467-5439) is located three miles southeast of Newellton on LA 608 in Tensas Parish. This 19 room plantation mansion situated on a seven acre site, was for a time, used as headquarters by General Grant during the siege of Vicksburg. Built in three stages during three generations, the house demonstrates three different types of architecture. The facility is included on the National Register of Historic Places.

These operating procedures and fees for the use of State Park Areas and facilities are hereby approved pursuant to LA Revised Statutes 56:1681 - 56:1699.

Written comments may be addressed to Kirk Carney, Assistant Secretary, Office of State Parks, Department of Culture, Recreation and Tourism, Drawer 1111, Baton Rouge, LA 70821-1111.

Mrs. Lawrence H. Fox
Secretary

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: State Parks
Rules and Regulations**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

No additional cost is anticipated as a result of these

changes. No changes in the current level of operating cost is expected.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

However, because these Rules and Regulations will not go into effect until January 1, 1983, only six months of collections will be realized during FY 82-83 (or 50% which represents approximately \$60,000).

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

However, because these Rules and Regulations will not go into effect until January 1, 1983, only six months of collections will be realized during FY 82-83 (or 50% which represents approximately \$60,000).

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

No effect on competition or employment is anticipated as a result of these changes.

Kirk Carney
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

Board of Elementary and Secondary Education

The State Board of Elementary and Secondary Education intends to adopt the following as policy:

1. The revised edition of Bulletin 996, *Standards for the Approval of Teacher Education Programs* as submitted by the State Department of Education and amended by the Teacher Certification Committee on October 19, 1982.

2. The Board approved as policy, the placement of classified employees of vocational technical schools under the Board's grievance procedure policy 4.03.03.

3. The Board adopted the following as policy: "Persons who as of September 1, 1982 had completed all course requirements in effect prior to that date for certification in supervision and administration or as school superintendent, but who had not met the experience requirements, shall be permitted to be certified in these areas when the experience requirements in effect prior to September 1, 1982 have been met, and in the interim such persons shall not be cited for non-compliance with the revised requirements which became effective September 1, 1982."

Interested persons may comment on the proposed policy change and/or additions, in writing, until 4:30 p.m., December 4, 1982, at the following address: State Board of Elementary and Secondary Education, Box 44064, Capitol Station, Baton Rouge, LA 70804.

James V. Soileau
Executive Director

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Bulletin 996**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

There is no additional implementation cost to the Department of Education because \$5,350 is available to

cover printing and postage of the new document in FY 83. The revised standards are not anticipated to require additional expenditures by teacher education programs of affected colleges and universities.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

There is no estimated effect on revenue collections.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

This Bulletin will enhance and strengthen teacher education programs in Louisiana.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

There will be no estimated effect on competition nor employment.

George B. Benton, Jr.
Deputy Superintendent

Mark C. Drennen
Legislative Fiscal Officer

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Grievance Procedure for
Vo-Tech Schools**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

There are no implementation costs to the affected agencies.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

There is no effect on revenue collections.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

This change will give all vocational technical school employees a clearer idea of the avenues of procedure available to them when they feel they have been aggrieved.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

There is 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: Certification for Supervision**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

There is no estimated implementation costs to the Department of Education.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

There is no estimated effect on revenue collections.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

This policy will enhance the supply of school administrators and supervisors.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

Will enable more eligible persons to be hired in administrative and supervisory roles by the LEA's.

George B. Benton, Jr.
Deputy Superintendent

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

Southern University Board of Supervisors

The Southern University Board of Supervisors does hereby give notice in accordance with law that its meeting scheduled for November 20, 1982 at which time it was to consider for adoption an increase in tuition and a schedule of fees for Summer School at the Southern University School of Law has been rescheduled.

Consideration of the increase in tuition and the scheduled of fees will take place at the meeting of the Board of Supervisors scheduled for December 18, 1982 at Baton Rouge, Louisiana in the Joseph Samuel Clark Administration Building.

A copy of the changes may be reviewed at the Office of the Board of Supervisors, Joseph Samuel Clark Administration Building, Southern University at Baton Rouge. The Office of the Board will be open from 8 a.m. to 5 p.m., Monday through Friday.

The Board of Supervisors shall accept written comments until 5 p.m., December 4, 1982 at the following address: Mrs. Henrietta Vessel, Administrative Secretary, Southern University Board of Supervisors Box 10870, Baton Rouge, LA 70813.

Jesse N. Stone, Jr.
President, Southern University
System
Secretary to the Board

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Establish Summer fees for Law Students**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

There are no estimated implementation costs associated with the establishing of fees.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

Projected self-generated income from the collection of student fees is \$15,875 in Summer, '82; \$17,462 in Summer, '83; and \$19,208 in Summer '85.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

Cost is to students enrolled only; no other groups or agencies are affected.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

There is no estimated effect on competition or employment.

Jesse N. Stone, Jr.
President

Mark C. Drennen
Legislative Fiscal Officer

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Tuition Increase**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

There will be no estimated implementation costs or savings to agency.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

Projected self-generated income from tuition will increase by approximately 26 percent on the Baton Rouge and New Orleans Campuses and 18 percent on the Shreveport Campus.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

Students will be affected to the extent of the increase as it impacts them individually. No groups are affected.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

These factors are not involved.

Jesse N. Stone, Jr.
President

Mark C. Drennen
Legislative Fiscal Officer

La. Register 11/20/82

NOTICE OF INTENT

**Office of the Governor
Division of Administration**

IMPLEMENTATION OF ACT 160

Act 160 of 1982 requires Undersecretaries to submit to the Departmental Secretary and under his direction to the Governor, Commissioner of Administration, Senate, House of Representatives, and any interested person an annual report summarizing the activities of his office relating to management and program analysis. This report is to be contained on a form prepared by the Division of Administration. The report must contain the following items as required by Act 160:

1. A description of significant problems, deficiencies, and abuses relating to the administration and management of programs and operations within the department.
2. Corrective measures recommended by the office for those problems identified pursuant to Paragraph 1.
3. An identification of significant recommendations in previous reports on which no action has been taken.
4. A summary of reports made to the Secretary pursuant to this Section.
5. A list and brief summary of program evaluations made by the office.

The attached forms have been proposed by the Division of Administration to adhere to the requirements of Act 160.

Form 160-1.

Department _____
Reporting Period _____

1. Significant Problem, Deficiency, or Abuse Relating to the Administration or Management of Programs and Operations Within the Department. (Complete one sheet per problem.)

A. Problem Description.

1. What is the nature of the problem?
2. What organizational unit in the department is experiencing the problem?

3. Who else is affected by the problem?
4. How long has the problem existed?
5. What are the causes of the problem?
6. What are the costs and consequences of failure to correct the problem?

B. Corrective Measures.

1. What corrective measures are recommended to alleviate the problem?
2. What are the criteria for improvement?
3. What is the expected time frame for corrective measures to be implemented?
4. What is the expected time frame for improvements to occur?
5. What are the costs of implementing the corrective measures?
6. Will additional personnel or funds be required to implement the recommended measures? If so, specify.

Form 160-2

Department _____
Reporting Period _____

Reports to the Secretary

Reports completed between March 1, 1982, and March 1, 1983. List titles below and complete a summary sheet for each.

Form 160-3

Department _____
Reporting Period _____

List of Programs Evaluations

Evaluations completed between March 1, 1982, and March 1, 1983. List titles below and complete a summary sheet for each.

Form 160-4

Department _____
Reporting Period _____

Summary of Evaluation or Report

Title:
Entity Evaluated/Reported:
Why was Evaluation/Report initiated?

Questions/Objectives of the Evaluation/Report:

Major Findings and Conclusions:

Major Recommendations:

What action was taken in response to the Evaluation/Report?

Contact person for more information:

Name _____ Agency _____
Phone # _____ Address _____

All interested persons may submit written comments through December 4, 1982, to Wayne E. Grant, Assistant Commissioner of Administration, Box 44095, Baton Rouge, LA 70804.

Wayne Grant
Assistant Commissioner

**Fiscal and Economic Impact Statement
For Administrative Rules**

Rule Title: Annual Program Evaluation Report

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)
The implementation of this procedure will be accomplished with the existing staff and budget. No costs or savings are expected.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)
No impact on revenue collections is anticipated.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)
No increase in costs for agencies submitting the reports is expected, as existing budgets should cover expenses. In the longer term it is anticipated that benefits and savings will occur due to increased managerial efficiency.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
No impact on competition and employment is expected.

Robert E. Warren, Jr.
Deputy Commissioner
of Administration

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 round down to the next lower dollar the budgetary deficit to determine the payment amount for AFDC and Refugee Resettlement recipients. The budgetary deficit is the amount remaining after subtracting applicable income from the total assistance needs (Flat Grant Amount). The Department of Health and Human Resources, Office of Family Security also proposes to prorate the initial assistance payment for AFDC and Refugee Resettlement recipients when the case is certified effective the same month as application. Payment will not be made for any period prior to the date of application. These proposed changes are mandated by Public Law 97-248 and federal regulations as published in the *Federal Register* of Friday, September 17, 1982, Volume 47, Number 181, pages 41108-41116, which were effective October 1, 1982.

Interested persons may submit written comments on these proposed changes through December 6, 1982, at the following address: R. K. Banks, Assistant Secretary, Office of Family Security, Box 44065, Baton Rouge, LA 70804. He is the person responsible for responding to inquiries regarding this proposed Rule.

Roger P. Guissinger
Secretary

**Fiscal and Economic Impact Statement
For Administrative Rules**

**Rule Title: AFDC and Refugee
Resettlement Program Changes**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)
The cost to the agency in FY 82-83 is \$392 (\$196 Federal, \$196 State). The savings are \$298,858 (\$199,787 Federal, \$99,071 State) in FY 82-83; \$598,500 (\$389,325 Federal, \$209,175 State) in FY 83-84; and \$598,500 (\$385,733 Federal, \$212,767 State) in FY 84-85.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)
There is no effect on revenue collections.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)
Approximately 987 Public Assistance households will lose \$1 in benefits per month for six months (Jan. - June) in FY 82-83 (\$5,922) and 12 months (July - June) in FY 83-84 (\$11,844); FY 84-85 (\$11,844). Also, approximately 582 Public Assistance households per month will receive prorated initial payments. This will mean an average loss in benefits to new recipients of \$84 for the first month only.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
There is no effect on competition and employment.

R. K. Banks
Assistant Secretary

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 adopt a Rule which will effect a 6.7 percent increase in the Aid to Families with Dependent Children (AFDC) and General Assistance (GA) Need Standards.

Revised Statute 46:447 of the 1978 Legislature requires that the Office of Family Security establish AFDC and GA Need Standards, and that those standards be adjusted each year effective January 1, to reflect the cost of living increase as reported in the Department of Labor's Consumer Price Index.

The current need standards are shown below. Using a 6.7 percent increase standard, the new AFDC and GA Need Standards are as follows:

Non-Urban

Size of Household	Current Need Standard	Increased Need Standard	150% Need Standard (Current)	150% Need Standard (Increased)
1	\$ 175	\$ 186	\$ 262.50	\$ 279
2	325	346	487.50	519
3	460	490	690.00	735
4	573	611	859.50	916
5	682	727	1,023.00	1,090
6	782	834	1,173.00	1,251
7	884	943	1,326.00	1,414
8	983	1,048	1,474.50	1,572
9	1,075	1,147	1,612.50	1,720
10	1,172	1,250	1,758.00	1,875
11	1,274	1,359	1,911.00	2,038
12	1,379	1,471	2,068.50	2,206
13	1,491	1,590	2,236.50	2,385
14	1,599	1,706	2,398.50	2,559
15	1,710	1,824	2,565.00	2,736
16	1,819	1,940	2,728.50	2,910
17	1,929	2,058	2,893.50	3,087
18	2,039	2,175	3,058.50	3,262

To determine the need standard amount for households exceeding 18 persons, the need standard amount for the number in excess of 18 shall be added to the need standard amount for 18 persons.

Urban-Orleans, Jefferson, East Baton Rouge and St. Bernard

Size of Household	Current Need Standard	Increased Need Standard	150% Need Standard (Current)	150% Need Standard (Increased)
1	\$ 190	\$ 202	\$ 285.00	\$ 303
2	363	387	544.50	580
3	505	538	757.50	807
4	620	661	930.00	991
5	732	781	1,098.00	1,171
6	834	889	1,251.00	1,333
7	932	994	1,398.00	1,491
8	1,031	1,100	1,546.50	1,650
9	1,125	1,200	1,687.50	1,800
10	1,221	1,302	1,831.50	1,953
11	1,324	1,412	1,986.00	2,118
12	1,430	1,525	2,145.00	2,287
13	1,532	1,634	2,298.00	2,451
14	1,640	1,749	2,460.00	2,623
15	1,751	1,868	2,626.50	2,802
16	1,869	1,994	2,803.50	2,991
17	1,960	2,091	2,940.00	3,136
18	2,084	2,223	3,126.00	3,334

To determine the need standard amount for households exceeding 18 persons, the need standard amount for the number in excess of 18 shall be added to the need standard amount for 18 persons.

Interested persons may submit written comments through December 6, 1982 to R.K. Banks, Assistant Secretary, Office of Family Security, Box 44065, Baton Rouge, LA 70804. He is the person responsible for responding to inquiries regarding this proposed Rule.

GA Need Standard

Size of Household	Current	Increased
1	\$288	\$307
2	\$363	\$387

Roger P. Guissinger
Secretary

**Fiscal and Economic Impact Statement
For Administrative Rules**

Rule Title: AFDC/GA Need Standard Increases

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

A. There is no additional cost in AFDC as this proposed increase in the Need Standard will not affect eligibility of applicants or have any effect on existing grants. No new staff or additional administrative costs will be required.

B. There is no additional cost in GA as the Need Standard is no longer used as it is related only to GA clients receiving Vocational Rehabilitation maintenance, which is no longer applicable.

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 costs or benefits to affected groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

No effect on competition and employment is anticipated.

R.K. Banks
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

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

Effective January 1, 1983, the Department of Health and Human Resources, Office of Family Security, proposes to amend its Rule of August 1, 1982, entitled "Implementation of Monthly Reporting and Retrospective Budgeting in the Food Stamp Program", which was published in the *Louisiana Register*, Vol. 8, No. 7, dated July 20, 1982. The proposed amendment will repeal phases two and three of the adopted implementation schedule to allow the Assistant Secretary of the Office of Family Security to maximize usage of Federal waiver procedures for the Food Stamp Program which were recently enacted by the Reconciliation Act of 1982, P.L. 97-248.

Upon receipt of approved or disapproved waiver requests, the Office of Family Security will publish a Retrospective Budgeting/Monthly Reporting implementation process which will replace the repealed portions of the schedule of implementation, in accordance with the Omnibus Reconciliation Act of 1981, P.L. 97-35, Sec. 101-117, effective August 1, 1982.

This proposed Rule will affect Food Stamp and C and E category recipients who were included in phase two and three of the enacted implementation schedule.

Except for the provisions repealed by this proposed Rule, all other portions of the Rule published in *Louisiana Register*, Vol. 8, No. 7, dated July 20, 1982, will remain in effect.

In accordance with provisions of La. R.S. 49:951 et. seq., the Department of Health and Human Resources, Office of Family Security, will hold a Public Hearing beginning at 1:30 p.m., Tuesday, December 7, 1982, in the Louisiana State Library Auditorium, 760 Riverside North, Baton Rouge, LA regarding the proposed adoption of the above policy.

Any interested persons may submit written comments

through December 8, 1982, to R.K. Banks, Assistant Secretary, Office of Family Security, Box 44065, Baton Rouge, LA 70804.

Roger P. Guissinger
Secretary

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Amended Implementation of Monthly
Reporting and Retrospective Budgeting
in the Food Stamp Program**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

Initial savings estimates for FY 82-83 (\$620,343), FY 83-84 (\$1,054,951), and FY 84-85 (\$1,086,488) are based on preliminary projections of a reduced staff needed due to repeal of the remaining implementation schedule. Cost estimates for each fiscal year include 50 percent federal and 50 percent state matching funds. The staff reduction of 36 personnel and resulting savings are made with the assumption that federal waivers will be granted so that monthly reporting for certain categories of Food Stamp recipients will not have to be implemented.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

There is no estimated effect on revenue collections.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

Approximately 91,000 Food Stamp households will be directly affected as these households will not be included in monthly reporting as mandated by phases two and three of the implementation schedule.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

There is no effect on competition and employment.

R.K. Banks
Assistant Secretary

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 adopt a Rule in the Medical Assistance Program to revise the methodology for determining hospital reimbursement rates. The following methods for determining reimbursement rates for inpatient and out-patient services, emergency access hospitals, and new hospitals are being proposed effective January 1, 1983 for new admissions on or after that date:

I. Inpatient Hospital Services - The per diem reimbursement rate shall be determined by taking the cost report for the most recent fiscal period ending before July 1, 1982. The per diem rate shall be calculated using that cost report and based on actual occupancy rate. The per diem rate thus calculated shall then be inflated by the percentage change in the medical component of the Consumer Price Index (CPI). The rate shall be increased by the percentage increase in the CPI for the same month in which the cost report ends (e.g. if the cost report covered services through November 30, it would be the percentage increase from the

November CPI through the June, 1982 CPI, which has a value of 290.6). The rates shall then be arranged from highest to lowest with determination of the new target rate at the 90th percentile. All hospitals with rates below the 90th percentile will have their rate increased by the percentage change in the CPI from December, 1981 to June, 1982. Public hospitals and hospitals serving a disproportionate number of low income patients will have their rates determined in the same manner, but shall use the percentage increase in the medical component of the CPI from December, 1981 to June, 1982. A hospital serving a disproportionate number of low-income patients is defined as any short-term general hospital in which the combination of Medicaid inpatient days and indigent inpatient days represents 30 percent or more of the total inpatient days for that hospital's most recent fiscal year. An indigent inpatient day is defined as a day of care consumed by a single individual whose monthly income is \$200 or less, an individual from a two-member family with a monthly income of \$225 or less, a three member family with a monthly income of \$250 or less, a four-member family with an income of \$275 or less, and so forth, with \$25 added to the monthly limit for each additional member of the family. For this purpose, Medicaid inpatient days shall be considered indigent inpatient days. For determining other indigent inpatient days, the hospital must submit and have approved by the Medical Assistance Program, a plan for determining and verifying indigent patients.

However, no rate may be increased above the target rate. Hospitals with rates currently above the target rate will have their rate decreased by one-fifth of the difference between their current rate and the target rate.

New rates will be computed each year, effective July 1 of the year, by taking the consumer price index or the medical component CPI, whichever is appropriate, from December of two years previously to December of the last calendar year, and applying that to the rate for the immediately preceding year. No rate may be increased beyond the target rate. Hospitals above the target rate will have their rate reduced based on the difference between their rate and the target rate. Effective July, 1983, these rates will be reduced by one-fourth of the difference, in 1984 by one-third of the difference, in 1985 by one-half of the difference and in 1986 these rates shall be reduced to the target rate.

II. Outpatient Hospitals Services - Hospitals shall be reimbursed for out-patient services at 85 percent of billed charges. Hospitals must bill the Medical Assistance Program their usual and customary charges and will be required to certify in writing to the Medical Assistance Program that their billed amounts are in compliance with this policy.

III. New Hospitals (Inpatient and Outpatient Services) - The Medical Assistance Program shall reimburse new hospitals at a rate equal to the 50th percentile for either inpatient or outpatient services, not to exceed Medicare reimbursement rate(s) for such service(s). New hospitals shall bill the Medical Assistance Program their usual and customary charge for such services and shall be required to certify in writing to the Medical Assistance Program, that their billed amounts are in compliance with this policy.

IV. Emergency Access Hospitals (Inpatient and Outpatient Services) - The Medical Assistance Program shall reimburse hospitals designated as emergency access hospitals at a rate equal to the 50th percentile for either inpatient or outpatient services, not to exceed Medicare reimbursement rate(s) for such service(s). The hospitals shall bill the Medical Assistance Program their usual and customary charge for such services and shall be required to certify in writing to the Medical Assistance Program that their billed amounts are in compliance with this policy.

A public hearing regarding this proposed policy will be held Tuesday, December 7, 1982 beginning at 10:30 a.m. in the Louisiana State Library Auditorium, 760 Riverside, Baton Rouge, LA.

Interested persons may submit written comments on the proposed policy through December 6, 1982 at the following address: R. K. Banks, Assistant Secretary, Office of Family Security, Box 44065, Baton Rouge, LA 70804. He is the person responsible for responding to inquiries regarding the proposed Rule.

Roger P. Guissinger
Secretary

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Changes in Reimbursement
Methodology for Hospital Services**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

It is anticipated that implementation of the proposed reimbursement methodology will result in a savings to the agency in vendor payments for hospital services. The estimated savings for hospital in-patient services is as follows:

	STATE	FEDERAL	TOTAL
FY 82-83	\$ 2,638,840	\$ 4,761,160	\$ 7,400,000
FY 83-84	\$22,680,000	\$37,320,000	\$60,000,000
FY 84-85	\$37,732,000	\$45,343,380	\$73,669,179

The above estimates do not include savings resulting from implementation of this Rule of outpatient services, new hospitals or emergency access hospitals.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

The effect on revenue collections is anticipated to be a loss of Federal financial participation totalling \$4,761,160 in FY 82-83; \$37,320,000 in FY 83-84; and \$45,343,380 in FY 84-85.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

The proposed Rule change will affect hospitals providing services under Title XIX. The amount of impact on each hospital cannot be predicted on an individual basis as this is dependent on the number and cost of services provided by each hospital. However, the total decrease in vendor payments to all hospitals is the same as the savings projected in I. above.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

No effect on competition and employment is anticipated as a result of the proposed Rule.

R. K. Banks
Assistant Secretary

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 adopt a Rule in the Medical Assistance Program effective January 1, 1983 which shall impose a co-payment fee to be paid by recipients for Title XIX services except that no such co-payment fee will be imposed for the following services:

- 1) services furnished to individuals under 18 years of age;
- 2) services furnished to pregnant women;
- 3) services furnished to any individual who is an in-patient in a hospital, skilled nursing facility, intermediate care facility or other medical institution;
- 4) emergency services;
- 5) family planning services and supplies; or
- 6) services furnished to such an individual by a health maintenance organization in which he is enrolled.

The amount of co-payment fee for Title XIX services to individuals other than those exempted above or for care and services not exempted above shall be as follows:

Type of Service	Co-Payment Amount
Physician services (Public and Private)	\$1 per service
Mental Health/Substance Abuse services (Public and Private)	\$1 per service
Home Health services (Public and Private)	\$1 per service
Lab and X-Ray services	\$1 per service
Drugs	\$1 per prescription
Other Medical Rehabilitative & Chiropractic service	\$1 per service
Non-Emergency Transportation services	\$2 per service
Adult Dental service	\$3 per service

The co-payment fee specified above shall be paid to the provider of the service by the Title XIX recipient. It is the responsibility of the provider to collect the co-payment fee for those services requiring a co-payment fee by the recipient.

Interested person may submit written comments through December 6, 1982 at the following address: R.K. Banks, Assistant Secretary, Office of Family Security, Box 44065, Baton Rouge, LA 70804. He is the person responsible for responding to inquiries regarding the proposed Rule.

A public hearing on the above proposed Rule shall be held on Monday, December 6, 1982 beginning at 10:30 a.m. in the Louisiana State Library Auditorium, 760 Riverside, Baton Rouge, LA. All interested persons will be afforded an opportunity to submit data, views or arguments, orally or in writing at said hearing.

Roger P. Guissinger
Secretary

**Fiscal and Economic Impact Statement
For Administrative Rules**

**Rule Title: Implementation of Co-Payments for
Specified Services**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO
AGENCY - (Summary)**

It is anticipated that implementation of the proposed Rule will result in a savings to the agency because the amount per service reimbursed under Title XIX will be reduced by the amount of the co-payment fee that the recipient must pay to the provider of the specified services. (It is also anticipated that additional savings will result from a decrease in utilization of these services by those recipients not wishing to pay the co-payment fee. However, this amount cannot be predicted as it is dependent on the individual's decision to decline a service). The total estimated savings for FY 82-83 are \$2,022,722. Projected savings for FY 83-84 and 84-85 are \$4,045,756 each. State funds saved will be \$721,303 in FY 82-83, \$1,529,296 in FY 83-84 and \$1,555,593 in FY 84-85.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS -
(Summary)**

No effect on revenue collections is anticipated as a result of the proposed Rule.

**III. ESTIMATED COSTS AND BENEFITS TO AFFECTED
GROUPS - (Summary)**

Title XIX recipients not exempt from co-payments who receive any of the specified services will be required to pay a nominal charge per service to the provider of the service. As a group, these recipients would be required to make co-payments totalling \$2,022,722 in FY 82-83 and \$4,045,756 in FY 83-84 and 84-85 for services received. The impact on each individual recipient cannot be predicted as this is dependent on receipt of the specified services.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOY-
MENT - (Summary)**

No effect on competition and employment is anticipated as a result of the proposed Rule.

R.K. Banks
Assistant Secretary

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 revise the maximum limit of the reimbursement rate for certain Home and Community Based Services provided through the Medical Assistance Program. Payment to providers of Adult Day Health, Homemaker and Habilitation services by the Department of Health and Human Resources on behalf of eligible recipients shall be determined individually on the basis of cost associated with providing the services. However, in no instance will the reimbursement to these providers exceed 80 percent of the total monthly Medicaid rate that normally would be paid to a Long Term Care Facility for a comparable level of care for such a person in a Long Term Care Facility.

Implementation of this proposed Rule is necessary for the Louisiana Medical Assistance Program to comply with Act 715 (House Bill No. 1072) of the 1982 regular legislative session.

This policy was implemented July 20, 1982, and was published as an Emergency Rule in the *Louisiana Register* on September 20, 1982.

Interested persons may submit written comments on this proposed policy change through December 6, 1982, at the following address: R.K. Banks, Assistant Secretary, Office of Family Security, Box 44065, Baton Rouge, LA 70804. He is the person responsible for responding to inquiries about this proposed Rule.

Roger P. Guissinger
Secretary

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: MAP - Reimbursement Limitation for
Adult Day Health Homemaker and
Habilitation Services**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO
AGENCY - (Summary)**

There are no implementation costs attached to this

proposed agency Rule. The proposed rate ceiling on the Home and Community Based Services will not cut expenditures since current reimbursement rates do not exceed this maximum.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

There is no effect on revenue collections.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

No costs or benefits to providers or recipients of Home and Community Based Services will result.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

There is no effect on competition and employment.

R.K. Banks
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

- 58500 Hysterosalpingostomy
- 58540 Hysteroplasty
- 58920 Wedge resection or bisection of ovary
- 58980 Laparoscopy for visualization of pelvic viscera
- 58984 Laparoscopy with fulguration of ovarian or peritoneal lesions
- 58986 Laparoscopy with biopsy

Interested persons may submit written comments through December 6, 1982 at the following address: R.K. Banks, Assistant Secretary, Office of Family Security, Box 44065, Baton Rouge, LA 70804. He is the person responsible for responding to inquiries regarding this proposed Rule.

A public hearing on the proposed Rule will be held Monday, December 6, 1982 in the Louisiana State Library Auditorium, 760 Riverside, Baton Rouge, LA, beginning at 1 p.m. All interested persons will be afforded an opportunity to submit data, views or arguments, orally or in writing at said hearing.

Roger P. Guissinger
Secretary

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 implement a Rule in the Medical Assistance Program effective January 1, 1983, to require prior authorization for Title XIX reimbursement for specific elective surgical procedures. Those specific elective surgical procedures requiring prior authorization include the following:

CPT-IV CODE	DESCRIPTION
44000	Enterolysis, freeing of intestinal adhesion
49000	Exploratory laparotomy
56800	Plastic repair of introitus
57200	Colporrhaphy (nonobstetrical)
57210	Colpoperineorrhaphy (nonobstetrical)
57220	Plastic operation on urethral sphincter
57230	Plastic repair of urethrocele
57240	Anterior colporrhaphy
57250	Posterior colporrhaphy
57260	Combined anteroposterior colporrhaphy
57265	With repair of enterocele
57270	Repair of enterocele
57400	Dilation of vagina under anesthesia
57450	Culdoscopy, diagnostic
57451	With biopsy, lysis of adhesions
57800	Dilation of cervical canal
57820	Dilation and curettage of cervical stump
58120	Dilation and curettage, diagnostic and/or therapeutic
58150	Total hysterectomy, abdominal
58180	Supracervical hysterectomy
58260	Vaginal hysterectomy
58265	with plastic repair of vagina, anterior and/or posterior colporrhaphy
58267	with colpo-urethrocystopexy
58270	with repair of enterocele
58275	Vaginal hysterectomy, with total or partial colpectomy
58280	Vaginal hysterectomy with repair of enterocele
58285	Vaginal hysterectomy, radical
58400	Uterine suspension
58410	with presacral sympathectomy

Fiscal and Economic Impact Statement

For Administrative Rules

Rule Title: Prior Authorization for Elective Surgical Procedures

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

It is projected that the proposed Rule will result in a savings to the agency for the cost of physician services and hospital care for those surgical procedures which would not be approved for Title XIX reimbursement. The estimated total savings for FY 82-83 is \$587,469. Estimated savings for FY 83-84 and 84-85 is \$1,174,938 of these amounts, state funds saved will be \$209,491, in FY 82-83, \$444,127 in FY 83-84 and \$451,764 in FY 84-85.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

No effect on revenue collections is anticipated as a result of the proposed Rule.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

Title XIX recipients requesting one of the specified elective surgical procedures which is not prior authorized will not be eligible for Title XIX reimbursement for said service or related costs.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

No effect on competition and employment is anticipated as a result of the proposed Rule.

R.K. Banks
Assistant Secretary

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 implement a Rule in the Medical

Assistance Program effective January 1, 1983 to reduce by 2 percent the reimbursement rates to extended care facilities except for Intermediate Care Facilities for the Handicapped (ICF-H). The proposed rates are:

I. Private LTC Facilities

Level of Care	Daily Rate	Monthly Rate
Skilled Nursing Facility (SNF)	\$34.10	\$1,037.33
Intermediate Care Facility I (ICF I)	29.16	887.10
Intermediate Care Facility II (ICF II)	23.39	711.53

II. New Orleans Home & Rehabilitation Center

Level of Care	Daily Rate	Monthly Rate
Skilled Nursing Facility	\$44.83	\$1,363.44
Intermediate Care Facility I	39.76	1,209.32
Intermediate Care Facility II	33.99	1,033.76

III. Villa Feliciana

Level of Care	Daily Rate	Monthly Rate
Skilled Nursing Facility	\$58.64	\$1,783.73
Intermediate Care Facility I	54.18	1,647.80
Intermediate Care Facility II	41.75	1,269.84

Interested persons may submit written comments through December 6, 1982 at the following address: R.K. Banks, Assistant Secretary, Office of Family Security, Box 44065, Baton Rouge, LA 70804. He is the person responsible for responding to inquiries regarding the proposed Rule.

A public hearing on the proposed Rule will be held Monday, December 6, 1982 in the Louisiana State Library Auditorium, 760 Riverside, Baton Rouge, LA beginning at 3 p.m. All interested persons will be afforded an opportunity to submit data, views or arguments, orally or in writing at said hearing.

Roger P. Guissinger
Secretary

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: 2 Percent Reduction in LTC
Reimbursement Rates**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

The proposed 2 percent reduction in reimbursement rates would result in a savings to the agency of \$2,671,713 for FY 82-83 and savings of \$5,343,426 for FY 83-84 and 84-85 for facility vendor payments of these amounts, state funds saved will be \$952,733 in FY 82-83, \$2,019,815 in FY 83-84 and \$2,054,547 in FY 84-85.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

No effect on revenue is anticipated as a result of the proposed Rule.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

Providers of extended care services except ICF-H's will have Title XIX reimbursement rates reduced by two percent. The effect on individual providers cannot be predicted as it is dependent on the circumstances of each facility. However, the total decrease in Title XIX facility vendor payments to all providers is anticipated to be \$2,671,713 for FY 82-83 and \$5,343,426 each for FY 83-84 and 84-85.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

No effect on competition and employment is anticipated as a result of the proposed Rule.

R.K. Banks
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Health and Human Resources
Office of Human Development**

As provided for in the Appropriations Act of the 1982 Louisiana Legislature, the Department of Health and Human Resources, Office of Human Development proposes to adopt the following Rule changes which increase (as shown) the fees or rates paid for the following Title XX Vendor Payment Day Care Services:

	Licensed Day Care Centers	
	Old Rate	New Rate
Monthly	133.98	138.60
Daily	6.09	6.30
Hourly	.87	.90

	Approved Day Care Homes	
	Old Rate	New Rate
Monthly	89.32	92.40
Daily	4.06	4.20
Hourly	.58	.60

Interested persons may submit written comments on the proposed changes through December 6, 1982 at the following address: Arthur J. Dixon, Assistant Secretary, Office of Human Development, Box 44367, Baton Rouge, LA 70821. He is the person responsible for responding to inquiries about the proposed Rule.

Roger P. Guissinger
Secretary

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Title XX Vendor Payment Day Care
Rate Increase**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

This rate increase will cost an additional \$110,991.30 in FY 82-83. This amount was included in the agency's FY 82-83 appropriations. This will provide an increase of \$3.57 in the average monthly payment per child for five months of fiscal year 1982-83. The amount originally appropriated would have provided a total increase of \$451,139, which would have been equivalent to an increase of \$6 in the

average monthly payment per child for 12 months of 1982-83. The reduced increase is in accordance with Executive Order 82-21.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

There will be no effect on revenue collections.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

These rate increases will benefit both Title XX Vendor Payment Day Care Facilities and children served by these facilities.

Day Care Facilities will benefit by rates being brought closer to the actual cost they incur in the provision of services.

The children served will benefit by virtue of the facilities being more financially capable of providing quality services.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

Competition is not a factor in that the rates of private day care facilities have risen with inflation.

This rate increase will help to insure that Title XX Vendor Payment Day Care Facilities are able to retain or employ the specified number of employees.

A.J. Dixon
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

Committee Reports

COMMITTEE REPORT

House of Representatives House Natural Resources Committee Oversight Review

Pursuant to the provisions of R.S. 49:968, the House of Representatives Natural Resources Committee met on October 26, 1982, and reviewed certain changes in state regulations proposed by the Louisiana Department of Wildlife and Fisheries for which Notice of Intent was published in the October 20, 1982, *Louisiana Register* with the following results:

1) Seismic and right-of-way fees on department owned lands.

Rejected by a vote of 9-0.

Arthur W. Sour, Jr.
Chairman

Potpourri

POTPOURRI

Department of Agriculture

Supplement to
the

SWEET POTATO WEEVIL QUARANTINE AND REGULATION Revised Effective November 30, 1982

In accordance with the authority vested in the Louisiana Department of Agriculture by Part 2 of Chapter 12 of Title 3 of the Louisiana Revised Statutes of 1950, the Sweetpotato Weevil Quarantine and Regulation is hereby supplemented as follows:

I. Quarantined Areas

1. In the United States

a. The areas hereby quarantined on account of the sweetpotato weevil infestations are known to occur, and so officially designated as quarantined or regulated areas, by the sweetpotato quarantines of the states of Alabama, Florida, Georgia, Louisiana, Mississippi, Texas, South Carolina and North Carolina.

2. In Louisiana

a. Quarantined areas in Louisiana are hereby declared to be the entire parishes of:

Acadia	Jefferson	St. James
Allen	Jefferson Davis	St. John the Baptist
Ascension	Lafayette	St. Landry
Assumption	Lafourche	St. Martin
Avoyelles	Livingston	St. Mary
Beauregard	Orleans	St. Tammany
Calcasieu	Plaquemines	Tangipahoa
Cameron	Point Coupee	Terrebonne
East Baton Rouge	Rapides	Vermilion
East Feliciana	Sabine	Vernon
Evangeline	St. Bernard	Washington
Iberia	St. Charles	West Baton Rouge
Iberville	St. Helena	West Feliciana

and those parts hereinafter listed.

Bienville Parish - that portion of a one mile radius of and including the property of J. K. Howard, Section 2, T14N, R8W; and that portion consisting of a one mile radius of and including the property of Ben Ridgon, Section 35, T15N, R8W.

Caddo Parish - that portion consisting of a one mile radius of and including the property of George Payne, Section 32, T17N, R14W.

Caldwell Parish - that portion consisting of a one mile radius of and including the property of Ray Grant, Section 29, T12N, R4E.

Grant Parish - that portion consisting of a one mile radius of and including the property of Fred Waiter, Section 19, T6N, R1E; that portion consisting of a one mile radius of and including the property of J. C. LaCour, Section 19, T6N, R1E; that portion consisting of a one mile radius of and including the property of Zilpha Shipps, Section 6, T6N, R1E; that portion consisting of a one mile radius of and including the property of Sharon Watley, Section 5, T7N, R2W; that portion consisting of a one mile radius of and including the property of Huey Sands, Section 8, T7N, R1W; that portion consisting of a one mile radius of and including the property of A. B. Slayter, Section 33, T8N, R2W; that portion consisting of a one mile radius of and including the property of Mike Robertson, Section 1, T5N, R1W; that portion consisting of a one mile radius of and including the property of Otho Richards, Section 5, T7N, R2W; that portion consisting of a one mile radius of and including the property of Qwen Richards, Section 4, T7N, R2W; that portion consisting of a one mile radius of and including the property of E. P. Mobley, Section 33, T6N, R2W; that portion consisting of a one mile radius of and including the property of Frank Long, Section 17, T9N, R1E; that portion consisting of a one mile radius of and including the property of R. M. Jones, Section 33, T6N, R2W; that portion consisting of a one mile radius of and including the property of E. D. Humphrey, Section 6, T7N, R2W; that portion consisting of a one mile radius of and including the property of Earl Fredieu, Section 10, T8N, R4W; that portion consisting of a one mile radius of and including the property of James Evans, Section 17, T8N, R1E; that portion consisting of a one mile radius of and including the property of T. E. Deen, Section 30, T6N, R2W; that portion consisting of a one mile radius of and including the property of S. M. Crooks, Section 5, T7N, R2W; that portion consisting of a one mile radius of and including the property of L. R. Crawford, Section 19, T6W, R1E; that portion consisting of a one mile radius of and including the property of P. T. Corley, Section 24, T9N, R1E; that portion consisting of a one mile radius of and including the property of Rubin Chandler, Section 11, T6N, R2W; that portion consisting of a one mile radius of and including the property of A. B. Faircloth, Section 5, T7N, R2W; that portion consisting of a one mile radius of and including the property of Layton Campbell, Section 1, T5N, R1W; that portion consisting of a one mile radius of and including the property of Clyde Brown, Section 31, T6N, R2E; that portion consisting of a one mile radius of and including the property of Bill Belcher, Section 17, T8N, R1E; that portion consisting of a one mile radius of and including the property of H. B. Arrington, Section 6, T7N, R2W; that portion consisting of a one mile radius of and including the property of Curt Arnold, Section 13, T7N, R2W; that portion consisting of a one mile radius of and including the property of Carol Robertson, Section 31, T6N, R1E; and that portion consisting of a one mile radius of and including the property of Richard DeBusk, Section 16, T9N, R2W.

Jackson Parish - that portion consisting of a one mile radius of and including the property of Mrs. G. Moore, Section 31, T14N, R3W, and that portion consisting of a one mile radius of and including the property of Myrtle Richard, Section 32, T14N, R3W.

LaSalle Parish - that portion consisting of a one mile radius of and including the property of Lewis Andrews, Section 11, T8N, R3E; that portion consisting of a one mile radius of and including the property of W. Bigner, Section 41, T7N, R3E; that portion consisting of a one mile radius of and including the property of Vance Elliot, Section 6, T8N, R4E; that portion consisting of a one mile radius of and including the property of Carl Girlinghouse, Section 40, T7N, R3E; and that portion consisting of a one mile radius of and including the property of Warren Huffman, Section 41, T7N, R3E.

Morehouse Parish - that portion consisting of a one mile radius of and including the property of Evan Bounds, Section 19, T21N, R6E; that portion consisting of a one mile radius of and including the property of William C. Corley, Section 20, T21N, R6E; that portion consisting of a one mile radius of and including the property of Kermit Ritchey, Section 20, T21N, R6E; that portion consisting of a one mile radius of and including the property of W. R. McKissack, Section 25, T21N, R6E; that portion consisting of a one mile radius of and including the property of W. C. Corley, Section 25, T21N, R6E; that portion consisting of a one mile radius of and including the property of E. S. Johnson, Section 25, T21N, R6E; that portion consisting of a one mile radius of and including the property of Irene Jordan, Section 25, T21N, R6E; that portion consisting of a one mile radius of and including the property of L. A. Simpson, Section 25, T21N, R6E; that portion consisting of a one mile radius of and including the property of Ray Dupree, Section 25, T21N, R6E; that portion consisting of a one mile radius of and including the property of Henry Butler, Section 18, T22N, R6E.

Ouachita Parish - that portion consisting of a one mile radius of and including the property of Byron Griggs, Section 29, T18N, R3E; that portion consisting of a one mile radius of and including the property of Robert Funderburk, Section 15, T18N, R2E; and that portion consisting of a one mile radius of and including the property of Susie Blankenship, Section 19, T18N, R2E.

Winn Parish - that portion consisting of a one mile radius of and including the property of John Earl, Section 2, T13N, R4W; that portion consisting of a one mile radius of and including the property of Arnold Temple, Section 1, T13N, R4W; that portion consisting of a one mile radius of and including the property of Mrs. Lovey Shively, Section 1, T13N, R4W; that portion consisting of a one mile radius of and including the property of G. W. Jones, Section 15, T11N, R3W; that portion consisting of a one mile radius of and including the property of Ben Barnett, Section 25, T11N, R3W; that portion consisting of a one mile radius of and including the property of Ellis Higgs, Section 13, T12N, R4W; that portion consisting of a one mile radius of and including the property of George Brewton, Section 13, T12N, R4W; that portion consisting of a one mile radius of and including the property of Alton Carpenter, Section 8, T12N, R2W; that portion consisting of a one mile radius of and including the property of A. W. Bates, Section 28, T12N, R4W; that portion consisting of a one mile radius of and including the property of Y. E. Edmonds, Section 5, T13N, R3W; and that portion consisting of a one mile radius of and including the property of Earl Baxley, Section 21, T11N, R3W.

b. Non-sweetpotato areas shall be:

Infested properties in the area north of Avoyelles and Rapides Parishes, east and northeast of the Red River line at Grant Parish, northeast of the Red River in Natchitoches Parish, north of the Natchitoches Parish line, west of the Red River and north of the Sabine Parish line, and such other area or areas as may hereafter be declared non-sweetpotato areas by publication in the Official Journal and the *Louisiana Register* by the State Entomologist, with the approval of the Commissioner.

The above Supplement will be effective on and after November 30, 1982, and will be revised effective November 30, 1983.

John W. Impson
Assistant Commissioner and
State Entomologist

POTPOURRI

Democratic State Central Committee of Louisiana

RESOLUTION NO. 1

By: Executive Committee

Changes in the Bylaws of the Democratic State Central Committee of Louisiana

WHEREAS, the Bylaws of the Democratic State Central Committee of Louisiana must comply with the Election Code of the State of Louisiana, and

WHEREAS, changes were made in the Election Code of the State of Louisiana during the 1982 Regular Session of the Louisiana Legislature with regard to state central committees and parish executive committees of recognized political parties,

NOW, THEREFORE, BE IT RESOLVED, that the Bylaws of the Democratic State Central Committee of Louisiana be amended to read as follows:

ARTICLE ONE

(Democratic State Central Committee)

Section 2. - Membership

(a) The Democratic State Central Committee shall be comprised of 210 members as provided for in the Constitution and in state law.

(b) As provided in state law, members of the Democratic State Central Committee shall be elected every four years at the same time as the governor. The term of office shall not extend for a period beyond the time for which the member was elected.

(The present paragraph (c) will be deleted, and the present paragraph (d) will become paragraph (c) as amended.)

(c) Any registered Democrat may seek membership on the Democratic State Central Committee. Candidates shall file with the Clerk of Court or the Parish Executive Committee Chairman in the parish in which they are seeking election, and shall pay a filing fee of \$75. This fee shall be paid to the Democratic State Central Committee by the Clerk of Court.

Section 4. - Vacancies

(New paragraph (a).)

(a) A vacancy occurs in the membership of the Democratic State Central Committee when a member dies, no longer meets the qualifications for membership on the Committee, or no one qualifies and is elected to succeed a member whose four-year term has expired.

(The present paragraph (a) will become paragraph (b) as amended.)

(b) Upon notification of a vacancy on the Democratic State Central Committee, the Parish Democratic Executive Committee of the parish in which the vacancy occurs shall elect a person to serve until an election to fill the unexpired term is conducted and the newly-elected member takes office. An election to fill the unexpired term of an office of a member of the DSCC shall be held in conjunction with and at the same time as the next regular or special election which is conducted and held throughout the entirety of the district wherein the vacancy occurred. The person elected must meet the guidelines provided in the Constitution for membership on the Committee and shall be required to pay a filing fee of \$75 to the Democratic State Central Committee.

(The present paragraph (b) will become paragraph (c).)

Section 18. - Filing Fees for Democratic Candidates (New Section)

(a) In compliance with state law, the Democratic State Central Committee of Louisiana shall impose an additional filing fee for any state, local, or municipal candidate who qualifies as a Democrat.

(b) The amount of the additional filing fee shall be equal to one-half the amount required by state law.

(c) Collections and expenditures shall be audited annually and submitted to the legislative auditor no later than February 1 of each year and shall cover the period from January 1 through December 31 of the previous year.

(d) Fees collected shall be used solely for the operations of the Committee and shall not be used for the direct benefit of any particular candidate for public office.

ARTICLE TWO

(Parish Democratic Executive Committees)

Section 2. - Membership

(Paragraphs (a) and (b) are unchanged.)

(c) Except in Orleans Parish, members of parish democratic executive committees shall be elected every four years at the same time as the governor, as provided in state law. The term of office shall not extend beyond the time for which the member was elected.

(d)(i) If the number of candidates who qualified for office exceeds the number of candidates to be elected for that office, the candidate who receives the greater number of votes cast shall be elected. If two or more offices of the same character are to be filled, each candidate who received the greater number of votes cast, as compared with the number of votes cast for each other candidate, is elected until all offices are filled. If two or more candidates receive the same number of votes, and as a result thereof, the number of candidates who would otherwise be elected exceed the number of remaining offices, the offices shall be filled by a public drawing of lots among such candidates, conducted by the parish executive committee at its organizational meeting.

(ii) If, after the close of the qualifying period, the number of candidates for membership on a parish executive committee does not exceed the number of members to be elected to the committee, the candidates for membership on that parish executive committee, or those remaining after the death or withdrawal of one or more candidates, are declared elected by the people, and their names shall not appear on the ballot.

Section 3. - Meetings

(a) Every four years upon election to the parish executive committee, the newly-elected members of the committee shall meet at the parish courthouse, shall take office, and organize the committee within 30 days after the gubernatorial general election.

(b) A majority of the newly-elected members of the parish executive committee shall constitute a quorum for the purpose of organizing and filling any vacancies which may exist due to death, ineligibility, or failure to fill a vacancy by election.

(Paragraph (c) remains as written.)

(d) A member of a parish executive committee may vote by written proxy subject to the following conditions:

(1) A member shall not vote by proxy at more than two consecutive meetings.

(2) A member shall not exercise the proxy votes of more than two other members at any time.

Section 4. - Vacancies

(a) A vacancy occurs in the membership of a parish democratic executive committee when a member dies, no longer meets the qualifications for membership on the committee, or no person qualifies and is elected to succeed a member whose four-year term has expired.

(b) A vacancy in the membership of a parish executive committee shall be filled by a member appointed by a majority of the newly-elected members of the executive committee to serve until an election to fill the unexpired term is conducted and the newly-elected member takes office. An election to fill the unexpired term of an office of a member of a parish executive committee shall be held in conjunction with and at the same time as the next regular or special election which is conducted and held

throughout the entirety of the district wherein the vacancy occurred.

(c) A member elected to a parish executive committee at such an election shall be elected as provided by State law and the Bylaws of the Democratic State Central Committee of Louisiana, except that if an office is to be filled by a public drawing of lots, the public drawing shall be conducted within 15 days after the election.

Section 6. - Fund Raising and Maintenance of Financial Records

(a) In compliance with state law, parish executive committees may raise funds through the assessment of fees and other methods for Party operations, under the following conditions:

(i) Each parish executive committee shall establish a separate account for the deposit of all funds received by the assessment of fees from Democratic candidates.

(ii) Funds received by the assessment of such fees shall be used solely for the operations of the Committee and shall not be used for the direct benefit of any particular candidate for public office.

(iii) Funds from sources other than the assessment of fees may be used in direct support of Democratic candidates. In no event shall a parish executive committee make an expenditure other than in direct support of Democratic candidates, Democratic Party activities, or to maintain operations of the Committee.

(b)(i) Collections and expenditures of funds received by the assessment of fees shall be audited annually and submitted to the legislative auditor and to the chairman of the Democratic State Central Committee no later than February 1 of each year and shall cover the period from January 1 through December 31 of the previous year.

(ii) If any parish executive committee raises or expends funds from sources other than the assessment of fees in excess of one thousand dollars annually, the Committee shall file an additional statement of income and expenditures with the chairman of the Democratic State Central Committee no later than February 1 of each year and shall cover the period from January 1 through December 31 of the previous year.

RESOLUTION NO. 2

By: Executive Committee

Changes in the Constitution of the
Democratic State Central Committee of Louisiana

WHEREAS, the Constitution of the Democratic State Central Committee of Louisiana must comply with the Election Code of the State of Louisiana, and

WHEREAS, changes were made in the Election Code of the State of Louisiana during the 1982 Regular Session of the Louisiana Legislature with regard to state central committees and parish executive committees of recognized political parties,

NOW, THEREFORE, BE IT RESOLVED, that the Constitution of the Democratic State Central Committee of Louisiana be amended to read as follows:

ARTICLE VII - Election

Any registered Democrat residing in the district in which he or she seeks election shall be eligible for election to membership on the Democratic State Central Committee or a Parish Democratic Executive Committee. Members of the State Central Committee and/or the Parish Democratic Executive Committee shall be elected every four years at the same time as the governor. The term of office shall not extend for a period beyond the time for which the member was elected. Such candidates shall be elected pursuant to state law.

ARTICLE VIII - Organization of Committee

The newly-elected members of the Democratic State Central Committee shall meet at the state capitol, shall take office, and shall organize the Committee at noon on the second Saturday in

January following each gubernatorial general election. A majority of the newly-elected members of the committee shall constitute a quorum. At the first meeting of the newly-elected members of the State Central Committee, the officers provided by the constitution and bylaws of the committee shall be elected.

ARTICLE X - Composition and Apportionment

The membership of the Democratic State Central Committee shall be composed of 210 members. Two members shall be chosen from each of the districts from which members of the House of Representatives of the legislature are elected.

Each office for membership on the Democratic State Central Committee shall constitute a separate and distinct office. For the purpose of nomination and election to office, the offices within a district shall be designated alphabetically as Office "A" and Office "B". A candidate for nomination and election to the Democratic State Central Committee shall qualify for only one office and shall at the time he or she files their notice of candidacy, designate the office within the district for which he or she is a candidate. Each office within a district shall be arranged separately on the ballot and shall be designated as Office "A" and Office "B". The electors of the district who are qualified to vote for members of the Democratic State Central Committee shall elect one member to the committee from among the candidates for each office. The successor to any member shall preside over the same office as their predecessor.

The numerical designation for each district of the Democratic State Central Committee shall correspond with those of the Louisiana House of Representatives and shall be further designated as Office "A" and "B".

Jesse H. Bankston
Chairman

POTPOURRI

**Department of Natural Resources
Fishermen's Gear Compensation Fund Claims**

In accordance with the provisions of the Fishermen's Gear Compensation Fund, R.S. 56:700.1 through R.S. 56:700.5, 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 Rules of the Secretary of this Department, notice is hereby given that 17 completed claims were received during the month of October, 1982, amounting to \$24,319.92. Twenty-four claims amounting to \$20,520.01 were paid during the month of October, 1982.

No public Hearings are scheduled for the month of December, 1982.

Frank P. Simoneaux
Secretary

POTPOURRI

**Department of Natural Resources
Office of Conservation
Underground Injection Control Division
Docket Number UIC-82-13**

In accordance with the laws of the State of Louisiana, and with particular reference to the provisions of LRS 30:4, notice is hereby given that the Commissioner of Conservation will conduct

a public hearing at 11:30 a.m., Tuesday, December 21, 1982, in the Police Jury Meeting Room of the Acadia Parish Courthouse, located on Parkerson Avenue, Crowley, LA.

At such hearing the Commissioner of Conservation or his designated representative will hear testimony relative to the application of Saline Injection Systems Company, Route 1, Box 131, Egan, LA 70531. The applicant intends to operate a commercial salt water disposal well and facility in Section 2, Township 10 South, Range 2 West, Acadia Parish, Louisiana, and inject into the subsurface salt water generated from oil and gas production.

Prior to authorizing the use of this well for disposal of salt water, the Commissioner of Conservation must find that the applicant has met all the requirements of Statewide Order No. 29-B (August 1, 1943 as amended).

The application is available for inspection by notifying Fritz L. Spencer, Jr., Office of Conservation, Underground Injection Control (UIC) Division, Room 228, Natural Resources Building, 625 North 4th St., Baton Rouge, LA or by contacting the Acadia Parish Police Jury.

All interested person will be afforded an opportunity to present data, views or arguments, orally or in writing, at said public hearing. Written comments which will not be presented at the hearing must be received no later than 5 p.m., December 21, 1982, at the Baton Rouge office. Comments should be directed to: Commissioner of Conservation, Box 44275, Baton Rouge, LA 70804. Re: Docket No. UIC-82-13, Commercial Salt Water Disposal Well, Acadia Parish.

Patrick H. Martin
Commissioner of Conservation

Errata

ERRATA

Department of Public Safety Office of State Fire Marshal

L.A.C. 17-4:24, which was published in the October 20, 1982 issue of the *Louisiana Register*, was numbered incorrectly. The corrected Rule in its entirety should read as follows:

RULE

Department of Public Safety
Office of State Fire Marshal

EDUCATION OCCUPANCIES

The Fire Marshal for the State of Louisiana does hereby adopt the following administrative Ruling:

L.A.C. 17-4:23 Education Occupancies

L.A.C. 17-4:23.1 In those educational facilities for which plans were approved prior to January 1, 1982 and in which deficiencies have been noted because of inadequate corridor separation, lack of smoke barriers, and lack of sprinkler protection in windowless classroom buildings, the State Fire Marshal will accept as equivalent compliance to the aforementioned requirements, installation of a complete smoke detection system in the corridors and hazardous areas. This system must be capable of and properly connected to sound the general fire alarm and shut down all central air handling systems.

L.A.C. 17-4:23.2 Within 45 days after service on the owner and/or operator of an inspection report and order of correction citing the deficiencies listed in paragraph 23.1, the owner and/or operator of the school must submit to the Fire Marshal a proposed plan of correction in accordance with paragraph 23.1. The approved plan of correction then must be completed within the time specified by the Fire Marshal which shall not exceed 48 months.

Carrol L. Herring
State Fire Marshal

The following chart shows where in the *Louisiana Register* a particular page cited in the index falls:

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