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This public document was published at a total cost of \$7,399.55. 1,400 copies of this public document were published in this monthly printing at a cost of \$2,628.47. The total cost of all printings of this document including reprints is \$7,399.55. This document was published by Moran Colorgraphic, 5425 Florida Blvd., Baton Rouge, LA 70806, as a service to the state agencies in keeping them cognizant of the new rules and regulations under authority of R.S. 49:951-968. This material was printed in accordance with standards for printing by state agencies established pursuant to R.S. 43:31. Printing of this material was purchased in accordance with the provisions of Title 43 of the Louisiana Revised Statutes.

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# Executive Orders

## EXECUTIVE ORDER EWE 84-13

WHEREAS, concerned citizens and health care providers have expressed concern over the distribution of nursing home beds throughout the state as well as the high occupancy rates, waiting lists, long distances of available beds from the homes of residents of this state, and other related problems; and

WHEREAS, the cost of providing health care through the Title XIX program has impacted critical state funding over the past several years; and

WHEREAS, leaders in the health care industry, such as the Louisiana Nursing Home Association and the Louisiana Hospital Association, have requested a moratorium on the approval of applications for health care facilities or services; and

WHEREAS, the escalation of many different kinds of applications for such facilities, including, but not limited to, rehabilitation and psychiatric hospitals, has adversely affected the ability of the staff administering the Title XIX program to meet mandated deadlines; and

WHEREAS, the aforementioned staff is needed to assist the Statewide Health Coordinating Council in the development of a new State Health Plan;

NOW THEREFORE, I, EDWIN EDWARDS, Governor of the State of Louisiana, do hereby order and direct as follows:

1. No application for any type of health care facility or service under the federal 1122 Program shall be approved for an indefinite period of time, beginning August 1, 1984. This moratorium shall not apply to applications for group homes for the mentally retarded or to applications that are necessary to keep existing health care facilities or services in compliance with state and federal laws or in cases not requiring additional beds, services, and/or capital expenditures.

2. During this moratorium, the Health Planning Bureau in conjunction with the Statewide Health Coordinating Council, shall restructure the State Health Plan and its rules and regulations.

3. The moratorium shall be reviewed and may be extended beyond the initial 90 day period.

4. This order may be amended or supplemented by further order of the governor.

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 1st day of August 1984.

Edwin Edwards  
Governor of Louisiana

## EXECUTIVE ORDER EWE 84-14

Executive Order EWE 84 - 11, dated July 25, 1984, creating the Governor's Study Commission on Ports, is hereby amended as follows:

The membership of the commission shall include the lieutenant governor of the state of Louisiana as an ex-officio member. The number of at-large members is increased from two to three members, the additional member to be appointed by the governor to serve at the pleasure of the governor.

IN WITNESS THEREOF, 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 10th day of August, 1984.

Edwin Edwards  
Governor of Louisiana

## EXECUTIVE ORDER EWE 84 - 15

WHEREAS, oil and natural gas have been two of Louisiana's most bountiful and valuable natural resources; and

WHEREAS, there continues to be a decline in the exploration and production of these resources; and

WHEREAS, it is imperative that there be complete utilization of the state's oil and natural gas supplies and development of alternative energy resources, including lignite and geothermal energy and the state's industrial minerals; and

WHEREAS, the Department of Natural Resources, through the Louisiana Geological Survey, has compiled extensive data on the state's potential energy and mineral resources, which, if supplemented with geological expertise and funding from the public sector, would produce considerable technical benefits;

NOW THEREFORE I, EDWIN EDWARDS, Governor of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: The Governor's Task Force on Louisiana Geological Survey is hereby established within the Department of Natural Resources.

SECTION 2: The task force shall be composed of nine members, each of whom shall be appointed by the governor from the energy resources industry to serve at the pleasure of the governor. The governor shall designate one member to serve as chairman of the task force.

SECTION 3: The duties of the task force are to:

a. Assist the Louisiana Geological Survey in promoting and encouraging the exploration for the production of oil, gas, and other resources from state lands.

b. Provide the Louisiana Geological Survey with the very latest geologic techniques and methodologies for use in mineral and energy resource programs implemented in this state.

c. Provide policy guidance for the Louisiana Geological Survey.

d. Formulate program recommendations and plans for supporting programs of the Louisiana Geological Survey, for presentation to the secretary of the Department of Natural Resources.

SECTION 4: The task force shall meet at least annually and at other times upon call of the chairman.

SECTION 5: No member of the task force shall receive a per diem or other compensation for his duties pursuant to this order.

SECTION 6: The task force is authorized to receive or accept grants, donations, or contributions of money, supplies, services, or the like from public or private sources and is further authorized to expend any funds made available from these sources to carry out the duties of the task force.

IN WITNESS THEREOF, 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 13th day of August, 1984.

Edwin Edwards  
Governor of Louisiana

## EXECUTIVE ORDER EWE 84-16

WHEREAS, the 50 States Project was established by the president of the United States to urge each state to eliminate from its statutory and regulatory codes unfair differentiations on the basis of gender; and

WHEREAS, Article I, Section 3 of the Constitution of Louisiana provides that "No law shall arbitrarily, capriciously, or unreasonably discriminate against a person because of . . . sex . . . ; and

WHEREAS, executive action has increased the participation of women in government, and both executive and legislative

actions have enhanced the opportunities and protection afforded women; and

WHEREAS, while progress has been made in the recent past to eliminate the vestiges of discrimination based on sex, continued diligence by the executive and legislative branches of government should and can afford greater opportunities and protection for women;

NOW THEREFORE I, EDWIN EDWARDS, Governor of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: The 50 States Project Advisory Committee is hereby created in the division of women's services of the Department of Health and Human Resources.

SECTION 2: The committee shall be composed of 15 members, as follows:

a. The governor shall appoint 12 persons, one of whom shall be designated by the governor to serve as chairperson of the committee.

b. The governor shall appoint one member from a list of nominations submitted by the director of the Louisiana State Law Institute.

c. The chairman of the Senate Committee on Judiciary A.

d. The chairman of the House Committee on Civil Law and Procedure.

SECTION 3: Each member appointed by the governor shall serve at the pleasure of the governor.

SECTION 4: The duties of the committee are to:

a. Identify unfair gender-based terminology, substantive statutes, and administrative rules and regulations with discriminatory application or impact.

b. Recommend specific executive action to the governor and remedial legislation to the legislature to eliminate such unfair and discriminatory laws.

SECTION 5: No member of the committee, other than a member of the legislature serving on the committee, shall receive a per diem or other compensation for services pursuant to this order. Members of the legislature serving on the committee shall receive a per diem in accordance with law.

SECTION 6: The committee is authorized to accept grants, donations, appropriations, or other contributions of money or services from public or private sources and to expend the same to carry out its duties pursuant to this order.

SECTION 7: The attorney general's office is directed to provide the committee with available staff or other assistance as necessary.

SECTION 8: The division of women's services shall coordinate the 50 States Project for the executive branch departments and agencies.

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 13th day of August, 1984.

Edwin Edwards  
Governor of Louisiana

#### **EXECUTIVE ORDER EWE 84 - 17**

WHEREAS, the well-being of Louisiana's economy traditionally has been linked to oil and natural gas; and

WHEREAS, a substantial decline in the state's oil and natural gas production and proved reserves is expected to continue through the year 2000; and

WHEREAS, the state has reached a critical point in the transition from abundant to increasingly scarce supplies of oil and natural gas; and

WHEREAS, increased coordination between state agencies and industry representatives will help to maintain the integrity

of the oil and natural gas production, transportation, refining, and consuming sectors of the state;

NOW THEREFORE I, EDWIN EDWARDS, Governor of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: The Governor's Task Force on Louisiana Oil and Gas is hereby created within the Department of Natural Resources.

SECTION 2: The task force shall be composed of the secretary of the Department of Natural Resource and eleven members, each of whom shall be appointed by the governor from the oil and natural gas production, transportation, refining, and end-user industries. Each member appointed by the governor shall serve at the pleasure of the governor.

SECTION 3: The duties of the task force are to:

a. Assist the Department of Natural Resources in stimulating exploration and production efforts for oil and natural gas.

b. Assist the Department of Natural Resources in achieving greater consistency in permitting oil and natural gas activities.

c. Recommend changes in the state's standard mineral lease form to serve as inducements toward increased oil and natural gas production.

d. Provide current industry ideas on improvement of production, transportation, and refining capabilities.

e. Recommend legislation to the governor and the legislature which would encourage construction of additional pipeline systems.

SECTION 4: No member of the task force shall receive a per diem or other compensation for his duties pursuant to this order.

SECTION 5: The task force is authorized to receive or accept grants, donations, or contributions of money, supplies, services, or the like from public or private sources and is further authorized to expend any funds made available from these sources to carry out its duties pursuant to this order.

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 13th day of August, 1984.

Edwin Edwards  
Governor of Louisiana

#### **EXECUTIVE ORDER EWE 84-18**

WHEREAS, Louisiana must broaden its economic base by attracting new manufacturing business to the state and by encouraging existing manufacturing operations in the state in order to create labor-intensive businesses which utilize the state's resources; and

WHEREAS, new venture manufacturing businesses will benefit the communities in which they are located by creating jobs, paying taxes, and buying from local suppliers; and

WHEREAS, incentives for the development of businesses should be equitable, comprehensible, and well-publicized to the entire business community, should produce a stable and certain incentive environment, and should be regularly evaluated to determine whether they are achieving the objectives at which they are aimed; and

WHEREAS, balanced efforts by industrial, governmental, and financial entities are necessary to further the state's economic development through the development of a program to overcome barriers to be efficient operation of capital markets;

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

Section 1: The Governor's Task Force for Venture Manufacturing is hereby created in the office of the governor.

Section 2: The purpose of the task force is to formulate a program designed to encourage increased research development, to improve access of new and small firms to equity and debt capital, to encourage entrepreneurial development, and to maintain Louisiana's competitive position in the various product markets.

Section 3: Membership; officers; terms; vacancies

A. The task force shall be composed of nine members, each of whom shall be appointed by the governor from the state at large.

B. The governor shall appoint one member of the task force to serve as chairman. The members of the task force may elect such other officers as is deemed necessary.

C. Members of the task force shall serve at the pleasure of the governor. Any vacancy shall be filled in the same manner as the appointment originally was made.

D. The initial members of the task force shall be: Dr. Roosevelt Steptoe, Chairman; Representative Joseph Accardo; Mr. Lee Griffin, President, Louisiana National Bank; Mr. R. Gene Haggard, Dow Chemical U.S.A.; Mr. Donald C. Haney, President, Baton Rouge Bank; Mrs. Donna Irvin, Executive Secretary; Mr. Ron Fauchaux, Secretary, Department of Commerce; Mr. Fred Loy, Executive Director of Louisiana Chemical Association; and Senator Richard Turnley.

Section 4: The task force shall meet at least quarterly and at other times on call of the chairman. The task force is authorized to hold public hearings with adequate prior notice to the public.

Section 5: The task force is authorized to use the staff, services, and facilities of the Department of Commerce and may request and use such other counsel, personnel, and facilities as may be obtained from any other public or private source, including, but not restricted to, business, labor, and private research agencies, individuals, or organizations.

Section 6: The task force is authorized to receive or accept grants, donations, or contributions of money, services, supplies, or the like from public or private sources and is further authorized to utilize or expend the same to carry out the purposes of this order.

Section 7: No member shall receive a per diem or other compensation for his services pursuant to this order but may receive reimbursement for actual expenses incurred in the performance of his duties in accordance with regulations of the Division of Administration.

Section 8: The task force shall submit written reports of its findings and shall submit written recommendations for legislation to the governor and to the legislature at least 30 days before each regular session of the legislature.

Section 9: This executive order shall remain in effect until modified, amended, or rescinded by the governor, or until terminated by operation of law.

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 13th day of August, 1984.

Edwin Edwards  
Governor of Louisiana

### EXECUTIVE ORDER EWE 84 - 19

WHEREAS, the problems of prison capacities and inmate populations in this state have grown to crisis proportions in recent years; and

WHEREAS, since 1975, the state correctional system has operated under a federal court order and, since 1982, maximum prison capacities have been established by federal court order for all parish prisons and most city jails in the state; and

WHEREAS, the cost of constructing new prison and jail facilities has escalated rapidly since 1975; and

WHEREAS, the problem of prison overcrowding is an interrelated state and local issue which cannot be resolved unless all levels of government act in concert;

NOW THEREFORE I, EDWIN EDWARDS, Governor of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: The Governor's Prison Overcrowding Policy Task Force is hereby established in the Department of Public Safety and Corrections.

SECTION 2: The task force shall be composed of the following members;

- a. One representative of the Office of the Governor.
- b. The chairman of the Senate Committee on Judiciary C.
- c. The chairman of the House committee on the Administration of Criminal Justice.
- d. One representative of the Department of Public Safety and Corrections.
- e. One representative of the Division of Administration.
- f. The executive director of the Louisiana Commission on Law Enforcement and Administration of Criminal Justice.
- g. The chairman of the Board of Pardons.
- h. The chairman of the Board of Parole.
- i. The president of the Sheriffs Association or his designee.
- j. The president of the District Attorneys Association or his designee.
- k. The president of the District Judges Association or his designee.
- l. The president of the Policy Jury Association or his designee.
- m. The president of the Police Chiefs Association or his designee.
- n. One representative of the League of Women Voters.
- o. One representative of business and industry.
- p. One representative of labor.
- q. One representative of the jurisdiction facing severe overcrowding of its jail facilities.
- r. Such other persons to represent a further cross-section of the state as the governor deems necessary.

SECTION 3: Each member of the task force, other than one who holds membership on the task force by virtue of his official position, shall be appointed by the governor to serve at the pleasure of the governor. The governor shall designate one member of the task force to serve as chairman and one member to serve as vice chairman.

SECTION 4: The duties of the task force are to:

- a. Make a comprehensive review of Louisiana's current and projected prison population and capacity statistics.
- b. Review security matters as they relate to prison populations and capacities, and to review the structure of sentencing patterns and statutory provisions having an impact on prison populations.
- c. Study the potential impact of alternatives to incarceration, both upon the operation of the criminal justice system and the safety of the public.
- d. Study the potential impact of correctional programs upon the future investment of public funds and the concerns of the citizens of this state.
- e. Develop long- and short-term strategies to reduce and control the prison overcrowding problem.
- f. Develop resource and technical assistance capabilities to aid state and local agencies facing overcrowding situations.
- g. Design a mechanism for continuous monitoring and management of the prison and jail overcrowding problems at state and local levels.

SECTION 5: The task force shall submit a written report

to the governor and the legislature by March 1, 1985, detailing its findings and recommendations for action and legislation to resolve the overcrowding problem.

SECTION 6: The staff of the Louisiana Commission on Law Enforcement and Administration of Criminal Justice shall serve as the staff of the task force. Additional staff support may be drawn from the Department of Public Safety and Corrections at the discretion of the executive director of the commission, with the concurrence of the secretary of the Department.

SECTION 7: Each department within the executive branch shall provide the task force with such data, information, and statistics, including any relevant manual or computerized data base, as is required by the task force or its staff.

SECTION 8: No member of the task force, other than a legislator serving as a member, shall receive a per diem or other compensation for his services. A legislator serving as a member of the task force shall receive a per diem in accordance with law. Each member shall be entitled to reimbursement for actual expenses incurred in the performance of his duties pursuant to this order in accordance with regulations of the Division of Administration.

SECTION 9: The task force is authorized to accept or receive and to expend grants, donations, appropriations, or other contributions of money, services, supplies, or the like from private or public sources to carry out its duties under this order.

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 13th day of August, 1984.

Edwin Edwards  
Governor of Louisiana

#### **EXECUTIVE ORDER EWE 84-20**

WHEREAS, the potential of the state of Louisiana to serve as a unique, economical, and feasible site for the production of motion pictures, films, and videos is not being fully realized; and

WHEREAS, comprehensive programs must be designed and implemented on a continuing basis to present Louisiana's natural and manmade attributes to prospective film and video producers and therefore to attract this industry to the state;

NOW THEREFORE I, EDWIN EDWARDS, Governor of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: The Louisiana Film and Video Commission is hereby created within the Office of Commerce and Industry of the Department of Commerce.

SECTION 2: Membership terms; compensation

A. The commission shall be composed of the following members:

- (1) The governor, or his designee, who shall serve as chairman.
- (2) The lieutenant governor, or his designee.
- (3) The secretary of the Department of Commerce, or his designee.
- (4) The assistant secretary for commerce and industry of the Department of Commerce, or his designee.
- (5) The chairman of the Louisiana Tourism Development Commission.
- (6) The assistant secretary of the Office of Tourism of the Department of Culture, Recreation, and Tourism.
- (7) The reigning "Miss Louisiana," or other appropriate designee to be appointed by the governor, to serve as a special envoy of the state with the commission for such term as the governor deems appropriate.
- (8) One member who can provide an entree to the film and video industry shall be appointed by the governor.

(9) Twenty-five members shall be appointed by the governor from the state at large.

B. Each member appointed by the governor shall serve at the pleasure of the governor.

C. No member shall receive a per diem or other compensation for the performance of duties pursuant to this order.

SECTION 3: Duties; meetings; quorum; staff

A. The duties of the commission are to:

- (1) Design and administer a program to develop and implement plans and events to promote Louisiana as a film-making and video production location.
- (2) Provide information on available facilities to members of the film and video industry.
- (3) Provide location scouting to the industry at no charge.
- (4) Assist, upon request, members of the industry in obtaining permission to film at certain locations within the state.
- (5) Provide complete background information to the industry on each cultural and historical aspect of Louisiana.
- (6) Maintain a cooperative working relationship with film makers and video producers who presently work or may work in the state.

B. The commission shall meet at least quarterly and at other times upon call of the chairman.

C. A majority of the members of the commission shall constitute a quorum for the transaction of business.

D. The Department of Commerce shall maintain a staff for the commission, composed of, but not limited to, the following:

- (1) The director of the commission, who shall be appointed by and serve at the pleasure of the governor.
- (2) Such other administrative and technical personnel as may be deemed necessary by the Department of Commerce for which funds are made available.

SECTION 4: The secretary of the Department of Commerce shall make provisions in the annual budget request to the legislature for the funding of the commission.

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 14th day of August, 1984.

Edwin Edwards  
Governor of Louisiana

#### **EXECUTIVE ORDER EWE 84-21**

WHEREAS, the Red River Waterway project will make navigation possible along the Red River for the first time in a century; and

WHEREAS, the State of Louisiana has started construction of the first north-south interstate highway in Louisiana in the Red River Valley; and

WHEREAS, private industry is currently undertaking the first mining and industrial use of the Red River Valley lignite coal deposits,

NOW, THEREFORE, I, EDWIN W. EDWARDS, Governor of the State of Louisiana, by virtue of the power vested in me by the constitution and laws of this State do hereby create the Red River Valley Area Council to advise the Governor's Rural Development Council and federal, state and local officials of appropriate responses to these developments.

BE IT FURTHER RESOLVED, that the Council shall be composed of all citizens of the Red River Valley, together with state and federal agency representatives, who actively participate in the committees of the Council.

BE IT FURTHER RESOLVED, that the Council shall have a chairman to be appointed by the Governor, such chairman to serve at the pleasure of the Governor.

BE IT FURTHER RESOLVED, that the Council shall have committees on:

(1) Community Development; (2) Economic Development; (3) Employment and Training; (4) Energy Resource Development and (5) Small and Minority Business Development, the chairman of each of which shall be appointed by the Governor to serve at the pleasure of the Governor.

BE IT FURTHER RESOLVED, that the Council shall be governed by an Executive Committee composed of:

- 1) the chairman
- 2) the chairman of the five Red River Valley Area Council committees of which one shall be co-chairman
- 3) the chairman of the Federal Red River Valley Task Force, who shall serve as the Council Federal co-chairman
- 4) two representatives of federal agencies named by the chairman of the Federal Red River Task Force
- 5) the Assistant Secretary of DOTD for Public Works
- 6) the Secretary of Urban and Community Affairs or his designee
- 7) the Secretary of Labor or his designee
- 8) the Secretary of Natural Resources or his designee
- 9) the Secretary of Commerce and Industry
- 10) Senator from the Red River Valley appointed by the President of the Senate
- 11) Representative from the Red River Valley appointed by the Speaker of the House of Representatives
- 12) Representative, National Association for the Advancement of Colored People
- 13) a Community Action Agency official from the Red River Valley area designated by the Chairman of the Louisiana Association of Community Action Agencies
- 14) representative of an AFL-CIO local having members in the Red River Valley - designated by the State President, AFL-CIO

15) representative of a local Chamber of Commerce in the Red River Valley - designated by the State President of the Louisiana Association of Business and Industry

16) representative of the Minority Business Council of Central Louisiana - designated by the Local President

17) representative of the Red River Valley Association - designated by the Chairman of the Red River Valley Association.

BE IT FURTHER RESOLVED, that the Red River Valley Area Council Executive Committee shall propose means of:

- 1) insuring that residents of the Red River Valley have an opportunity to secure the jobs created by these projects
- 2) meeting the increased demand for public facilities and services that growth will cause
- 3) attracting additional economic development to the Red River Valley
- 4) facilitating the participation of Valley small and minority businesses in the federal construction projects themselves
- 5) obtaining maximum assistance from the United States government in the achievement of these objectives as promised in the President's Small Community and Rural Development Policy

BE IT FURTHER RESOLVED, that the Red River Valley Area Council shall meet at the call of its Chairman, but not less often than twice a year, and shall make an annual report to the Governor and legislature of its activities.

BE IT FURTHER RESOLVED, that the Chairman of the Council, acting on its behalf in consultation with the Executive Committee, is authorized to appoint such professional and clerical staff as may be necessary for the proper discharge of its duties under this Order and is further authorized to contract for, receive, accept and expend any funds made available from public or private sources to carry out the purposes of this order.

IN WITNESS WHEREOF, I have hereunto set my hand of-

officially and cause to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this the 20th day of August, A.D., 1984.

Edwin Edwards  
Governor of Louisiana

#### **EXECUTIVE ORDER EWE 84-22**

WHEREAS, under public law 97-300 (the Job Training Partnership Act), Public Law 94-482 (the Vocational Education Act), and the Wagner-Peyser Act of 1933, the state is responsible for designing a cost-efficient labor market and occupational supply and demand information system which is responsive to the economic demand and educational training support needs of the state; and

WHEREAS, the above-mentioned federal law governing funding for vocational education and job training requires the establishment of a state occupational information coordinating committee to receive federal funds; and

WHEREAS, Section 125(a) of Public Law 97-300, the Job Training Partnership Act, requires the governor to designate an organizational unit to oversee and manage a statewide comprehensive labor market and occupational supply and demand information system;

NOW THEREFORE I, EDWIN EDWARDS, Governor of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: The Louisiana State Occupational Information Coordinating Committee (SOICC) is hereby established in the office of the secretary of the Department of Labor.

A. The committee shall be composed of the following members:

1. The director of the division of rehabilitation services within the Department of Health and Human Resources.
2. A representative of the State Board of Elementary and Secondary Education.
3. The assistant secretary of the office of employment security within the Department of Labor (Administrator).
4. The director of the Job Training Partnership Act program, representing the Governor's State Job Training Coordinating Council.

B. The committee shall be responsible for planning, development and management of a statewide occupational information system. The committee shall coordinate with and serve as liaison to the National Occupational Information Coordinating Council and shall be exclusively responsible for the coordination of occupational information.

SECTION II: A. The office of the secretary of the Department of Labor shall be the organizational unit and fiscal agent responsible for oversight of the statewide comprehensive labor market and occupational supply and demand information system.

B. The statutory members of the SOICC and the secretary of the Department of Labor or his designee shall approve the SOICC Basic Assistance Grant proposal submitted to the National Occupational Information Coordinating Committee.

SECTION III: Each state department and agency is directed to cooperate with the SOICC.

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 21st day of August, 1984.

Edwin Edwards  
Governor of Louisiana

#### **EXECUTIVE ORDER EWE 84 - 23**

WHEREAS, the increasing development of the Lake Pont-

chartrain-Lake Maurepas Basin bears a direct relationship to water quality and to the loss of wetlands; and

WHEREAS, the deterioration of water quality and wetland habitat adversely affects the recreational and commercial uses of the important estuarine system; and

WHEREAS, the need exists for a mechanism to manage the problems of sewerage treatment, urban development and storm-water runoff, saltwater intrusion, and hurricane protection in this area;

NOW THEREFORE I, EDWIN EDWARDS, Governor of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: The Lake Pontchartrain Task Force is established in the office of the secretary of the Department of Natural Resources.

SECTION 2: The task force shall study the feasibility of designating the Lake Pontchartrain-Lake Maurepas Basin a special management area pursuant to the State and Local Coastal Resources Management Act of 1978 (R.S. 49:213.1 et seq.), and shall advise the secretary of the Department of Natural Resources of its findings.

SECTION 3: The task force shall be composed of seventeen members, each of whom shall be appointed by the governor to serve at the pleasure of the governor. The initial members of the task force are as follows:

- |   |  |
|---|--|
| 1. Vernon Parker                            | Department of Health and Human Resources   |
| 2. Virginia Van Sickle                      | Department of Natural Resources            |
| 3. Dale Givens                              | Department of Environmental Quality        |
| 4. Corky Perret                             | Department of Wildlife and Fisheries       |
| 5. Lt. Col. Edward Willis                   | Corps of Engineers                         |
| 6. Willie Hoff                              | Jefferson Parish                           |
| 7. Hubert Shurtz                            | St. Charles Parish                         |
| 8. Arnold Labat                             | St. John the Baptist Parish                |
| 9. Richard Murphy                           | Shell dredging industry                    |
| 10. Albert Poche                            | Tangipahoa Parish/Fisherman's Associations |
| 11. Dick Kelly                              | St. Tammany Parish                         |
| 12. Leonce Haydel                           | St. James Parish                           |
| 13. Purcy Lee                               | Livingston Parish                          |
| 14. Robert Smith                            | Mid-Continent Oil and Gas Associations     |
| 15. Joan Phillips                           | Environmental groups                       |
| 16. John Fineran                            | Private developers                         |
| 17. One representative from Orleans Parish. |  |

SECTION 4: The member appointed from the Department of Natural Resources shall serve as chairman of the task force.

SECTION 5: No member of the task force shall receive a per diem or other compensation for his services pursuant to this order, but a member shall be reimbursed for actual expenses incurred in the performance of his duties in accordance with regulations of the Division of Administration.

SECTION 6: The task force is authorized to use the staff, services, and facilities of the Department of Natural Resources to carry out its duties.

SECTION 7: The task force is authorized to accept and to expend or otherwise utilize grants, donations, appropriations, or other contributions of money, services, or supplies from public or private sources to carry out the purposes of this order.

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 21st day of August, 1984.

Edward Edwards  
Governor of Louisiana

### EXECUTIVE ORDER EWE 84-24

This executive order is issued by virtue of authority vested in me by law, in accordance with the provisions of R.S. 39:1551-1755, the Louisiana Procurement Code. Effective as of the date of my signature below, this order revokes and supersedes Executive Order 82-13 dated May 28, 1982.

R.S. 39:1596: Small Purchases

"Any procurement not exceeding the amount established by executive order of the governor may be made in accordance with small purchase procedures prescribed by such executive order, except that procurement requirements shall not be artificially divided so as to constitute a small purchase under this Section."

Therefore, pursuant to the above authority, in order to discharge my duty and responsibility as directed by the above-quoted section of the state statutes, it is hereby ordered that all state agencies shall observe and abide by the following rules and regulations, and that all purchases shall be made through the central purchasing agency in the division of administration, except where specific authority to purchase any materials or supplies has been delegated in writing by the commissioner of administration.

Therefore, pursuant to the authority vested in me by R.S. 39:1596, each department, institution, board, commission, budget unit, and any other agency of the executive department of state government shall be required to observe and be guided by the following specific directives.

Small Purchases: any procurement not exceeding Five Thousand Dollars (\$5,000) shall be made in accordance with the following small purchase procedures, except those services defined in sub part g, which shall be deemed small purchases regardless of price. Procurement requirements shall not be artificially divided so as to constitute a small purchase under this order.

1. Each agency subject to this order, except those exempted under R.S. 39:1572, is authorized to purchase tagable equipment where the cost does not exceed either \$500 or the amount of the agency's purchasing authority, whichever is lower. All other tagable equipment shall be requisitioned through the central purchasing agency of the division of administration; an exception to this procedure shall require written permission of the commissioner of administration. This in no way eliminates the requirement of purchasing equipment from state contracts in areas where those contracts exist.

2. Each agency of the state government subject to the Louisiana Procurement Code, where the cost is estimated to be above \$100, regardless of whether purchases are made by the central purchasing agency or an agency to which purchasing has been delegated, shall observe the following rules and regulations on small purchases, but maximum competitive bidding shall be obtained in all cases in accordance with R.S. 39:1655. This executive order in no way affects or changes the purchasing authority which has been delegated to an agency.

a. Purchases under \$100. No competitive bidding is required.

b. Purchases over \$100 but under \$500 shall be made by soliciting written price quotations wherever time permits, or if time does not permit, telephone and telegraph quotations may be obtained and purchases made on the basis of the lowest quotation received. However, it shall be determined in writing why time did not permit written quotations.

c. Purchases over \$500 but under \$2,000 shall be made



by soliciting written quotations from at least five (5) bona fide prospective bidders using DA 101 and FACS 101 forms.

d. Purchases over \$2,000 but under \$5,000. No purchase where the estimated cost is over \$2,000 but under \$5,000 shall be made except by sending out written invitations for bids to at least eight (8) bona fide, qualified bidders. In addition, the agency may advertise at its discretion. Written invitations for bids shall contain complete specifications, the quantity required, and shall stipulate that bids will be publicly opened and read at a specific date and time, as well as such other pertinent information such as the delivery point and other information sufficient for a supplier to make an acceptable bid. Agencies shall follow the requirements of the purchasing rules and regulations established by the commissioner of administration in all other aspects of purchasing except as indicated above.

e. Purchases over \$5,000. No purchase where the estimated cost is over \$5,000 shall be made except by advertising in accordance with R.S. 39:1594 (C) and sending out written invitations for bids to at least eight (8) bona fide, qualified bidders. Where feasible, use should be made of the computerized vendor list retained by the central purchasing agency. In addition, each purchase must be made in accordance with the purchasing rules and regulations established by the commissioner of administration.

f. Automotive, Machinery and Equipment Parts:

Repairs and parts associated with those repairs for automobiles and machinery shall be obtained by either:

1. The use of an "Authorized Dealer". (An "Authorized Dealer" is defined as a dealer certified by the manufacturer to perform maintenance on their equipment.)

2. Obtaining competitive bids as indicated above.

g. Exceptions to minimum competitive requirements:

1. Federal government surplus property.
2. Livestock for slaughter when purchased at public auction sale.
3. Purchasing or selling transactions between state budget units.

4. Textbooks, newspapers, subscriptions, or foreign publications, and memberships.

5. Repairs and parts associated with those repairs for heavy equipment, airplanes, and large boats shall be obtained by the use of an authorized dealer.

Repairs and parts associated with those repairs for other equipment in excess of \$5,000 require prior approval of the chief procurement officer.

6. All public utilities.

7. All services provided by local government. Example: garbage pick-up.

h. Telephone or telegraph quotations should be obtained for the following from at least three (3) bona fide, qualified bidders where possible.

1. Farm products which include, but may not be limited to, fresh vegetables, milk, eggs, fish, or other perishable foods.

2. Food, materials, and supplies needed for the operation of boats in isolated localities where only limited outlets of such supplies are available.

3. Food purchased and used in home economics college courses where purchasing, preparing, and serving is part of the regularly prescribed course.

4. Food purchases and other materials and supplies required by juvenile detention homes where the number of the inmates is unstable and unpredictable.

5. Convention and meeting facilities.

6. Gasoline and fuel purchases unless covered by a competitive contract. Gasoline and fuel purchases in excess of \$5,000,

unless covered by a competitive contract, require prior approval of the chief procurement officer.

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 31st day of August, 1984.

Edwin Edwards  
Governor of Louisiana

# Emergency Rules

## DECLARATION OF EMERGENCY

### Department of Agriculture Commissioner of Agriculture

In accordance with the provisions of R. S. 49:963 B, and under the authority granted to the Commissioner of Agriculture under R.S. 3:3203, notice is hereby given that implementation of the rules and regulations recommended by the Advisory Commission on Pesticides and approved by the Commissioner of Agriculture has created an emergency affecting the welfare of the people of Louisiana, in that the rules and regulations for implementation of R. S. 3:3201-3280 presently prohibit the sale of certain pesticides used by homeowners thus affecting the welfare of these individuals.

Therefore, the Commissioner of Agriculture has adopted the following amendment to rule 12.2(A) of the existing rules and regulations for the implementation of R. S. 3:3201-3280 on an emergency basis:

#### 12.2 Restrictions on Application of Certain Pesticides

A. Effective as of July 1, 1984, the commissioner hereby declares that, in addition to all other pesticides classified by E.P.A. as restricted use pesticides, the pesticides listed in rule 12.2 B are classified as restricted use pesticides within the State of Louisiana, except:

- (1) when formulated in concentrations of 2 percent or less, or
- (2) when formulated with fertilizer for use by homeowners, or
- (3) when formulated in containers of one quart or less or two pounds dry weight or less.

Bob Odom  
Commissioner

## DECLARATION OF EMERGENCY

### Department of Agriculture State Entomologist

In accordance with the emergency provisions of LRS 49:953 B, the Administrative Procedure Act, and the authority of the State Entomologist under the provisions of LRS 3:2302, notice is hereby given that the Department of Agriculture, State Entomologist has confirmed the presence of the highly contagious Acarine Mite in the State of Louisiana and the Mite's presence has created an emergency situation affecting the Apiary Industry.

In order to protect the Apiary Industry, the State Entomologist has imposed a quarantine against any and all movement of restricted material within or out of the following parishes: Iberia, St. Mary, St. Martin, Vermillion, Lafayette. Restricted articles in-

clude colonies of bees, nuclei, comb or combless packages of bees, queens, used or second hand beekeeping fixtures or equipment and anything that has been used in operating an apiary.

Under the authority of LRS 3:2303, the State Entomologist, his agents and employees shall inspect for the purpose of ascertaining if any bees are infected with Acarine Mites and may require destruction of any bees or beekeeping fixtures or equipment that may be infected.

To protect the Louisiana apiary industry against Acarine Mites the State Entomologist will adopt permanent rules relating to quarantine in accordance with the rulemaking procedures set forth in LRS 49:951, et seq.

Bod Odom  
Commissioner of Agriculture

## **DECLARATION OF EMERGENCY**

### **Department of Commerce Office of Commerce and Industry Division of Financial Programs Administration**

The Department of Commerce, Office of Commerce and Industry, Division of Financial Programs Administration, is exercising the emergency provisions of the Administrative Procedure Act, R.S. 49:953B, to implement a rule, effective September 5, 1984. The rule will implement the amendments to R.S. 47:4311-4319, the Restoration Tax Abatement Program, authorized by Act 783 of the 1984 Legislative session.

This rule provides for a local governing authority review and approval before the Board of Commerce and Industry considers an application and restricts the exemption to existing commercial structures.

This emergency rule will be in effect for a period of 120 days or until a new rule is adopted in accordance with the Administrative Procedure Act, whichever comes first.

Rules of the Board of Commerce and Industry for Governing Article VII, Part II, Section 21(H) of the Louisiana Constitution and LA. R. S. 47:4311-4319

#### **Restoration Tax Abatement Program**

This is a limited exemption which allows the Board of Commerce and Industry with the approval of the governor and the local governing authority to enter into a contract granting to a property owner who expands, restores, improves, or develops an existing structure or structures in a downtown, historic, or economic development district established by a local governing authority or in accordance with law, the right for five years after completion of the work to pay ad valorem taxes based upon the assessed valuation of the property for the year prior to the commencement of the expansion, restoration, improvement or development.

#### **Rule 1. TIME LIMITS FOR FILING APPLICATION**

Application to the Board of Commerce and Industry for the right for five years after completion of the work to pay ad valorem taxes based upon the assessed valuation of property for the year prior to the commencement of the expansion, restoration, improvement or development shall be filed with the Office of Commerce and Industry, Box 94185, Baton Rouge, Louisiana, 70804-9185 on the form prescribed not later than the two hundred seventieth day after start of construction.

If the construction period is longer than two years, a separate application must be filed for each two year increment. A separate application must be filed for each structure being restored, renovated, improved or developed.

The Department of Commerce will forward the application to the local governing authority for review.

#### **Rule 2. LOCAL GOVERNING AUTHORITIES MUST CERTIFY APPROVAL**

Approval of the exemption must be certified by each local governing authority.

Upon receipt of the application, the local governing authority shall notify each tax recipient body affected by the contract for a limited exemption and shall make available to each body the application and all supporting documents.

Before notifying the board of its approval or disapproval of the application, the local governing authority shall conduct a public hearing. Each affected tax recipient body shall be given written notice of the hearing at least ten days prior to such hearing. After such hearing, the local governing authority shall determine whether to approve or disapprove the application.

The local governing authority shall, within 60 days after receipt of the application from the Department of Commerce, file with the department a statement of its decision to approve or disapprove the application, the reasons therefor, and any supporting documents.

#### **Rule 3. LOCAL GOVERNING AUTHORITIES MUST CERTIFY STRUCTURE IS LOCATED IN QUALIFYING AREA**

The parish or municipal governing authority shall certify that the property on which the expansion, restoration, improvement or development is being made is located within an established downtown, historic, or economic development district, whether established by a local governing authority or in accordance with law. This certification shall be submitted to the Department of Commerce with its decision to approve or disapprove.

#### **Rule 4. LOCAL GOVERNING AUTHORITY SHALL CERTIFY COMMERCIAL USAGE**

The local governing authority shall determine whether the applicant's land usage meets the definition of "commercial property" based on their zoning ordinance, land use plan, downtown or economic revitalization plan, or any other development code and shall certify that the property meets their criteria. This certification shall be submitted to the Department of Commerce along with their recommendation.

#### **Rule 5. ASSESSED PROPERTY**

The Board of Commerce and Industry will not consider for tax exemption any expansion, restoration, improvement or development project if substantial completion occurred prior to October 15, 1982.

Under no circumstances will the Board of Commerce and Industry consider an application for abatement any project for expansion, restoration, improvement or development once ad valorem taxes have been paid on the basis of an assessed valuation which reflects the improvements made by the project.

#### **Rule 6. EFFECTIVE DATE OF CONTRACT**

The owner of the existing structure or structures, shall carefully document the beginning date of the effective use of the structure, and also document the date that construction is essentially complete. The contractee must file that information with the Office of Commerce and Industry on the prescribed Project Completion Report within 30 days following the last day of the month after effective use of the structure has begun or construction is essentially completed, whichever occurs first. The Office of Commerce and Industry will indicate with a return of a copy of that report the effective date of the tax exemption contract, which shall be December 31 of the year in which effective use of the structure began or construction was essentially complete, whichever was sooner.

As the assessment date for Orleans Parish is August 1, the effective date of contract for a structure located in Orleans Parish shall be July 31 of the applicable year.

#### **Rule 7. AFFIDAVIT OF FINAL COST**

Within six months after construction has been completed,

an affidavit of final cost showing complete cost of the exempted project shall be filed on the prescribed form.

**Rule 8. PROPERTY MUST BE REPORTED TO PARISH ASSESSOR AS REQUIRED BY LAW**

The owner of the existing commercial structure agrees to file annually with the assessor of the parish in which the structure is located any taxpayer's report required by law on forms furnished by the assessor in order that the exempted property, may be separately listed on the assessment rolls. Notwithstanding the fact, taxes will be collected on the exempt property during the period of exemption at the assessed valuation of the property the year prior to the commencement of the expansion, restoration, improvement, or development of the property.

**Rule 9. CONTRACT CAN BE TRANSFERRED**

If the property for which the limited exemption has been granted is sold, the limited exemption may be transferred for the remainder of its terms to the new owner, provided such transfer is approved by the local governing authority, the governor and the Board.

**Rule 10. VIOLATION OF RULES OR DOCUMENTS**

On the Board's initiative or whenever a written complaint or violation of terms of the tax exemption rules or contract is received, the Assistant Secretary of the Office of Commerce and Industry shall cause to be made a full investigation on behalf of the Board, and he shall have full authority for such investigation including, but not exclusively, authority to call for reports or other pertinent records or other information from the contractee. If the investigation substantiates a violation, he may present the subject contract to the Board for formal cancellation.

Robert Paul Adams  
Director

**DECLARATION OF EMERGENCY**

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

The Department of Health and Human Resources, Office of Family Security, has exercised the emergency provision of the Administrative Procedure Act, R.S. 49:953B to adopt the following Rules in the Aid to Families with Dependent Children (AFDC) Program. These Rules will be effective October 1, 1984 as mandated by the Deficit Reduction Act of 1984 (P.L. 98-369).

**RULES**

**I. Gross Income Limitation**

The gross income limitation shall be increased to 185% of the State's standard of need.

**II. Work Expense Deduction**

The first \$75 of monthly earnings for full and part-time employment shall be disregarded.

**III. Extension of \$30 Disregard**

The \$30 disregard shall be applied for the first 12 consecutive months in excess of the standard work expense (\$75) and dependent care disregards.

**IV. Extension of Medicaid/Work Transition Status**

A work transition period which provides Medicaid coverage for 9 months to families who lose eligibility for AFDC because of the termination of the one-third disregard shall be established.

Families who have been terminated from AFDC prior to October 1, 1984, because of the loss of the \$30 plus one-third disregard also are eligible for the work transition status and Medicaid, but must disclose any private health insurance coverage at the time of application, must apply within six months from the date regulations become final, and must have been continuously eligible for AFDC if the \$30 and one-third disregard had been applied.

**V. Exclusion of Burial Plots, Funeral Agreements, and Certain Property From Resource Test**

One burial plot and one funeral agreement per family member shall be exempt from the AFDC resource limitation. Real property which the family is making a good faith effort to sell also shall be exempt for 9 months.

**VI. Monthly Reporting**

The following characteristics have been revised or added to the list of characteristics which determine which AFDC and Refugee Resettlement Case households will be included in monthly reporting:

(1) When stepparents income is budgeted

(2) When income is deemed from parents to a minor unmarried mother.

Certifications in which deprivation is based on incapacity (AFDC only) shall be removed as a characteristic.

**VII. Treatment of Earned Income Tax Credit**

Earned Income Tax Credit shall be counted as income only when actually received.

**VIII. Work and Training Requirements For Pregnant Women**

Any woman beginning from the sixth month of pregnancy shall be exempt from the work registration requirement.

**IX. Recalculate Lump Sum Income In Certain Circumstances**

The period of ineligibility based on lump sum income may be recalculated when one or more of the following applies:

(1) As a result of yearly increases in the Need Standard, action to adjust the period of ineligibility as a result of Need Standard increases is required only if the former recipient reapplies for assistance during the period of ineligibility.

(2) Life threatening circumstances arise prior to its expiration which require the assistance unit to expend all or part of the lump sum income in meeting the expenses related to such circumstances.

(3) The lump sum or a portion of the lump sum becomes unavailable as a result of circumstances beyond the client's control, such as verified loss or theft, or the person who received the lump sum leaves the home and makes the money unavailable to the remaining assistance unit.

**X. Overpayment Recoupment**

Recovery of an overpayment will be waived when it can be reasonably assumed that the cost to collect the overpayment will exceed the amount owed. Overpayments of less than \$35 to former recipients will automatically be waived.

**XI. Protective Payments**

Protective payments may be made to a sanctioned individual who is not in compliance with work program or certain child support requirements.

Protective payments may be made to the sanctioned individual only if, after all reasonable efforts have been made, the OFS is unable to identify a suitable protective payee, and prolonging the search may prove detrimental to the child's well-being.

**XII. Eligibility Requirements For Aliens**

An alien is ineligible for benefits, for three years from date of entry into the U.S., when an agency or organization has executed an affidavit of support as a sponsor for that alien's entry into the U.S., unless the OFS determines that the sponsoring agency or organization is no longer in existence, or that it does not have the financial ability to meet the alien's needs.

**XIII. Information With Respect To Fugitive Felons**

OFS may disclose, to state and local law enforcement officers, the current address of any AFDC recipients who are fugitive felons if the law enforcement officer gives the agency the recipient's name and social security number and satisfactorily demonstrates that the recipient is a fugitive felon.

**XIV. Standard Filing Unit and Child Support Disregard**

Parents and all minor siblings living with a dependent child who applies for or receives AFDC shall be included in the filing unit. SSI recipients, stepbrothers and stepsisters are excluded from this requirement. In addition, if a minor who is living in the same home as his/her parents applies for aid as the parent of a needy child, the income of the minor's parents will be counted as available to the filing unit (after applying the same disregards as are applied to the income of stepparents). In addition, the provision establishes a monthly disregard of \$50 of child support received by a family. The disregard is applied both at eligibility determination and at benefit calculation.

#### XV. Earned Income of Full-time Students

For purposes of applying the gross income limitation, the earned income of an AFDC child who is a full-time student may be disregarded under the same limitations with respect to amounts and period of time (not to exceed six months) as are applied in the case of dependent children who participate in a program under the Job Training Partnership Act.

It is necessary to adopt this Emergency Rule to allow for timely implementation of the Deficit Reduction Act of 1984 (P.L. 98-369).

Dr. Sandra L. Robinson, M.P.H.  
Secretary and State Health Officer

### DECLARATION OF EMERGENCY

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

The Department of Health and Human Resources, Office of Family Security, has exercised the emergency provision of the Administrative Procedure Act, R.S. 49:953B to adopt the following Rule in the Food Stamp Program. The Rule entitled "Standard Utility Allowance for the Food Program" which was published in the *Louisiana Register* of January 20, 1984, Volume 10, Number 1, Page 9 is hereby amended.

#### RULE

Effective October 1, 1984, the standard utility allowance in the Food Stamp Program shall be \$161.

It is necessary to adopt the Emergency Rule to avoid the imminent peril to the health and welfare of recipients because without this change current and potential recipients could not benefit from the standard utility allowance increasing from \$145 to \$161.

Dr. Sandra L. Robinson, M.P.H.  
Secretary and State Health Officer

### DECLARATION OF EMERGENCY

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

The Department of Health and Human Resources, Office of Family Security, has exercised the emergency provision of the Administrative Procedure Act, R.S. 49:953B to implement the following Rule in the Title XIX Medical Assistance Program.

#### RULE

Effective October 1, 1984, recipients of Medical Assistance (Title XIX) shall, as a condition of eligibility, be required to assign the right to any medical support or third party resource(s) to the Department of Health and Human Resources for that portion of medical benefits paid by the Medical Assistance Program in their behalf or in behalf of those for whom they are legally responsible.

Emergency rulemaking is necessary to adopt this rule ef-

fective October 1, 1984 as mandated by the Deficit Reduction Act of 1984. (Public Law 98-369).

Dr. Sandra L. Robinson, M.P.H.  
Secretary and State Health Officer

### DECLARATION OF EMERGENCY

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

The Department of Health and Human Resources, Office of Family Security, has exercised the emergency provision of the Administrative Procedure Act, R.S. 49:953B to adopt the following Rule in the Title XIX Medical Assistance Program.

#### RULE

Effective October 1, 1984, the Title XIX State Plan, Attachment 4.19 B, Item 2a (Outpatient Hospital Services), and Item 3 (Other Laboratory and x-ray services in a setting other than a hospital outpatient department or clinic), shall be amended to specify that payment for clinical diagnostic laboratory tests shall be the lower of billed charges or the Medicare fee schedule amount for that service in accordance with Section 2303 of the Deficit Reduction Act of 1984 (Public Law 98-369). This limit also applies to physicians providing the specified laboratory services in their offices and to nonroutine ESRD lab services that are not included in the composite rate. For independent laboratories, physicians, and hospital laboratories acting as independent laboratories (i.e., furnishing tests to nonhospital patients), the fee schedule is set initially at 60 percent of prevailing charges; for hospital laboratories serving hospital outpatients, the initial level is 62 percent of prevailing charges.

All laboratory tests in codes 80002 through 89399 of the *Physician's Current Procedural Terminology Fourth Edition (CPT-4)*, published in 1984, except those listed below are subject to the fee schedule.

#### EXCLUDED CODES

85095 - 85109

85120

88000 - 88139

88141 - 88149

88151 - 88154

88156 - 88399

Additionally, Medicaid shall no longer pay coinsurance or deductible for laboratory tests subject to the fee schedule when Medicare assignment has been accepted, as Medicare reimburses these services at 100% of the fee schedule amount (or, if lower, the actual charge). Medicaid may pay coinsurance and deductible when Medicare assignment is not accepted, as Medicare reimburses these services at 80% of the fee schedule amount, subject to deductible and coinsurance.

Independent and hospital laboratories who furnish laboratory services may bill a nominal amount for the collection of a patient specimen. However, only one collection fee per patient encounter will be permitted.

Physicians may bill for laboratory services only when they personally perform or supervise the test. Hospital laboratories will no longer be reimbursed for outpatient or nonpatient laboratory services furnished under arrangements with independent laboratories or other hospitals, except where the hospital performed some of the tests. Where a hospital performs some of the tests and refers the specimen to another hospital or independent laboratory, either the hospital may bill for all tests or the hospital and the reference laboratory may each bill for the service they provide.

Implementation is subject to approval by the Health Care Financing Administration (HCFA) as required for all Title XIX pol-

icy changes. If disapproved by HCFA, the policy prior to this amendment remains in effect.

This action is necessary in order to ensure compliance with Section 2303 of the Deficit Reduction Act of 1984 which requires that payment of these services after October 1, 1984, must be in compliance with the fee schedule. Federal matching funds will not be available to the extent that the state paid more for a laboratory test than would be paid for such a test under the Medicare fee schedule.

Sandra L. Robinson, M.D., M.P.H.  
Secretary and State Health Officer

## DECLARATION OF EMERGENCY

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

The Department of Health and Human Resources, Office of Family Security, has exercised the emergency provision of the Administrative Procedure Act, R.S. 49:953B to adopt the following Rule in the Title XIX Medical Assistance Program.

#### RULE

Effective October 1, 1984, Attachment 4.19 D, page 29, first paragraph of the Title XIX State Plan shall be amended to read as follows:

Physician recertification is required every 30, 60 and 90 days after admission to the facility and every 60 days thereafter for recipients residing in Skilled Nursing Facilities (SNFs). Recipients residing in Intermediate Care Facilities (ICFs) shall be recertified 60 and 180 days after admission, at 12, 18, and 24 months after admission, and annually thereafter. A ten-day grace period will be allowed if it can be shown that the physician had good cause for missing the deadline.

Implementation is subject to approval by the Health Care Financing Administration (HCFA) as required for all Title XIX policy changes. If disapproved by HCFA, the policy prior to this amendment remains in effect.

It is necessary to adopt this rule on an emergency basis to allow for timely implementation of the Deficit Reduction Act of 1984, (Public Law 98-369).

Dr. Sandra L. Robinson, M.P.H.  
Secretary and State Health Officer

## DECLARATION OF EMERGENCY

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

The Department of Health and Human Resources, Office of Family Security, has exercised the emergency provision of the Administrative Procedure Act, R.S. 49:953B to implement the following Emergency Rule.

#### RULE

Effective September 1, 1984, the following rules concerning therapeutic leave days for residents of Intermediate Care Facilities for the Handicapped (ICFs/H) shall be rescinded:

1. Emergency Rule adopted June 1, 1984, as published in the *Louisiana Register* on June 20, 1984, Volume 10, Number 6, Page 451. This rule rescinded the following two rules:

(a) Rule adopted February 1, 1983, as published in the *Louisiana Register* on January 20, 1983, in Volume 9, Number 1, Page 14. This rule allotted a number of therapeutic leave days per facility to be reimbursable under Title XIX based on the number

of certified recipients enrolled in the facility as of January 1, 1983. This number would have been recomputed annually based on a specified formula. This policy change was disapproved by the Health Care Financing Administration (HCFA) in a letter dated January 20, 1984.

(b) Rule adopted April 20, 1983, as published in the *Louisiana Register* on April 20, 1983, in Volume 9, Number 4, Page 214. This rule amended the first rule by imposing limits for the number of days reimbursable under Title XIX for certain types of absences which are exempt from consideration as therapeutic leave days.

The Medical Assistance Program simultaneously, with the rescission of the above rules, reinstated policy concerning therapeutic leave days as it existed prior to February 1, 1983. This policy is found in the Title XIX State Plan in Attachment 4.19C, Pages 1 and 2 and Attachment 4.19D, Pages 21 and 23.

2. Rule adopted February 1, 1983, as published in the *Louisiana Register* on January 20, 1983, in Volume 9, Number 1, Page 14. This rule allotted a number of therapeutic leave days per facility to be reimbursable under Title XIX based on the number of certified recipients enrolled in the facility as of January 1, 1983. This number would have been recomputed annually based on a specified formula. This change was disapproved by HCFA in a letter dated January 20, 1984.

3. Rule adopted April 20, 1983, as published in the *Louisiana Register* on April 20, 1983, in Volume 9, Number 4, Page 214. This rule amended the first rule by imposing limits for the number of days reimbursable under Title XIX for certain types of absences which are exempt from consideration as therapeutic leave days.

Effective September 1, 1984, the Medical Assistance Program hereby amends the policy regarding the number of therapeutic leave days which are reimbursable under Title XIX for residents of ICFs/H from the current limit of 25 days per recipient per calendar year to 45 days per recipient per fiscal year where permitted by the recipient's plan of care. For the fiscal year 1984-85, the 45-day limitation will begin on September 1, 1984. For subsequent fiscal years, the 45-day limitation will be recomputed each July 1.

Leave days for the following purposes shall be excluded from the annual 45-day limitation per recipient:

1. Special Olympics
2. Roadrunner sponsored events
3. Louisiana planned conferences
4. Trial discharge leaves—limited to 15 days per occurrence

The above exclusions shall be applicable to all Title XIX ICF/H recipients effective September 1, 1984. When absences for the above purposes exceed the limit, additional days may only be reimbursed under Title XIX if included in the total number of therapeutic leave days claimed for the ICF/H recipient within the recipient's allotment of leave days.

Implementation of this rule is dependent on the approval of HCFA. Disapproval of the change by HCFA will automatically cancel the provisions of this rule and current policy will remain in effect.

This Emergency Rule is necessary to institute an equitable leave day policy which promotes the health and well-being of recipients in the ICFs/H as dictated in each recipient's plan of care. The recent change in the number of leave days from 25 to 50 and back to 25 in June, 1984, has resulted in some recipients depleting their 25 days for 1984. This means that some recipients will not be able to visit their families for the two approaching major holidays. This is a significant problem because of the special needs of these recipients diagnosed as mentally retarded. They may be living some distance from their families and, therefore, need overnight visits

during the approaching holidays. The policy must be effective immediately to enable recipients with no leave days for 1984 to spend the Thanksgiving and Christmas holidays with their families.

Dr. Sandra L. Robinson, M.P.H.  
Secretary and State Health Officer

## DECLARATION OF EMERGENCY

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

The Department of Health and Human Resources, Office of Family Security, has exercised the emergency provision of the Administrative Procedure Act, R.S. 49:953B to adopt the following rules in the Title XIX Medical Assistance Program. These rules will be effective October 1, 1984, as mandated by the Deficit Reduction Act of 1984 (P.L. 98-369).

#### RULES

I. The Medical Assistance Program shall enact Medicaid coverage for first-time pregnant women from medical verification of pregnancy. This group of eligibles must meet AFDC eligibility requirements. This group is currently covered only in the last trimester of pregnancy.

II. The Medical Assistance Program shall enact Medicaid coverage for pregnant women in two-parent families. Eligibility for Medicaid coverage begins from verification of pregnancy and when the principal breadwinner becomes unemployed or underemployed. This group of eligibles must meet AFDC income and resource requirements. The AFDC eligibility factors of deprivation, WIN/work registration and referral to Child Support Enforcement Services are not required.

AFDC-unemployed parent eligibility for Medicaid assistance requires that the principal wage earner be unemployed or underemployed (less than 100 hours per month) for a minimum of 30 days, have an earnings history, not be unemployed as a result of a strike, or not refuse a bona fide offer of employment within the 30-day period without good cause. AFDC-unemployed parent eligibility begins on the expiration of the 30-day waiting period, and only the pregnant woman qualifies for Medical Assistance benefits.

III. The Medical Assistance Program shall implement policy which deems eligible a child born to a woman eligible for and receiving Medicaid at the time of birth. The child's deemed eligibility is applicable for one year or as long as the woman remains eligible and the child remains a member of the household.

IV. The Medical Assistance Program shall implement policy to provide Medicaid coverage to children born on or after October 1, 1983, up to age five, if the family meets all AFDC eligibility criteria. Deprivation will not be an eligibility factor for this group, and children in two-parent families may be eligible under this provision.

V. The Medical Assistance Program shall implement Supplemental Security Income (SSI) resource policy for determining countable resources with regard to retroactive SSI and OASDI benefit payments. Social Security Administration and SSI retroactive payments shall not be considered as a resource for six months after the month in which the payment is received.

VI. AFDC recipients who become ineligible for a grant as a result (wholly or partly) of the collection or increased collection of child or spousal support, and who have received such aid in at least three of the six months immediately preceding the month in which such ineligibility begins, shall be deemed Medicaid eligible for an additional four calendar months beginning with the month in which such ineligibility began.

It is necessary to adopt these rules on an emergency basis to allow for timely implementation as mandated by the Deficit Reduction Act of 1984, (Public Law 98-369).

Dr. Sandra L. Robinson, M.P.H.  
Secretary and State Health Officer

# Rules

## RULE

### Department of Commerce Racing Commission

The Louisiana State Racing Commission, at its meeting of August 23, 1984, formally amended the following Rules of Racing.

Rule LAC 11-6:45.1 (renumbered LAC 35:9901) To Read as follows:

"In claiming races any horse is subject to being claimed for its entered price by any racing interest recognized by the Commission, by any licensed horse owner, or his authorized agent, but only for the account of the person making the claim, or for whom the claim was made by the agent (provided, however, that no person shall claim his own horse or a horse in which he has an interest or cause his horse to be claimed directly or indirectly for his own account). Also, a claim may be made by any person who has established his qualifications to claim by filing an application for license as a horse owner and has been granted a certificate authorizing the claim by the stewards at the meeting where a horse is to be claimed. A claim certificate shall not be issued until all conditions and qualifications for a horse owner's license have been met or completed. A claim certificate thus issued will be void if no claim is made within 30 days of issuance, and the owner's license will be withdrawn."

Rule LAC 11-6:53.37.1 (Renumbered LAC 35:1775) To Read as follows:

"The following procedure is hereby established for the testing of a split or referee sample.

After a horse has voided and its urine collected for testing, the volume of urine collected shall be split or divided into approximately equal parts, one being processed for initial laboratory testing for the detection of the presence of prohibited drugs or substances therein. The remaining part shall be identified as the split or referee sample to be processed for future testing under the procedures hereby established.

Should blood be drawn at the test or retaining barn for testing, it shall be split or divided into approximately equal parts to be processed for testing by the initial test and the split or referee test if timely requested. If the blood is from a two year old horse, the specimen tag shall so indicate.

The veterinarian in charge of the test barn shall indicate on the specimen or sample tag sent to the chemical testing laboratory, along with any sample, the fact that the specimen was taken from a two year old horse.

Within five days from the date the stewards notify a trainer that the initial laboratory test on a urine or blood specimen from a horse entered and raced by him was positive for the presence of a prohibited drug or substance, the trainer must request the stewards to have the split or referee sample tested by an alternate laboratory as provided herein. At the time of his request the trainer must deposit the sum of \$300 with the stewards to cover all expenses to be incurred in testing the split or referee sample. The stewards shall forward the \$300 deposit to the state chemical testing laboratory. Failure of a trainer to make a timely request to the stewards

constitutes a waiver of any and all rights to have the split or referee sample tested.

A trainer timely requesting a testing of a split or referee sample may select any one of the laboratories, classified and designated as alternate laboratories, to perform the testing.”

Albert M. Stall  
Chairman

## **RULE**

### **Board of Elementary and Secondary Education**

Notice is hereby given that the Board of Elementary and Secondary Education, pursuant to Notice of Intent published on June 20, 1984 and under the authority contained in Louisiana State Constitution (1974), Article VIII, Section 3; Act 455 of the Regular Session; amended by Act 800 of the 1979 Regular Session, adopted as policy, the rules listed below:

Rule 3.01.70w(1)a

If within a two-year period, an institution of higher education has undergone a successful NCATE visit and has also completed Bulletin 996 in preparation for a state approval visit, the State Department of Education may recommend approval of the teacher education program at the institution if the Department can assure the State Board of Elementary and Secondary Education that the standards of Bulletin 996 have been met.

Rule 3.03.05

The Board adopted revised Rule 3.03.05. (See June, 1984 issue of Louisiana Register for context of rule.)

Rule 4.03.01

The Board adopted the Annual Program Plan (FY 1985) and Accountability Report (FY 1983) for the Administration of Vocational Education. (Copy of Plan on file in Board office.)

Rule 3.02.19

The Board adopted the following as policy:

Teacher Aides/Paraprofessionals

“Teacher aides/paraprofessionals are members of the teaching staff and thus are part of the school faculty. Accordingly, they have benefits based on the Teacher Benefit Law and BESE policy except for tenure and sabbatical leave. They also have the same rights as those of a non-tenured/probationary teacher in relation to grievance procedures and disciplinary action.”

Rule 3.01.70.v(22)(1)

The Board extended the temporary employment permit for the 1984-85 school year with the added proviso that as of September 20, 1984, a speech pathologist can be reissued a permit under the Board policy only if evidence is presented to the State Department of Education that the NTE has been retaken within one year from the date the permit was last reissued.

Rule 3.01.70.v(37)

The Board extended the Board policy for hiring full-time and part-time noncertified school personnel to remain in effect until July 1, 1985.

James V. Soileau  
Executive Director

## **RULE**

### **Department of Health and Human Resources Office of Preventive and Public Health Services**

In accordance with the laws of the State of Louisiana, R.S. 40:1103 and the provisions of the Louisiana Sanitary Code, Chapter II, section 2:020, in reference to the responsibility of any person attending at a childbirth, the State Health Officer has determined that the following prophylactic agents are acceptable for

use in the eyes of all newborn infants in order to prevent ophthalmia neonatorum:

- 1) silver nitrate solution (1%) in single-dose ampules
- 2) erythromycin (0.5%) ophthalmic ointment or drops in single-use tubes or ampules,
- 3) tetracycline (1%) ophthalmic ointment or drops in single-use tubes or ampules.

In addition, it is noted that erythromycin and tetracycline are preferred because they are effective in preventing both gonococcal and chlamydial ophthalmia neonatorum.

Sandra L. Robinson, M.D., M.P.H.  
Secretary and State Health Officer

# **Notices of Intent**

## **NOTICE OF INTENT**

### **Department of Agriculture Livestock Sanitary Board**

In accordance with the provisions of LSA 49:951, et seq., the Administrative Procedure Act, and LSA 3:2095, relative to the power of the Livestock Sanitary Board to deal with diseases of animals, notice is hereby given that the Livestock Sanitary Board will conduct a public hearing on September 27, 1984, at 1:00 at the State Capitol, Baton Rouge, LA, for consideration of the following proposed amendments and/or additions to the Regulations of the Board:

#### **PROPOSED RULES**

Part C of Section 8 of Regulation 1 is hereby amended to read as follows:

“(C) The State Veterinarian may prohibit the entry of birds, eggs, or poultry by-products into Louisiana from any state which has an area under quarantine due to a contagious and/or infectious disease which, in his opinion, may seriously threaten the health of Louisiana poultry”.

Part G of Section 8 of Regulation 1 is added to read as follows:

“(G) Prior to January 1, 1985, the interstate movement of exhibition poultry to Louisiana livestock and/or poultry shows is prohibited. After January 1, 1985, exhibition poultry brought into Louisiana shall be accompanied by an official health certificate stating that all the animals are free from visible signs of infectious and/or contagious diseases and originate from United States Pullorum-typhoid clean or equivalent flocks, or have had a negative pullorum-typhoid test within thirty days (30 days) prior to entry”.

Part 3 of Section 1 of Regulation 28 is being amended to read as follows:

“(3) All horses offered for sale at Louisiana auction markets must be accompanied by record of negative test for Equine Infectious Anemia (Coggins test) conducted within the past 12 months at an approved laboratory. If the horse is accompanied by a health certificate rather than a negative test record, the health certificate must indicate the horse is negative for E.I.A., the date the test was conducted, the name of the approved laboratory where the test was conducted, and the laboratory case number.

All horses not accompanied by documents indicating the animal(s) was tested negative for E.I.A. within the past twelve

months (12 months) will be branded with the letter "S" on the left shoulder prior to the sale and sold for slaughter only. Such equidae sold for slaughter must be consigned from the auction market on a VS 1-27 permit to an approved slaughtering establishment or approved E.I.A. quarantined holding area.

All equidae arriving at an auction market that have previously been identified as E.I.A. reactors will be sold for slaughter only and must be reconsigned from the auction market on a VS 1-27 permit to an approved slaughtering establishment or approved E.I.A. quarantined holding area".

Part 1 of Section 4 of Regulation 28 will be amended to read as follows:

"(1) Animal(s) positive to the Coggins test will be quarantined to the owner's premises and kept a minimum distance of two hundred yards (200 yards) between the positive equidae (horses, mules, jacks, etc.) and equidae owned by other individuals. If the positive animal(s) is sold, it must be sold for slaughter and a VS 1-27 permit must be issued by state/federal personnel to move the animal(s) from the premises to slaughter".

Part 3 of Section 4 of Regulation 28 is hereby amended to read as follows:

"(3) All animal(s) positive to the Coggins test will be properly identified as outlined in Section 1, Paragraph 2, of this regulation (Regulation 28). The identification of the animal(s) will be done by state personnel".

Written comments will be accepted by Dr. William B. Fairchild, State Veterinarian, Box 1951, Baton Rouge, LA 70821, or may be presented in person at the hearing.

All interested persons will be afforded an opportunity to present data, views, or arguments orally, or in writing, at the hearing.

Bob Odom  
Commissioner

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

#### **Rule Title: Amendment to Equine Infectious Anemia Rule**

##### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)**

It is estimated that adoption of these regulations will not cause the state or local governments to incur any additional costs or savings.

##### **II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)**

It is estimated that adoption of these regulations will cause a \$10,000 decrease in self-generated revenues due to fewer testing samples being submitted.

##### **III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)**

Cost of Equine Infectious Anemia test would be shifted to the seller of horses at Louisiana auction markets. The seller could expect to receive an additional 100 to 200 dollars for the sale of horses tested negative when compared to the price received for horses sold that are of unknown status. There will be a minimal cost to owners of E.I.A. positive horses to maintain the E.I.A. positive horses a minimum distance of 200 yards away from horses owned by other individuals. Out-of-state exhibitors would have a minimal expense incurred in obtaining a health certificate to show their poultry at Louisiana live-stock poultry shows.

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

The adoption of these regulations will not affect competition or employment.

William B. Fairchild  
State Veterinarian

Mark C. Drennen  
Legislative Fiscal Officer

### **NOTICE OF INTENT**

#### **Department of Commerce Real Estate Commission**

Notice is hereby given that the Louisiana Real Estate Commission plans to amend the following rule: 34.5.6 (b) to require applicants for renewal of their instructor's certificate to have on file with the commission, beginning in 1986, a test score meeting the minimum requirement established by the commission, completed within the last year, or proof of completion of 12 hours of continuing education in a course approved by the commission and proof of having instructed three classroom hours in a course approved by the commission.

Copies of the proposed rule will be available for public inspection between the hours of 8 a.m. and 4:30 p.m. on any working day at the office of the Louisiana Real Estate Commission, 9542 Brookline Avenue, Baton Rouge, La., and may be obtained by writing Anna-Katherine Williams, Executive Director, Louisiana Real Estate Commission, Box 14785, Baton Rouge, La. 70808.

Interested parties may direct inquiries and present their views in writing to Ms. Williams.

Anna-Katherine Williams  
Executive Director

### **Fiscal and Economic Impact Statement For Administrative Rules Rule Title: Instructor Renewal**

##### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)**

None.

##### **II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)**

None.

##### **III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)**

Individuals would be required to pay examination fee directly to testing service or continuing education course tuition directly to the school.

The cost of the test is estimated to be \$35/year. The cost of class hours will vary depending on subject matter and the place of instruction.

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

The proposed rule will establish additional restrictions on the renewal license for real estate instructors beginning in 1986. The impact of these new restrictions is not expected to significantly reduce the number of instructors licensed to teach real estate courses, thus there should be little impact on the cost or availability of such courses.

However, persons taking courses from instructors meeting the more restrictive license requirements should benefit from more qualified instructors.

Anna-Katherine Williams  
Executive Director

Mark C. Drennen  
Legislative Fiscal Officer



## NOTICE OF INTENT

### Board of Elementary and Secondary Education

The Board of Elementary and Secondary Education intends to adopt the following as policy:

1. The Board adopted the following for inclusion into Bulletin 741 as applicable to all grade levels:
  - a) All athletic contests shall be scheduled *after* school hours.
  - b) When possible, no instructional time should be missed by student athletes when traveling to athletic events.
  - c) If teams are allowed to be released from school early to attend these events, release time should be kept to a minimum and the Louisiana High School Athletic Association's "Regular Season Release Time Plan" must be followed when determining the release time to be used.
  - d) All classwork missed by student athletes while attending athletic events must be made up as soon as possible in the same manner that would be required of other students.
  - e) The championship playoff season is viewed as something "special" for the entire school and therefore will be treated differently when determining release time.

2. The Board approved the following amendment to Bulletin 741 to clarify the definition of "Co-curricular":

#### *Co-curricular Activities*

"Those activities that are relevant, supportive, and are an integral part of the program of studies in which the student is enrolled and which are under the supervision and/or coordination of the school instructional staff."

3. The Board amended Bulletin 741 by deleting Standards 1.176.23 and 2.176.23 and rewriting Standards 1.176.22 and 2.176.22 as follows to clarify that Vocational funds may (rather than shall) be used to support vocational student organizations:

#### **Standards 1.176.22 and 2.176.22**

Vocational funds may be used to support activities of vocational student organizations which are described in the five-year State Plan for the Administration of Vocational Education and which are an integral part of the vocational instruction offered. The vocational student organizations described in the State Plan for the respective vocational program areas are:

#### Agriculture

Future Farmers of America (FFA)

#### Business Education

Future Business Leaders of America (FBLA)

#### General Cooperative Education

General Cooperative Education Clubs (GCE)

#### Health Occupations

Health Occupations Students of America (HOSA)

#### Home Economics

Future Homemakers of America/Home Economics Related Occupations (FHA/HERO)

#### Industrial Arts

Louisiana Industrial Arts Student Association (LIASA)

#### Marketing and Distributive Education

Distributive Education Clubs of America (DECA)

#### Trade and Industrial Education

Vocational Industrial Clubs of America (VICA)

Refer to P.L. 94-482 "Education Amendments of 1976" as implemented by the Federal Register, Vol. 42, No. 191—Monday, October 3, 1977.

4. The Board approved the revised Home Study Guidelines developed by the State Department of Education in compliance with Acts 446 and 448, R.S. 1984.

## HOME STUDY GUIDELINES

(Pursuant to R.S. 17:236, and 17:236.1)

### 1. DEFINITION

A home study plan for the purposes of these Guidelines is a program in which an approved curriculum can be implemented under the direction and control of a parent or a tutor.\*

### 2. ELIGIBILITY

Any child eligible by Louisiana Law to attend Louisiana elementary or secondary schools shall be eligible to participate in a home study plan. The home study plan does not replace the provisions of the State home-bound law.

### 3. APPLICATION PROCESS

#### A. Initial Application

- 1) An initial application must be made within 30 days after the beginning of the program to the State Department of Education for review and recommendation to the State Board of Elementary and Secondary Education.

- 2) The initial application shall be accompanied by a certified copy of the birth certificate of the child.

#### B. Renewal Application

- 1) A renewal application must be made by the first of October of the school year, or within twelve months of the approval of the initial application, whichever is later.

- 2) A renewal application, *after the 1984-85 school year*, shall be approved if parents submit to the State Board of Elementary and Secondary Education satisfactory evidence that the program offered a sustained curriculum of a quality at least equal to that of public schools at the same grade level.

Initial and renewal applications shall be approved at the discretion of the State Board of Elementary and Secondary Education.

### 4. INSTRUCTOR

A parent or tutor\* may be permitted to provide instruction in a home study plan.

### 5. CURRICULUM

#### A. For the 1984-85 School Year

The home study program shall have a sustained curriculum of a quality at least equal to that offered by public schools at the same grade level.

#### B. *After the 1984-85 School Year*

The sustained curriculum must be substantiated in one of the following ways:

- 1) A packet of materials which shall include as a minimum the following documents:

- a. a complete outline of each of the subjects taught during the previous year

- b. lists of books/materials used

- c. copies of the student's work

- d. copies of the student's standardized test results

- e. statements by third parties who have observed the child's progress

- f. any other evidence of the quality of the program being offered, or

- 2) Verification that the child took the State Basic Skills Test and scored at or above the State performance standard as established by the State Board of Elementary and Secondary Education for his/her grade level, or

- 3) Verification that the child has taken the California Achievement Test (CAT) or such other standardized examinations as may be approved by the local school board and the child has scored at or above his/her grade level or the child has progressed at a rate equal to one grade level for each year in home study, or

- 4) A statement from a teacher certified to teach at the child's

\*Tutor: Court appointed guardian under Louisiana Law.

grade level stating that the teacher has examined the program being offered and that in his/her professional opinion this child is being taught in accordance with a sustained curriculum of quality at least equal to that offered by public schools at the grade level, or in the case of children with mental or physical disabilities, at least equal to that offered by public schools to children with similar disabilities. The teacher evaluation is subject to review and approval of the State Board of Elementary and Secondary Education.

In order to receive a Louisiana state equivalency diploma, the student must pass the General Educational Development (GED) test. Completion of a home study program does not entitle the student to a regular high school diploma.

#### 6. TESTING (After the 1984-85 School Year)

A parent of a child in home study may request of the city/parish superintendent or the State Superintendent, that the child be administered the State Basic Skills Test or Louisiana State Assessment Test under the following conditions:

A. Dates of the test shall be in May and September and on such other dates as determined by the city/parish superintendents or State Superintendent.

B. A fee covering actual costs of administering, scoring, and reporting the results of the test of up to \$35.00 may be charged.

C. The examination shall be administered with the same instructions and under similar conditions as provided to children enrolled in public schools.

D. A certified teacher administering the test shall promptly provide the parent a statement indicating the child's score and whether he/she passed the examination by meeting the State performance standard on the State Basic Skills Test or the established performance standard on the Louisiana State Assessment Test.

#### 7. PROVISIONS FOR ADMISSION OR READMISSION TO THE PUBLIC SCHOOL SYSTEM

A. The local public school system shall have a written policy included in the local Pupil Progression Plan for admission or readmission of home study students to public schools.

1) The policy will provide for the screening and evaluation of such students and shall include examinations to determine the grade level at which students should be admitted.

2) The policy shall include the administration of the Basic Skills Tests for grades 2-5 or the Louisiana State Assessment Program tests, for grades 7 and 10 for school year 1984-85. Copies of the test will be provided by the State Department of Education.

B. At the grade levels in which state-level tests are not available, the local school system will submit for State Department of Education approval the examination instrument which measures the State adopted grade level standards. These instruments may include any one of the following: 1) locally developed systemwide criterion reference test, 2) locally adopted commercial criterion-referenced test, or 3) locally adopted commercial norm-referenced test.

C. Other screening and evaluation instruments or procedures to be applied in the grade level placement decision must be detailed and submitted for State Department of Education approval.

#### 8. DUE PROCESS

The due process procedures for resolution of disagreements at the local level pertaining to the application and reauthorization of the home study plan shall follow the procedures established by the State Board of Elementary and Secondary Education in its Policies and Procedures Manual.

#### 9. COSTS

All reasonable costs directly attributable to the home study program shall be borne by the parents.

5. The Board adopted a definition and interpretation of "Support

Services" to be used by the State Department of Education as criteria in the dispersal of P.L. 94-142 (Part B) Funds as follows:

"The predominant role of "support service" personnel is to maintain direct contacts in the field with pupil, service providers\*, and/or parents of pupils who are suspected of being handicapped or who have been identified as being handicapped."

\* Service providers are defined as the following personnel:

- 1) Instructional personnel,
- 2) appraisal personnel,
- 3) related service providers, and
- 4) hearing officers.

6. The Board approved the interim certification requirements for foreign associate teachers under the auspices of CODOFIL and Cordell Hull as follows:

#### INTERIM CERTIFICATION

#### FOR

#### FOREIGN ASSOCIATE TEACHERS

Interim Certification for Foreign Associate Teachers recruited under the auspices of the Council for the Development of French in Louisiana (CODOFIL) and Cordell Hull Foundation for International Education. To be eligible for this short-term certification, Foreign Associate Teachers must meet the following requirements:

1. They must be recruited and selected by their respective governments and by either CODOFIL or the Cordell Hull Foundation.

2. They must be certified teachers in their home country.

3. They must have a minimum of two years teaching or related experience.

The Interim Certification is for one year, renewable for up to a maximum of three years, based on an annual evaluation conducted by the local school system and the Department of Education.

These associate teachers shall be employed only when a school district shows evidence that no certified Louisiana teacher is available (BESE Policy).

These associate teachers shall be employed at the same salary on an hourly basis based on the beginning state salary schedule for a beginning teacher with a baccalaureate degree and certificate.

In accordance with R.S. 17-273, these associate teachers shall be in addition to the regular teacher allotment, and local systems shall be reimbursed in the same manner as for regular teachers.

The Interim Certificate is valid for one academic year and may be renewed for a second and third year. Teachers will not receive tenure or salary increment based upon Louisiana teaching experience; however, they will benefit from any state-side salary increase.

7. The Board approved the following policy on Revocation of Teaching Certificate for Cause:

#### REVOCATION OF TEACHING CERTIFICATE FOR CAUSE

1. A Louisiana Teaching certificate may be denied or revoked if a certified court record indicates that the individual has received a final conviction by any state or federal court of a felony offense.

2. Upon receiving notice that a teacher has been convicted of a felony offense, defined by Louisiana law, Revised Statutes 14:2(4), as being any crime for which an offender may be sentenced to death or imprisonment at hard labor, the State Department of Education shall immediately suspend the teacher's certificate. The Department shall promptly notify the person whose

certificate is so suspended by registered mail to his last known address and by any other means reasonably designed to inform the affected teacher of the suspension and his right to a hearing. Upon request by the affected teacher, the Board shall order a due process hearing to determine if the teaching certificate should be revoked or reinstated. Advance notice of the charge and the time of the hearing shall be given to the teacher involved and the teacher involved shall be allowed to present witnesses and documents in his or her defense and shall be allowed to cross-examine any witnesses against him. The teacher shall also be permitted representation by counsel at the hearing.

3. The due process committee shall make a recommendation to the full Board regarding whether the teacher's teaching certificate should be revoked. The decision of the Board shall be promptly transmitted to the teacher affected.

4. The provisions of this section shall apply only to teachers who are not under contract with a city or parish school board at the time of revocation.

5. A teacher whose certificate has been revoked under the provisions of this part may only apply for reinstatement three years or later after the effective date of the revocation of his or her certificate. The due process committee of the Board may conduct a hearing to determine if the former teacher has rehabilitated himself or herself sufficiently to warrant reinstatement of the teaching certificate.

Interested persons may comment on the proposed policy change and/or additions, in writing, until 4:30 p.m., November 8, 1984 at the following address: State Board of Elementary and Secondary Education, P. O. Box 49064, Capitol Station, Baton Rouge, LA 70804-9064.

James V. Soileau  
Executive Director

**Fiscal and Economic Impact Statement  
For Administrative Rules  
Rule Title: Athletic Contests**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)  
There will be no implementation costs.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)  
There will be no effect on revenue collections.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)  
There will be no effect on costs and benefits.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
There will be no effect on competition and employment.

Joseph F. Kyle  
Deputy Superintendent for  
Management and Finance

Mark C. Drennen  
Legislative Fiscal Officer

**Fiscal and Economic Impact Statement  
For Administrative Rules  
Rule Title: Co-curricula**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)  
There will be no cost or saving to the agency.

- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)  
There will be no effect on revenue collections.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)  
There will be no effect on costs and benefits.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
There will be no effect on competition and employment.

Joseph F. Kyle  
Deputy Superintendent for  
Management and Finance

Mark C. Drennen  
Legislative Fiscal Officer

**Fiscal and Economic Impact Statement  
For Administrative Rules  
Rule Title: 1.176.22, 2.176.22**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)  
There will be no estimated implementation costs or savings to the agency.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)  
There will be no effect on revenue collections.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)  
There will be no costs, but all students will be able to participate in Vocational Education organizations.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
No effect.

Joseph F. Kyle  
Deputy Superintendent for  
Management and Finance

Mark C. Drennen  
Legislative Fiscal Officer

**Fiscal and Economic Impact Statement  
For Administrative Rules  
Rule Title: Academic Programs**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)  
It will cost the Department approximately \$500 to print the guidelines and letters to parents and superintendents and to mail the information.  
The frequency with which the various verification options will be selected cannot be determined. However, if it is assumed that all of the approximately 850 home study participants select to use the competency-based education examination in lieu of submission of other materials, it is estimated that 200 students would request testing through the Department of Education, based on proximity to Baton Rouge, at a maximum cost of \$7,000 to the State for administering, scoring and reporting of test results, while 650 students would be tested by local school systems at a total maximum cost of \$22,750.  
The cost to local school systems associated with screening and evaluation of home study students entering or re-entering the public school system cannot be determined.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

Parents may be assessed a fee of up to \$35 to cover the cost of administering, scoring and reporting the results of a competency-based test associated with a home study renewal application. At the maximum fee of \$35, the potential exists for a collection of \$29,750 (\$7,000 - state; \$22,750 - local systems) based on the assumption stated in I. above.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)

Parents of home study participants will be required to assume costs associated with requirements for applications and renewal applications. A fee of up to \$35 may be charged by the state or local school system for administering, scoring and reporting of competency-based test results associated with renewal applications.

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

There is no immediate impact anticipated.

Anne K. Stewart  
Associate Superintendent

Mark C. Drennen  
Legislative Fiscal Officer

**Fiscal and Economic Impact Statement  
For Administrative Rules  
Rule Title: Support Services**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)  
There is no estimated implementation costs (savings) to agency.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)  
There is no estimated effect on revenue collections.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)

There is no estimated costs and benefits to affected groups.

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

There is no estimated effect on competition and employment.

Joseph F. Kyle  
Deputy Superintendent for  
Management and Finance

Mark C. Drennen  
Legislative Fiscal Officer

**Fiscal and Economic Impact Statement  
For Administrative Rules  
Rule Title: Interim Certification Requirements**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)  
No significant increase in costs is anticipated. In conjunction with issuance of an ancillary certificate to foreign associate teachers, the salaries of these teachers will be removed from the Elementary and Secondary Education budget unit and placed in the Minimum Foundation Program budget.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

In 1985-86, it is anticipated that 150 teachers would be issued certificates at a fee of \$25 each, for a total increased fee collection of \$3,750.

In 1986-87, it is estimated that 100 teachers would renew certification at \$10 each and that 75 teachers would be issued initial certification at \$25 each for a total increased fee collection of \$2,875.

In 1987-88, it is estimated that 125 teachers would renew certification and that 75 would be issued initial certificates, for a total increased fee collection of \$3,125.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)

Cost to individual foreign associate teachers would be \$25.00 for the initial certificate and \$10.00 each year thereafter for renewing certificates.

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

This action will have no effect on competition and employment.

Joseph F. Kyle  
Deputy Superintendent for  
Management and Finance

Mark C. Drennen  
Legislative Fiscal Officer

**Fiscal and Economic Impact Statement  
For Administrative Rules  
Rule Title: Revocation of Teaching Certificates**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

There is no estimated costs (savings) to state or local governmental units.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

There is no estimated effect on revenue collections.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)

There is no estimated costs and/or economic benefits except to those few individuals whose certificates could potentially be revoked under the proposed rule.

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

There is no estimated effect on competition and employment.

James Soileau  
Executive Director

Mark C. Drennen  
Legislative Fiscal Officer

**NOTICE OF INTENT  
Office of the Governor  
Division of Administration  
Facility Planning and Control Department**

The Commissioner of Administration intends to adopt regulations and procedures for the procurement of rented or leased space by state agencies.

Rental and Lease Procedure and Regulations  
(For distribution to user agencies)

I.

Authority, Policy and Purpose

A. The Statutes

Louisiana Revised Statutes provide that all agreements for the lease or rental of space shall be made by the agency whose offices and/or activities are to be housed, but shall be made and entered into only with the approval of the Commissioner of Administration. (Louisiana Revised Statutes, Chapter 17 of Title 39 (R.S. 39:1551-1736) with particular reference to 39:1641-1643). The Commissioner has designated the Facility Planning and Control Department to administer this function.

It is the policy of the Division of Administration to acquire for State agencies the best rental or lease space for the least dollar

amount with the greatest amount of competition between and among lessors of privately-owned facilities.

Agency is defined in R.S. 39:2(1) and the fact that an agency is a non-budget agency shall not be a test as to whether this Section shall be applicable.

#### B. Purposes

The purpose of these Procedures and Regulations are to simplify and clarify the procurement practices for the renting and leasing of space for State agencies, to provide increased economy and efficiency in procurement activities, to foster more effective competition for bid space and ensure fair and equitable treatment of all persons involved, to enable greater public confidence in the lease procurement process, and to maintain a procurement system of quality and integrity.

#### C. Exceptions

These provisions do not apply to:

Exempt agencies.

- (1) Colleges, universities and trade schools.
- (2) The Department of Transportation and Development.
- (3) The Military Department.
- (4) Any agency which is established as a corporate entity and enjoying corporate status.

(5) Any agency or office exempted by executive order of the Governor.

Exempt types of space.

- (1) Space for the storage of voting machines.
- (2) Institutional buildings such as hospitals, clinics, and buildings at educational, penal, and correctional institutions.

### II.

#### Space Acquisition Method

The Facility Planning and Control Department will retain the originals of the pertinent leases and will notify the affected User Agency, reminding them when their lease is about to expire.

All standard forms mentioned herein are available on request from Facility Planning and Control.

Every lease for the use of 2,500 square feet or more of space in a privately owned building entered into by a State agency as lessee shall be competitively bid and awarded, pursuant to R.S. 39:1594-1595.

Any lease for the use of less than 2,500 square feet may be negotiated by the User Agency, subject to approval by the Division of Administration.

#### A. Request for Approval

All leases and lease amendments, including amendments both for space of less than 2,500 square feet which is to be negotiated, and for 2,500 square feet or more which is to be bid, must be preceded by a Request for Approval Form RL-2. The User Agency prepares and forwards to the Rental and Lease Section a Request for Approval Form RL-2 on which agency requests for space, location and terms of lease are detailed. The RL-2A Form gives guidelines to assist the agency in completing RL-2.

In preparing Request for Approval Form RL-2, the User Agency checks its request for space against the "Standards for Capital Projects, Section IIIB, Net Space Requirement", a copy of which is given in the Appendix.

The Budget Office of the Division of Administration will examine the request in relation to authorized programs, funds, and personnel, and Facility Planning and Control will approve, take under advisement, or disapprove the User Agency request, taking into consideration the existing or offered price per square foot of rental space, which is deemed comparable by Facility Planning and Control.

#### B. Space Less Than 2,500 Square Feet

After approval by Facility Planning and Control of the requested space of less than 2,500 square feet, the User Agency ne-

gotiates for the desired space, and submits an RL-1 Form to Facility Planning and Control. Facility Planning and Control will submit the RL-1 Form to the Budget Office for approval of the lease expenditure.

Facility Planning and Control will request the Fire Marshal to make his inspection and report; Facility Planning and Control will also request liability insurance for the user space. The lease is executed, first by the lessor, then by the lessee, who is the User Agency or Department. Then the lease package, containing four copies of the executed lease, the purchase order, the RL-1, and the Fire Marshal's report is approved or disapproved by Facility Planning and Control. Should a lease be disapproved, it is returned to the Requisitioning Agency. Copies of executed leases are distributed, two copies to the User Agency, and one copy each to the lessor and the Legislative Fiscal Office and the original retained by Facility Planning and Control. Copies of the Standard State Lease, the RL-2 and RL-2A Forms are given in the Appendix.

#### C. Space 2,500 Square Feet or Greater

##### 1. Advertisement and Notice

As required by R.S. 39:1643, leases for the use of 2,500 square feet or more of space are to be awarded pursuant to R.S. 39:1594 which requires adequate public notice of the invitation for bids to be given at least 20 days prior to bid opening date. This notice is by written notice to bidders on a bid list maintained by Facility Planning and Control and by advertising in the official journal of the state and in a newspaper of general circulation in the parish where the property is to be leased. The requirement of R.S. 39:1643 is implemented in the following manner.

##### 2. The Bid Package

Facility Planning and Control receives the RL-2 Form from the User Agency and prepares the bid package, which includes:

RL-3 Invitation to Bid.

RL-4 Bid Proposal Form.

RL-5 Specifications for Lease.

RL-6 Sample Lease.

Facility Planning and Control forwards the bid package to the User Agency for its final opportunity to review and comment prior to distribution to prospective bidders. Any reservations or objections to the bid package must be submitted to Facility Planning and Control within five days, and the decision of Facility Planning and Control as to the reflection of any requested changes is final.

##### 3. Bid Opening

The bid package is then advertised and transmitted to prospective bidders. Bids are opened by Facility Planning and Control on the specified date. Facility Planning and Control evaluates the bids and sends a tabulation to the Assistant Commissioner with a copy to the Legislative Fiscal Officer.

##### 4. Agency Notification and Report

On receipt of bids, the User Agency is notified and has a representative visit all bid premises, and the agency reports to Facility Planning and Control concerning conformity with advertised specification. The apparent successful bidder is notified of the intent to award, and the agency is notified.

##### 5. RL-1 Form and Lease Completion

Just as for space less than 2,500 square feet, the User Agency requesting space of 2,500 square feet or more must submit a Space Rental Requisition RL-1 Form to Facility Planning and Control. Facility Planning and Control will transmit this form to the State Budget Office to ascertain that the required funds are budgeted.

The lease completion procedure is also the same as for space less than 2,500 square feet. Facility Planning and Control requests the Fire Marshal to make his inspection and report; Facility Planning and Control also requests liability insurance for the user space.

The lease is executed, first by the lessor, then by the lessee. The lessor must furnish evidence of acceptable financial resources to Facility Planning and Control as provided in Section V below. The lease package, containing four copies of the executed lease, the purchase order, the RL-1, the Fire Marshal's report and a copy of the advertisement of the bid is approved by Facility Planning and Control. Following this approval, copies of the executed and approved lease are distributed, two copies to the User Agency, and one copy each to the lessor, the Legislative Fiscal Office and the original retained by Facility Planning and Control.

### III.

#### Renovation and New Construction

Space requirements of the state may be met by lessors utilizing any of the following:

Owned or leased space ready for occupancy.

Owned or leased space renovatable for occupancy on or before the proposed or required due date.

Owned or leased new construction to be completed on or before the proposed or required due date.

Bidders or prospective lessors shall indicate which type space is being offered, the specific space to be confirmed in an affidavit by the successful lessor at the time he executed his lease.

Offerors of space not ready for occupancy shall provide sketch plans and outline specifications, or such equivalent representations of the planned renovations or remodeling, or the building to be constructed, so as to demonstrate suitability of the space offered for the use intended.

If such an offeror is the apparent successful offeror or bidder, he must submit suitable evidence of his financial responsibility. Such suitable evidence is described below in Section V. He **must** also submit preliminary plans and outline specifications of the space which he will provide.

### IV.

#### Additional Requirements of Lessor

Any lessor of space, either less than 2,500 square feet or 2,500 square feet or greater, must return a signed lease, and the accompanying affidavit, within ten days after receipt of same for his execution.

### V.

#### Determination of Responsibility

A. In addition to providing preliminary plans, outline specifications, or equivalent satisfactory representations of planned renovations or building construction, to qualify as responsible a prospective lessor must:

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

2. Have the necessary experience, organization, technical qualifications, skills, and facilities, or have the ability to obtain them (this may include subcontractor arrangements).

3. Be able to comply with the proposed or required occupancy date.

4. Have a satisfactory record of contract performance.

B. In order to make a determination of responsibility on the part of the lessor and to assist him in determining that the lessor meets the standards in Section A, Facility Planning and Control may request information as follows:

1. A letter of commitment from the bank or other institution financing the project and addressed to Facility Planning and Control stating the amount and terms of commitment to the lessor.

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

3. Other existing information within the agency or another State department, including financial data, the list of debarred and ineligible bidders and records concerning lessor performance.

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

5. Information from other sources, including banks, other financial companies, State departments and agencies, and courts.

### VI.

#### Resolution of Controversies

##### A. Right to Protest

Any prospective lessor who is aggrieved in connection with the solicitation or award of a contract may protest to the Rental and Lease Administrator. Protests with respect to a solicitation shall be submitted in writing no later than ten days prior to the opening of bids. If a person protests a solicitation, an award cannot be made until said protest is resolved. Protests with respect to the award of a contract shall be submitted in writing within 60 days after bid opening or 14 days after contract award, whichever is later. Said protest shall state fully and in particularity the reason for protest. If a protest is made with respect to the award of a contract, work on the contract cannot be commenced until it is resolved administratively.

##### B. Decision

The Assistant Director, Facility Planning and Control, must notify the protesting party in writing and the Legal Counsel of the Division of Administration within 14 days after receipt of said protest whether or not the protest is denied or granted. If the protest with reference to the solicitation is granted, the solicitation will be cancelled and reissued. If the protest with reference to the award is granted, then the lease will be voided and the remaining solicitations may be re-evaluated for another selection. If another selection cannot be made or if it appears to be in the best interest of the State, a new solicitation will be issued.

##### C. Appeal

If an aggrieved party is not satisfied with the rendered decision, then that party may appeal said decision in writing to the Commissioner of Administration within seven days of the decision. The protesting party should fully explain the basis of his appeal. The Commissioner then must render a decision in writing within 14 days of receipt of the appeal. The Commissioner's decision is final and an aggrieved party may bring judicial action within six months from receipt of said decision; but Facility Planning and Control may proceed with an award after the Commissioner so decides.

### VII.

#### Emergency Procurement

Facility Planning and Control may make emergency procurements when there exists an imminent threat to the public health, welfare, safety or public property. The declaration of an emergency must be made in writing fully documenting the nature of the emergency, the circumstances leading up to the emergency and a description of the threat to public health, welfare, safety or public property.

### VIII.

#### Alterations, Modifications and Additional Space Requirements

In the event alterations or modifications of space currently under lease are required to meet changed operating requirements, a lease may be amended. Such lease amendment may, with approval of the Division of Administration, provide an adjustment in monthly lease payments not to exceed 25 percent of the original lease price per square foot, sufficient to reimburse the lessor for paying for the leasehold improvements. Provided, however, that any adjustment in monthly lease payments shall also require the approval of the Joint Legislative Committee on the Budget and the continuance of an adjustment in excess of 20 percent of the cur-

rent lease shall be further contingent on the appropriation of funds therefor in the following fiscal year.

In the event a lessee agency requires additional adjacent space and it is available at the same price as that now occupied, the agency may contract for up to 2,500 additional square feet, in accordance with Section II, Subsection A and B. Additions of 2,500 square feet or more are to be bid in accordance with Section II, Subsection C.

The additional space added is to be only that for which the requirement could not reasonably have been foreseen at the time of execution of the lease or at option renewal; the additional adjacent space provision is not to be used to circumvent the bid law.

#### IX.

#### Revised Statutes

These regulations shall be read and interpreted jointly with Chapter 17 of Title 39.

Interested persons may comment on the proposed rules at the following address: Joseph P. Gossen, Assistant Director, Facility Planning and Control, Box 44095, Baton Rouge, LA 70804-4095.

Joseph P. Gossen  
Assistant Director

### **Fiscal and Economic Impact Statement For Administrative Rules Rule Title: Procurement of Rental Space**

#### I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

The implementation of the revised rules will result in no change in costs to any governmental unit.

#### II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

The implementation of the revised rules will have no effect on the revenue collections of any governmental unit.

#### III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)

These proposed rules and regulation would essentially change the existing procedures to the format they were in prior to April 1984. The change with clarifications should alleviate some procedural problem expressed by agencies and vendors. The proposal also incorporates the new law governing alterations, modifications and additional space requirements. The proposed rules and regulation should provide for a more effective and efficient real estate leasing process.

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

The implementation of the revised rules will have no effect on competition and employment.

Stephanie L. Alexander  
Commissioner of Administration

Mark C. Drennen  
Legislative Fiscal Officer

### **NOTICE OF INTENT Office of the Governor Division of Administration Department of the State Register**

The Department of the State Register within the Division of Administration hereby gives notice in accordance with the Administrative Procedure Act, R.S. 49:950-970, that it intends to adopt Rules on Rules for the codification of all state agency rules and regulations into a comprehensive *Louisiana Administrative Code*.

Rules on Rules  
Chapter 1. Preliminary Provisions.

#### §101. Title of Official Legal Codification

The official legal codification published pursuant to R.S. 49:954.1 shall be known as the "Louisiana Administrative Code."

#### §103. Citation of the *Louisiana Administrative Code*

Without prejudice to any other mode of citation the *Louisiana Administrative Code* may be cited by Title and Section number. The approved short form of citation to the *Louisiana Administrative Code* is "LAC." Thus, "LAC 1:2" refers to Section 2 of Title 1 of the *Louisiana Administrative Code*.

#### §105. Arrangement of the *Louisiana Administrative Code*

The *Louisiana Administrative Code* shall be arranged as follows:

A. The *Louisiana Administrative Code* will be divided into Titles which shall be subdivided as follows:

1. Parts, identified by Roman numerals, beginning with each Title;
2. Chapters, identified by Arabic numerals, beginning with each Title;
3. Subchapters, identified by capital letters, beginning with each Chapter;
4. Sections, identified by Arabic numerals, beginning with each Title.

B. The Sections of the *Louisiana Administrative Code* shall be subdivided into the following parts:

1. Subsections, identified by capital letters, beginning with each Section;
2. Paragraphs, identified by Arabic numerals, beginning with each Subsection;
3. Subparagraphs, identified by lowercase letters, beginning with each Paragraph;
4. Clauses, identified by lowercase Roman numerals, beginning with each Subparagraph.

C. It should be noted that not every Title will be subdivided into Parts, but every Title will have at least one Chapter; not every Chapter will have a Subchapter, but every Chapter will have at least one Section.

D. Sections which are subdivided may have no more than four levels of subdivisions. Sections which consist of definitions in alphabetical order do not need subdivision labels for each definition. Each definition shall begin at the first indent level and are also unlabeled. Other lists within Sections, if in alphabetical order, do not need labels. A single Paragraph within a Section is not labeled.

#### §107. Headings not to be used in Construing

Titles, Parts, Chapters, Subchapters and Sections will have a heading. This heading will not govern, limit, modify, or in any manner affect the scope, meaning, or intent of the provisions of the *Louisiana Administrative Code*. These headings are merely an explanation of what is in that unit of the *Louisiana Administrative Code* and should be stated in as few words as possible.

#### §109. Tenses, Gender, and Number

Except as otherwise stated in any Title, Part, Chapter, Subchapter, or Section of the *Louisiana Administrative Code*, the present tense includes the past tense and future tense, and the future, the present tense; the masculine gender includes the feminine and neuter, the feminine includes the masculine and neuter, and the neuter includes the masculine and feminine; and the singular includes the plural, and the plural, the singular.

#### Chapter 3. Publication of the *Louisiana Administrative Code* And the *Louisiana Register*.

##### Subchapter A. *Louisiana Administrative Code*

§301. Contents of the *Louisiana Administrative Code*  
The *Louisiana Administrative Code* shall contain all effec-

tive rules adopted by each agency subject to the Louisiana Administrative Procedure Act and all boards, commissions, agencies, and departments of the Executive Branch. The *Louisiana Administrative Code* will also contain effective executive orders. Any rules which would be unduly cumbersome, expensive, or otherwise inexpedient to publish may be excepted and a notice stating the general subject matter and how a copy may be obtained substituted.

§303. Periodic Supplementation of the *Louisiana Administrative Code*; Index

At least once each year all rules and executive orders required to be codified in the *Louisiana Administrative Code* by §301 of this Title which have been filed with the Department of the State Register will be published and distributed as an integral part of this Code, or the effective Title or part thereof may be reissued. The index and any tables shall be similarly supplemented.

Subchapter B. *Louisiana Register*

§305. Citation of the *Louisiana Register*

Without prejudice to any other mode of citation the *Louisiana Register* may be cited by volume and page number. The approved short form of citation to the *Louisiana Register* is "LR" Thus, "LR 3:801" refers to material beginning on page 801 of Volume 3 of the *Louisiana Register*.

§307. Contents of the *Louisiana Register*

Each issue of the *Louisiana Register* will contain a Table of Contents arranged alphabetically by agency within the following categories: Committee Reports, Emergency Rules, Executive Orders, Notices of Intent, Potpourri, and Rules.

§309. Federal Rules, Standards or Guidelines

A. If an agency proposes or adopts federal rules or portions thereof, the requirement that the full text thereof be filed with the Department of the State Register and published in the *Louisiana Register* shall be satisfied by including in the text of the proposed or adopted rules a statement that the agency proposes to adopt or is adopting such federal rules with a specific citation to the *Federal Register* or *Code of Federal Regulations* where the text appears.

B. If an agency proposes or adopts as rules the standards or guidelines, or portions thereof, of any professional, trade or other association or entity, the requirement that the full text be filed with the Department of the State Register and published in the *Louisiana Register* shall be satisfied by including in the text of the proposed or adopted rules a specific citation to the standards or guidelines and filing with the Department of the State Register a copy of such standards or guidelines.

C. In accordance with the Louisiana Administrative Procedure Act, the agency shall be required to file the full text of adopted rules, including federal rules, standards and guidelines in the agency's principal office.

§311. Frequency of Publication of the *Louisiana Register*

The *Louisiana Register* shall be published at least once a month and shall contain all previously unpublished items required to be published and which are duly filed by the Department prior to the closing date of each issue.

§313. Table of Sections Affected

Each issue of the *Louisiana Register* will contain a numerical list of the Sections of the *Louisiana Administrative Code* expressly affected by the documents published in the issue. Beginning with the second issue of each quarter, each issue will also carry a cumulative list of the Sections of the *Louisiana Administrative Code* affected by the documents published during that quarter.

Subchapter C. Copies and Reproductions.

§315. Copyright

All information published in the *Louisiana Administrative Code* or the *Louisiana Register* which includes, but is not limited to, cross references, tables of cases, notes of decisions, tables of contents, indices, source notes, authority notes, numerical lists, and codification guides, other than the actual text of rules or regulations may be reproduced only with the written consent of the Department of the State Register. Any such information which appears on the same leaf with the text of any rule or regulation, however, may be incidentally reproduced in the connection with the reproduction of such rule or regulation, if such reproduction is for the private use and not for resale. There shall be no other restrictions on the reproduction of information published pursuant to this Part, and the State hereby consents to any such reproduction.

§317. Photocopies and Fees

The Department of the State Register or an agency shall provide a copy of any rule to the public upon request in writing or in person. The public will be charged statutory or other reasonable fees for photocopies of rules.

Chapter 5. Effect of Publication

§501. Official Text of Published Documents

The official text of any document required or authorized to be published under this Title, shall from the date of such publication be the only valid and enforceable text of such document regardless of any discrepancy between such official text and the agency text of such document that thereafter any amendment to such document shall be drawn as an amendment to the official text thereof; that if any agency discovers a discrepancy between the agency text and the official text of a document, the agency shall forthwith deposit, without regard to the requirements relating to notice of proposed rulemaking and adoption of regulations, with the department an appropriate corrective amendment to the official text; that the agency may specify that such amendment shall be effective as of the effective date of the defective official text; that only persons who have had actual knowledge of the discrepancy shall be affected by such amendment prior to the publication of the official text thereof in the manner prescribed by the Administrative Procedure Act; and that the purpose of such requirement is to permit the public to rely absolutely upon the correctness of the text of a regulation, statement of policy or other document as published under this Title by declaring such published text to be the only legal evidence of the valid and enforceable text of such regulation, statement of policy or other document.

§503. Constructive Notice

Unless otherwise specifically provided by statute the publication under this Title of any document required or authorized by this Title to be so published shall, except in cases where notice by publication is insufficient in law, be sufficient to give notice of the contents of such document to any person subject thereto or affected thereby.

§505. Judicial Notice

The contents of the *Louisiana Administrative Code*, the supplements thereto, and the *Louisiana Register* shall be given judicial notice.

Interested persons may submit comments on this proposed rule at the following address: Ms. Mai Abington, Director, Department of the State Register, Box 44095, Baton Rouge, LA 70804.

Mai Abington  
Director



**Fiscal and Economic Impact Statement  
For Administrative Rules  
Rule Title: Rules on Rules**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

We are asking each department, board, commission, etc. to compile, check with our office, index and "clean-up" their own rules by administrative law. It is conceivable their existing legal section or one person in each office will be able to work with us to accomplish this. If it requires having someone to do this job, it will still be cheaper than trying to do it through the Department of the State Register's small staff.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

The Department of the State Register will realize revenues from volumes of the Code which are sold to non-State agencies.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)

The cost per volume of the Code or per set will not be more than it will take to continue the updating. It will also be accessible in all depository libraries in each parish of the State.

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

There will be no effect on competition and employment.

Mai Abington  
Director

Mark C. Drennen  
Legislative Fiscal Officer

**NOTICE OF INTENT**

**Governor's Special Commission on Education Services**

The Scholarship Division of the Governor's Special Commission on Education Services advertises its intent to adopt a policy to establish the criterion on the Governor's Scholars Program.

Scholarships are provided to Louisiana's most meritorious

high school students attending Louisiana colleges and universities.

For interested persons a public hearing will be held October 3, 1984 from 2:30 p.m. until 4:30 p.m., Louisiana State Capitol, House Committee Room 5, Baton Rouge, LA, 70804.

Evelyn Y. Henry  
Executive Director-Coordinator

**Fiscal and Economic Impact Statement  
For Administrative Rules  
Rule Title: Scholar's Program**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

	Scholarships	Administrative
Implementation Costs: FY 84/85 - \$1,061,460 = \$1,000,000	\$61,460	
FY 85/86 - \$2,058,329 = \$2,000,000	\$58,379	
FY 86/87 - \$2,059,413 = \$2,000,000	\$59,413	

Funding for FY 84/85 have been provided contingent upon availability of funds.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

None.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)

Eligible students attending public and independent colleges and universities shall receive \$2,000 annually for scholarships.

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

Encourage Louisiana's most meritorious students to study in Louisiana's public and independent colleges and universities.

Evelyn Y. Henry  
Executive Director-Coordinator

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 the following rule in the Medical Assistance Program.

#### PROPOSED RULE

Effective December 1, 1984, the Title XIX State Plan, Attachment 4.19-D, page 41, paragraph B shall read as follows:

#### B. Closing a Patient Fund Account

The facility is to refund to the individual or responsible party, upon the recipient's discharge, the balance in his personal account and that portion of any advance payment not applied directly to the facility fee used by the recipient.

Upon the death of a recipient, the facility should notify the next of kin advising of the amount of such funds as of the date of death. The funds would then be held by the facility until the next of kin notifies as to whether a succession will be opened. If a succession is to be opened, the facility is to turn over the funds to the administrator of the estate, if one, or according to the judgment of possession. If no succession is to be opened, the facility should make the funds payable to the estate of the deceased, and the funds given to the responsible party of record. If the funds are retained by the facility and the responsible party (legal guardian, administrator of the estate, or person placed in possession by court judgment) fails to obtain the funds within three months after the date of death, the facility should notify the Public Administrator or Curator of vacant successions of the Parish in which the facility is located. The notice should provide detailed information about the decedent, his next of kin, and the amount of funds which are on hand in the decedent's name. The facility shall continue to retain the funds until an order from a court specifies that the funds are to be turned over to the Public Administrator or Curator of vacant successions. If no order or judgment is forthcoming, the facility shall retain the funds for ten years from the death of the decedent. Thereafter the facility is responsible for delivering the unclaimed funds to the State Collector of Revenue.

This action is necessary in order to bring the Title XIX State Plan into compliance with Louisiana Revised Statutes 9:158 and 9:160 as outlined in a letter from the Public Administrator of the State of Louisiana addressed to the Office of General Counsel and dated November 18, 1982. The proposed rule revises the procedure to provide for disposition of unclaimed personal funds of deceased residents of Intermediate Care Facilities I and II (ICFs I and II), Skilled Nursing Facilities (SNFs) and Intermediate Care Facilities for the Handicapped (ICFs/H).

Implementation is subject to approval by the Health Care Financing Administration (HCFA) as required for all Title XIX policy changes. If disapproved by HCFA, the policy prior to this proposed amendment remains in effect.

Interested persons may submit written comments to the following address: Marjorie T. Stewart, Assistant Secretary, Office of Family Security, Box 44065, Baton Rouge, LA 70804. Mrs. Stewart is the person responsible for responding to inquiries regarding this proposed rule. A copy of the proposed rule and its fiscal and economic impact statement is available for review in each local Office of Family Security.

A public hearing on the proposed rule will be held on October 3, 1984, in the Louisiana State Library Auditorium, 760 Riverside, Baton Rouge, Louisiana beginning at 9:30 a.m. All interested persons will be afforded an opportunity to submit data, views, or arguments, orally or in writing, at said hearing.

Dr. Sandra L. Robinson, M.P.H.  
Secretary and State Health Officer

## Fiscal and Economic Impact Statement For Administrative Rules Rule Title: Closing a Patient Fund Account

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)  
As this proposed rule involves only a procedural change in the disposition of deceased recipients' personal funds, no implementation costs are involved.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)  
There will be no effect on revenue collections.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)  
There will be no costs and/or economic benefits to directly affected persons or non-governmental groups.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
There will be no effect on competition and employment.

Marjorie T. Stewart  
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 the following rule in the Medical Assistance Program.

#### PROPOSED RULE

Effective December 1, 1984, the names of those drugs identified as less than effective and those drugs identified as identical, related or similar to less than effective drugs, in accordance with provisions of Section 2103 of the "Omnibus Budget Reconciliation Act of 1981" (P.L. 97-35), will no longer be published in the *Louisiana Register*. The effectiveness of these drugs were and continue to be determined by the Food and Drug Administration (FDA) in the Drug Efficacy Study Implementation (DESI); therefore these drugs will be referred to as DESI drugs.

Reimbursement for DESI drugs has been and will continue to be disallowed because Section 2103 prohibits the use of federal funds under Medicare, Part B, and Medicaid for expenses incurred on or after October 1, 1981, for these drugs.

Providers enrolled in the Title XIX Medical Assistance Program will be notified by letter, prior to termination of payments, when a drug has been added to the DESI list and a current list of DESI drugs will be maintained in the Chapter XIX Medical Assistance Manual. The names of drugs, as they are added to the DESI list, are published on a periodic basis by the FDA in the *Federal Register*. Identical products made by manufacturers not shown are also excluded from payments.

This action is based on the June 20, 1984, Dallas Regional Medical Services Letter No. 84-25 to State Agencies Administering Approved Medical Assistance Plans recommending that procedures be enhanced for notifying enrolled Title XIX providers of additions to the list of DESI drugs and for denying payment of these drugs on a timely basis. The letter further states that reimbursement for DESI drugs must cease on the day the FDA notice is published in the *Federal Register*.

Federal regulations published in the *Federal Register* on October 1, 1981 (46 FR 48550) and October 21, 1981 (46 FR 57646) specify that Medicaid State Agencies notify their providers

and suppliers of those drugs which have been added to the DESI list and for which reimbursement will not be made.

Implementation is subject to approval by the Health Care Financing Administration (HCFA) as required for all Title XIX policy changes. If disapproved by HCFA, the policy prior to this proposed amendment remains in effect.

Interested persons may submit written comments to the following address: Marjorie T. Stewart, Assistant Secretary, Office of Family Security, Box 44065, Baton Rouge, LA 70804. Mrs. Stewart is the person responsible for responding to inquiries regarding this proposed rule. A copy of the proposed rule and its fiscal and economic impact statement is available for review in each local Office of Family Security.

A public hearing on the proposed rule will be held on October 3, 1984, in the Louisiana State Library Auditorium, 760 Riverside, Baton Rouge, LA beginning at 9:30 a.m. All interested persons will be afforded an opportunity to submit data, views, or arguments, orally or in writing, at said hearing.

Dr. Sandra L. Robinson, M.P.H.  
Secretary and State Health Officer

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

#### **Rule Title: Cease Publication of DESI Drug Lists**

#### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)**

There will be no costs or savings because reimbursement for DESI drugs has been and will continue to be disallowed because Section 2103 of P.L. 97-35 prohibits the use of federal funds under Medicare, Part B, and Medicaid for expenses incurred on or after October 1, 1981, for DESI drugs.

#### **II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)**

There will be no effect on revenue collections.

#### **III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)**

There will be no costs and/or economic benefits to directly affected persons or non-governmental groups.

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

There will be no effect on competition and employment.

Marjorie T. Stewart  
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 the following rule in the Support Enforcement Program.

#### **PROPOSED RULE**

The Department of Health and Human Resources, Office of Family Security shall implement individual income tax refund offset provisions as authorized by La. R.S. 47:299.1 through 299.19 effective January 1, 1985.

Under the provisions of these statutes, the Support Enforcement Program will request withholding of any state income tax refunds due to individuals who have child support arrearages in excess of \$50 which are payable to the Department of Health and Human Resources.

Interested persons may submit written comments to the following address: Marjorie T. Stewart, Assistant Secretary, Office of Family Security, Box 44065, Baton Rouge, LA, 70804. Mrs. Stewart is the person responsible for responding to inquiries regarding this proposed rule. A copy of the proposed rule and its fiscal and economic impact statement is available for review in each local Office of Family Security.

A public hearing on the proposed rule will be held on October 3, 1984 in the Louisiana State Library Auditorium, 760 Riverside, Baton Rouge, LA, beginning at 9:30 a.m. All interested persons will be afforded an opportunity to submit data, views or arguments, orally or in writing, at said hearing.

Dr. Sandra L. Robinson, M.D., M.P.H.  
Secretary and State Health Officer

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

#### **Rule Title: Support Enforcement - Tax Withholding**

#### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)**

Implementation of this proposed rule will result in an increase of \$22,900 in operating expenses to the Office of Family Security in 1984-85. The state share of this increase will be \$6,780. Additionally, \$163,403 of amounts collected will be paid out to non-AFDC clients and as incentives to District Attorneys. The total cost to OFS is estimated to be \$186,303 in 1984-85, \$201,207 in 1985-86 and \$217,303 in 1986-87.

#### **II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)**

Implementation of this proposed rule will result in an increase of \$34,257 in revenues to be retained by the state in 1984-85. Additionally, \$163,403 will be collected and paid to non-AFDC clients and as incentives to District Attorneys. An added \$50,542 will be the federal share. Total collections will be \$248,202 in 1984-85, \$268,058 in 1985-86 and \$289,502 in 1986-87.

#### **III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)**

La. Department of Revenue will incur additional computer programming, accounting, reporting for intercepting income tax refunds, and mailing notices to effected taxpayers.

Non-AFDC recipients will receive child support payments equal to the amount of the income tax refund intercepted from the responsible taxpayer.

Individuals who have child support arrearages in excess of \$50, payable to the Department of Health and Human Resources, will have state income tax refunds reduced an average of \$75 under this proposed rule.

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

There is no effect on competition and employment.

Marjorie T. Stewart  
Assistant Secretary

Mark C. Drennen  
Legislative Fiscal Officer

### **NOTICE OF INTENT**

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

In accordance with Revised Statute 15:440.4(B) of the 1984 Regular Session of the Louisiana Legislature, the Department of Health and Human Resources, Office of Human Development/

Division of Evaluation and Services (OHD/DES) intends to adopt the following rule relative to the training and certification requirements for department personnel who will supervise the taking of the videotaped statement of the child 14 years of age or under who is the victim of rape, physical or sexual abuse which will permit the videotape being used as competent evidence in a court of law:

#### PROPOSED RULE

OHD/DES staff supervising the taking of the videotaped statement of the child 14 years of age or under who is the victim of rape, physical or sexual abuse which will permit the videotape being used as competent evidence in a court of law shall at a minimum receive 12 hours of agency training that covers the following topics:

- Identification of Child Abuse and Neglect;
- Physical, Medical and Behavior Indicators of Physical and Sexual Abuse;
- Investigative Interviewing and Observing Techniques;
- Techniques for talking to Child Victims;
- Techniques in the Use of Anatomically Correct Dolls in Interviewing the Sexually Abused Child.

Verification that the OHD/DES employee has received this training is documented on OHD/DES Form TR-1 which acknowledges the satisfactory completion of the mandated 32 hours of ACT 710 Training for new workers and supervisors, and which will include the above cited training requirements or the specified 12 hours of training cited above. The agency's certification, TR-1, is completed by the OHD/DES Regional Trainer who conducted the training. It specifies the following: Employee's name; Social Security number; Position with the agency; Title of course; Location of training; Inclusive date(s) of training; Total hours; Signature and date of signature of the trainer; An attachment describing the contents of the completed training.

Further, the OHD/DES staff person supervising these videotaped interviews shall be required to complete these 12 hours of training every two years.

Interested persons may submit written comments to the following address: Melvin Meyers, Assistant Secretary, Office of Human Development, Box 44367, 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 September 28, 1984 at the State Library Auditorium, 760 Riverside, Baton Rouge, LA at 9:30 a.m. All interested persons will be offered an opportunity to submit data, views, or arguments orally or in writing at said hearing.

Dr. Sandra L. Robinson, M.D., M.D.H.  
Secretary

#### **Fiscal and Economic Impact Statement For Administrative Rules Rule Title: Training Requirements**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)  
There will be no implementation costs or savings to state or local governmental units to result from the adoption of this rule.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)  
There will be no effect on revenue collections.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)  
There will be no costs or economic benefits to those directly affected by adoption of this rule.

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

There is no effect on competition and employment.

Melvin Meyers, Jr.  
Assistant Secretary

Mark C. Drennen  
Legislative Fiscal Officer

#### **NOTICE OF INTENT Department of Labor Office of Labor**

The Louisiana Department of Labor, Office of Labor, intends to repeal all previous rules adopted by it regulating Prevailing Wages, including but not limited to those rules adopted in November 1980 and substitute a complete new set of rules relating to the payment of prevailing wages on State projects; the determination of prevailing wages; the issuance of prevailing wage rate decisions; the posting of wage rate decisions; and the enforcement of wage decisions.

Copies of the proposed rules may be obtained at the Office of Labor, 5360 Florida Boulevard, Baton Rouge, LA.

A public hearing on the proposed Prevailing Wage Rate Rules will be held on October 5, 1984, commencing at 10 A.M. in the Auditorium, Administration Building, State Police Training Academy, 7901 Independence Boulevard, Baton Rouge, LA.

Interested persons may comment on the proposed rules either by attendance at the public hearing or by writing to Johnny L. Hodges, Assistant Secretary of Labor, 5360 Florida Boulevard, Baton Rouge, LA 70806, through October 15, 1984.

Dudley J. Patin, Jr.,  
Secretary

#### **Fiscal and Economic Impact Statement For Administrative Rules Rule Title: Prevailing Wage rate rules**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)  
There will be no additional implementation costs or savings to the Louisiana Department of Labor (LDOL) or local governmental units as a result of the adoption of these rules because existing staff can handle the work necessary to implement and enforce the rules.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)  
The adoption of the new rules will not generate revenues for the State or local governmental units because no fees are assessed or collected for the benefit of governmental units.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)  
The costs incurred as a result of these rules will be borne by the contractors who are violating the prevailing wage law. The benefits shall be provided to the workers who recover those wages and penalties due them in accordance with the prevailing wage plan; however, it is difficult to determine the exact costs or benefits due to unknown factors such as the amount of the contract, the magnitude of the violation, etc.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

The effect on competition and employment as a result of adopting these rules cannot be measured (as related to the number and type of contractors who will bid on state projects); however, all contractors awarded state contracts as a result of these rule changes will pay the prevailing wage in ac-

cordance with state law, the effect of which will benefit employees and competing contractors.

Dudley A. Patin, Jr.  
Secretary

Mark C. Drennen  
Legislative Fiscal Officer

### NOTICE OF INTENT

#### Department of Natural Resources Office of Conservation Injection and Mining Division

Docket Number UIC 84-21

In accordance with the provisions of La. R.S. 49:951, etc. seq., the Louisiana Administrative Procedure Act, and the authority given in La. R.S. 30:4, notice is hereby given that the Commissioner of Conservation will conduct a public hearing at 9 a.m., Monday, October 22, 1984, in the Conservation Hearing Room located on the First Floor of the State Land and Natural Resources Building, 625 North 4th St., Baton Rouge, LA.

At such hearing the Commissioner or his authorized representative will consider the revision of Section V - CASING PROGRAM, Paragraph B, Surface Casing which will address the setting depth of surface casing and/or first-intermediate casing in the drilling and construction of oil, gas, enhanced recovery injection, and disposal wells in order to protect Underground Sources of Drinking Water (USDW's).

A copy of the proposed rules and regulations may be obtained at no cost by writing James H. Welsh, Office of Conservation, Injection and Mining Division, Box 44275, Baton Rouge, LA 70804-4275, by calling 504/342-5515, or by coming in person to Room 253 of the Natural Resources Building, North and Riverside, Baton Rouge, LA.

All interested persons will be afforded an opportunity to present data, views or arguments, orally or in writing, at said public hearing in accordance with La. R.S. 49:953. Written comments will be accepted until 4:45 p.m., Monday, October 29, 1984, at the following address: Office of Conservation, Injection and Mining Division, Box 44275, Baton Rouge, LA 70804-4275, Re: Docket No. UIC 84-21.

Herbert W. Thompson  
Commissioner of Conservation

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

##### Rule Title: Statewide Order 29-B (Revision), (Section V - Casing Program)

##### I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

There is no estimated implementation costs (savings) to state or local governmental units because existing staff will be used.

##### II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

There is no estimated effect on revenue collection of state or local governmental units because no additional fee will be assessed or collected.

##### III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)

In most instances many companies are presently exceeding the setting depth for surface casing in newly drilled oil and gas wells; therefore, no additional costs will be incurred by these companies. However, some companies will incur an ad-

ditional cost of approximately \$50 per foot to drill and set surface casing through the lower most underground sources of drinking water (USDW). This cost, would be reflected in additional rig time, the amount and size of casing, and the amount of cement needed to set casing in place.

By being required to provide adequate casing through the lower most USDW, oil and gas operators will be provided a potential economic benefit by possible future approval of said wells for salt water disposal.

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

There may be an increase in sales of oilfield casing to industry by oilfield supply companies because of the requirement of providing more surface casing than is presently required (i.e., when it is necessary for additional casings to be set).

Herbert W. Thompson  
Commissioner of Conservation

Mark C. Drennen  
Legislative Fiscal Officer

### NOTICE OF INTENT

#### Department of Natural Resources Office of Conservation Injection and Mining Division

Docket Number UIC 84-24

In accordance with the provisions of La. R.S. 49:951, etc. seq., the Louisiana Administrative Procedure Act, and the authority given in La. R.S. 30:4, notice is hereby given that the Commissioner of Conservation will conduct a public hearing at 9 a.m., Monday, October 22, 1984, in the Conservation Hearing Room located on the First Floor of the State Land and Natural Resources Building, 625 North 4th St., Baton Rouge, LA.

At such hearing the Commissioner or his authorized representative will consider the revision of Statewide Order No. 29-B, Section XV - POLLUTION CONTROL, Paragraph 2, in order to provide for the construction, monitoring, operation and closure of pits used to store produced salt water and other nonhazardous oilfield waste generated in the drilling and production of oil and gas wells.

A copy of the proposed rules and regulations may be obtained at no cost by writing James H. Welsh, Office of Conservation, Injection and Mining Division, Box 44275, Baton Rouge, LA 70804-4275, by calling 504/342-5515, or by coming in person to Room 253 of the Natural Resources Building, North and Riverside, Baton Rouge, LA.

All interested persons will be afforded an opportunity to present data, views or arguments, orally or in writing, at said public hearing in accordance with La. R.S. 49:953. Written comments will be accepted until 4:45 p.m., Monday, October 29, 1984, at the following address: Office of Conservation, Injection and Mining Division, Box 44275, Baton Rouge, LA. 70804-4275, Re: Docket No. UIC 84-24.

Herbert W. Thompson  
Commissioner of Conservation

#### Fiscal and Economic Impact Statement For Administrative Rules Rule Title: Statewide Order 29-B (Revision), Section XV - Pollution Control

##### I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

No additional estimated implementation costs will be

incurred by State or local governmental units because existing staff will be used.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

There will be no significant estimated effect on revenue collections of State or local governmental units because no additional fee will be assessed.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)

The cost to industry to comply with these rules will vary greatly. It is estimated that the costs to close an existing pit will range from \$500 to as high as \$1,000,000 depending upon pit size and the nature of materials enclosed therein.

The estimated average cost of construction of a new pit under these rules is \$5,000; if a liner is required, the cost could be as high as \$10,000 per pit (i.e., assuming the construction of the pit is 100 ft. by 50 ft. by 4 ft. deep; a pit of a larger size would cost more).

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

The subject revision should increase competition and employment in commercial non-hazardous oilfield waste disposal, dirt (construction) work, trucking, environmental consulting (testing, analysis, etc.), and in oilfield service business.

Herbert W. Thompson  
Commissioner of Conservation

Mark C. Drennen  
Legislative Fiscal Officer

**NOTICE OF INTENT**

**Department of Natural Resources  
Office of Forestry and  
Department of Revenue and Taxation  
Tax Commission**

The Louisiana Forestry Commission and Tax Commission, as required by L.R.S. 56:1543, intends to adopt the following timber stumpage values based on current average stumpage market values to be used for severance tax computations for 1985:

1. Pine Sawtimber \$188 per M bd. ft.
2. All Hardwoods & Cypress Sawtimber 67 per M bd. ft.
3. Pine Pulpwood 18 per Cord
4. Hardwood Pulpwood 4 per Cord

Interested persons may submit written comments on these proposed stumpage values through November 7, 1984, to Michael P. Mety, State Forester, Office of Forestry, Box 1628, Baton Rouge, La. 70821.

Michael P. Mety, State Forester  
Office of Forestry

Jamar W. Adcock, Chairman  
Louisiana Tax Commission

**Fiscal and Economic Impact Statement  
For Administrative Rules  
Rule Title: Timber Stumpage Values for 1985**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

There are no additional implementation costs or savings to the agency as a result of this rule change. All severance taxes are collected by the Department of Revenue and Taxation.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

Revenue collections for 1984 and 1985 should average \$6.75 million, which is a slight increase over 1983. Improved economic conditions directly affects timber production. Revenues would be increased proportionally.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)

Timber severance taxes, by law are distributed as follows: 75% to the parish where timber was cut - 25% to State Treasurer. The following indicates the average stumpage value during 1984 as compared to the current average stumpage market values (i.e. if these proposed rules are adopted) to be used for severance tax computations for 1985.

	1984	1985
1. Pine Sawtimber	\$176 per M bd. ft.	\$188 per M bd. ft.
2. All Hardwoods & Cypress Sawtimber	\$ 60 per M bd. ft.	\$ 67 per M bd. ft.
3. Pine Pulpwood	\$ 17 per cord	\$ 18 per cord
4. Hardwood Pulpwood	\$ 4 per cord	\$ 4 per cord

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

There is no anticipated effect on competition or employment.

W.D. Mercer  
Assoc. State Forester

Mark C. Drennen  
Legislative Fiscal Officer

**NOTICE OF INTENT**

**Department of Public Safety and Corrections  
Office of State Police**

The Louisiana Department of Public Safety and Corrections announces its intent to adopt rules and regulations pursuant to authority granted by Act 361 of the 1983 Louisiana Legislature. The proposed rules and regulations will establish and govern the "Environmental Emergency Response Training Program" mandated by Act 361.

Part I—General

1.1 Authority

(A) Part II of these regulations governing the Environmental Emergency Response Training Course is established by the Department of Public Safety as authorized by Act 361 of the regular session of the legislature 1983.

(B) These regulations may be cited as the "Emergency Response Course."

1.2 Definitions

For the purposes of these regulations the words defined in this section have the following meaning, unless the context clearly indicates otherwise:

Act—means Act 361 of 1983.

DEQ—means Department of Environmental Quality

DPS—means Department of Public Safety

Environmental Emergencies—means an insult to the order of nature caused by the intentional or unintentional introduction of any substance regulated by state law, where said introduction to the natural order would cause undue public alarm.

SDEQ—Secretary, Department of Environmental Quality

SDPS—Secretary, Department of Public Safety

State Police Training Academy—means the course of instruction of which completion is required to be employed as a State Trooper.

Training—means Environmental Emergency Response Training Program.

## Part II—Environmental Emergency Response Training Program

### 2.1 Staff and Organization

(A) The Secretary, Department of Public Safety is hereby authorized to appoint one Training Coordinator, for the purposes of securing, monitoring, or directing training which corresponds to the responsibilities of DPS in relation to environmental emergencies. As provided for in this part, the DPS Training Coordinator may also secure, monitor or direct such technical training as may be required to facilitate Environmental Emergency Response Training.

(B) The DPS Training Coordinator shall be appointed from the ranks of sworn Commissioned Officers of the Office of State Police who are graduates of the State Police Training Academy. The Training Coordinator shall report to the Commander of the State Police Hazardous Substance Control Section, who may assign to the DPS Training Coordinator additional duties and responsibilities as required to perform the overall duties of a member of the Office of State Police.

(C) The Secretary, Department of Environmental Quality is hereby authorized to appoint one Training Coordinator for the purpose of securing, monitoring, or directing training which corresponds to the responsibilities of DNR in relation to environmental emergencies. As provided for in this part, the DNR Training Coordinator may also secure, monitor or direct, such technical training as may be required to facilitate Environmental Emergency Response Training.

(D) The DNR Training Coordinator shall report to the Assistant Secretary Office of Environmental Affairs, who may assign to the DNR Training Coordinator additional duties and responsibilities as may be required to perform the overall duties of a member of the Office of Environmental Affairs.

(E) The Secretary, Department of Public Safety shall be authorized to appoint one managing secretary in order to facilitate the management of the clerical functions generated by the two Training Coordinators.

(F) The Secretary, DPS shall seek authorization, pursuant to this part, from the Civil Service Commission to increase the authorized compliment of the Office of State Police by two positions. One position being used for purpose of employing the DPS Training Coordinator, and the other position being used for the purpose of employing the Managing Secretary.

(G) The Secretary, DEQ shall seek authorization, pursuant to this part, from the Civil Service Commission to increase the authorized compliment of the office of Environmental Affairs by one position, it being used for the purposes of employing the DNR Training Coordinator.

(H) The Secretary, DEQ shall be authorized to fund the aforementioned positions pursuant to Act 361 of the Regular Session of the Legislature 1983 (RS 30:1079(E)).

### 2.2 Eligibility

(A) As provided for in this part (2.3 - Curriculum), any employee of the State of Louisiana, or any employee of any political subdivision thereof, shall be eligible to attend training, provided that priority be given in the attendance of Peace Officers, Fire Fighters, Civil Defense Planners, Hospital Personnel, and those employees who, by nature of their official duties, protect the environment of Louisiana.

(B) Members of private industry may be allowed to attend training provided they be assessed a reasonable fee as determined by the SDPS. Such fee to be used to reimburse the emergency response fund.

(C) Any person employed by the United States Government or its allies, or any person employed by any other state or local government outside Louisiana, who by nature of their official duties, protect their respective environments, may be given consideration to attend, provided there be space available.

### 2.3 Curriculum

(A) Except as otherwise provided for in this part, the Secretaries of DPS and DEQ shall jointly determine course length and content.

(B) Working through the Assistant Secretary for the Office of Emergency Preparedness, the Secretaries of DPS and DEQ may seek such assistance as is available from the Federal Emergency Management Agency.

### 2.4 Administration

(A) Training conducted shall be a minimum of three sessions annually (fiscal year), each session containing no less than 40 hours of instruction. However, nothing herein contained shall be so construed as to prohibit additional training sessions of less than 40 hours duration, based on availability of funds and instructors.

(B) Whenever practical, students (the number and organizational background of whom shall be determined jointly by the two Training Coordinators) shall be housed in the State Police Training Academy. Whenever the aforementioned housing is unavailable, the SDEQ is hereby authorized to arrange housing, at the Environmental Emergency Training Program's expense. Said authorization, however, shall not exceed the current allowable per day in-state lodging expense, as ordered by the Division of Administration.

(C) The SDEQ is not authorized to reimburse attendees nor their respective employing agencies for costs incurred for salary (including overtime) by the attendees or their employing agency.

(D) The SDEQ is hereby authorized expenditures for the sake and purpose of providing instruction for the Training, including honoraria, and instructor's per diem, and travel and per diem incurred by the Training Coordinators and Managing Secretary, necessitated by the nature of training and curriculum. The SDEQ is further authorized expenditures necessary for the acquisition of training aids and supplies, and whatever other implements as may be required from time to time to insure an adequate level of instruction.

Interested persons may submit their views on the proposed rules and regulations in writing within a reasonable amount of time to: Sgt. P. A. Touchard, Hazardous Materials Unit, Louisiana State Police, Box 66614, Baton Rouge, LA 70896.

Should there be a requirement for a public hearing under the provisions of the L.R.S. 49:950-970, the hearing will be scheduled for Wednesday, October 3, at the Louisiana State Police Training Academy, 7901 Independence Blvd., Baton Rouge, Louisiana, at 9 a.m.

C. Paul Phelps  
Secretary

### **Fiscal and Economic Impact Statement For Administrative Rules Rule Title: Training Program**

#### I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

Adoption of these rules and regulations will cause the state (Department of Environmental Quality) to spend approximately \$100,000 annually. Earmarking a portion of dedicated funds of continuing revenue as authorized by Act 361 of 1983 will not cause either the Department of Public Safety and Corrections nor the Department of Environmental Quality to seek any additional appropriations.

#### II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

Adoption of these rules and regulations will not affect revenue collections of the state or local government.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)

Adoption of these rules and regulations will cause no undue economic costs to affected groups as this source of funding is generated by an existing penalty program.

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

Adoption of these rules and regulations will not have an effect on competition or employment.

C. Paul Phelps  
Secretary

Mark C. Drennen  
Legislative Fiscal Officer

**NOTICE OF INTENT**

**Department of Public Safety and Corrections  
Office of State Police  
Hazardous Substances Control**

The Department of Public Safety and Corrections proposes to adopt the following revised rule by virtue of its authority under R.S. 32:1504.

On September 20, 1980, the Department of Public Safety and Corrections promulgated regulations governing the transportation of hazardous materials and hazardous wastes. The proposed rules update the Regulations so that they are consistent with the current Code of Federal Regulations Title 49 (49 CFR), Parts 170-179 and 390-397.

The additions to the Regulations are as follows:

1. Updated hazardous materials table (§172.101).
2. Regulations governing the packaging and transportation of cryogenic material (§171.1; 171.7; 171.8; 171.203; 172.328; 172.504; 173.11; 173.23; 173.33; 173.300; 177.816; 177.818; 177.824; 177.826; 177.840; 178.).
3. Updated radiological regulations.
4. Identification number markings for hazardous waste (§3.2).
5. Hazardous Waste Manifest required (§3.11).
6. Packaging for hazardous waste (§3.14).

The Louisiana Statewide Emergency Response Plan has been updated and streamlined to address the responsibilities and actions of responding agencies. The Department of Public Safety and Corrections has the ultimate responsibility for the safe and timely conclusion of any hazardous material transportation incident. In addition, procedures for the implementation of a declaration of an emergency and command posts have been instituted.

Copies of the proposed rules changes will be available for inspection for the next 30 days, Monday through Friday, during normal working hours in the offices of the Hazardous Substances Control Unit, Office of State Police, 265 S. Foster Drive in Baton Rouge.

Interested persons may submit written comments on the proposed Rule within a reasonable amount of time, at the following address: Lt. Al Goudeau, Hazardous Substances Control, Louisiana State Police, Box 66614, Baton Rouge, LA 70896. Lt. Goudeau is the person responsible for responding to inquiries about this proposal.

C. Paul Phelps  
Secretary

**Fiscal and Economic Impact Statement  
For Administrative Rules  
Rule Title: Hazardous Materials Regulations**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

It is estimated that there will be no additional implementation costs due to the adoption of these regulations. The Office of State Police is presently staffed to provide adequate supervision of these regulations.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

It is estimated that there will be no effect on revenue collections of state or local governments due to adoption of these regulations.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)

It is estimated that additional costs of 80¢ to \$3.20 per vehicle for placarding and identification numbers for persons who transport cryogenic materials or hazardous waste. However, implementation costs will be minimal as these regulations track federal regulations on interstate carriers and most carriers in this group are interstate carriers.

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

It is estimated that there will be no effect on competition and employment due to adoption of these regulations.

C. Paul Phelps  
Secretary

Mark C. Drennen  
Legislative Fiscal Officer

**NOTICE OF INTENT**

**Department of Revenue and Taxation  
Tax Commission**

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:953), notice is hereby given that the Louisiana Tax Commission intends to hold a public hearing on Thursday, November 8, 1984 at 10 a.m.

The purpose of the hearing is to adopt proposed Guidelines for Ascertaining the Fair Market Value of Personal Property and the Guidelines Governing the Use Value of Agricultural, Horticultural, Marsh and Timber Land.

Pursuant to R.S. 49:953(2)(A) the Louisiana Tax Commission will hold a public hearing on Thursday, October 4, 1984, at 10 a.m., to afford all interested persons reasonable opportunity to submit data, views, or arguments, orally or in writing, to the proposals.

Both hearings will be held in the Tax Commission Hearing Room, 923 Executive Park Avenue, Baton Rouge, LA.

The following changes will be made:

Amend the current Guidelines of the Louisiana Tax Commission, consisting of a minimum of 38 pages, all with respect to assisting the assessors and the taxpayers in determining the Fair Market Value, as required by law, of Personal Property and Use Value of Agricultural, Horticultural, Marsh and Timber Land. Amendments to the Constitutional and Statutory Section and the Appeals Section of the Tax Commission guidelines are also being proposed.

The following pages are being proposed for amendment:  
Pages CS-4 through CS-9  
from the

Guidelines of the Louisiana Tax Commission

d. The fair market value of real and personal property shall be determined by the following generally recognized appraisal procedures: the market approach, the cost approach, and/or the income approach.

1. In utilizing the market approach, the assessor shall use an appraisal technique in which the market value estimate is predicated upon prices paid in actual market transaction and current listings.



2. In utilizing the cost approach, the assessor shall use a method in which the value of a property is derived by estimating the replacement or reproduction cost of the improvements; deducting therefrom the estimated depreciation; and then adding the market value of the land, if any.

3. In utilizing the income approach, the assessor shall use an appraisal technique in which the anticipated net income is processed to indicate the capital amount of the investment which produces the net income (R.S. 47:2323).

e. Assessment Date

Assessments shall be made on the basis of the condition of things existing on the first day of January of each year (R.S. 47:1952).

f. Domicile

All property subject to taxation, including merchandise or stock in trade, shall be placed upon the assessment lists in the respective parishes or districts where situated. Personal property acquires a situs at the domicile of the holder or owner, but tangible personal property used continuously in any other taxing district may acquire a tax situs there . . . (R.S. 47:1952).

3. Real Property Defined

“Real Estate” or “Immovable Property” means and includes not only land, city, town, and village lots, but all things thereunto pertaining, and all structures and other appurtenances thereto, as pass to the vendee by the conveyance of the land or lot.

4. Personal Property Defined

“Personal Property” or “Movable Property” means and includes all things other than real estate which have any pecuniary value, all moneys, credits, investments in bonds, stocks, franchises, shares in joint stock companies or otherwise (R.S. 47:1702).

Personal property shall mean tangible property that is capable of being moved or removed from real property without substantial damage to the property itself or the real property from which it is capable of being removed. Personal property shall include, but not necessarily be limited to, inventory, furniture, fixtures, machinery and equipment, and all process and manufacturing machinery and equipment, including the foundation therefore (R.S. 47:2322).

5. Forms

Forms for use in reporting real and personal property including, but not limited to, inventory, furniture and fixtures, machinery and equipment, and other taxable property, shall be approved and adopted by the Louisiana Tax Commission or its successor after adequate public notice and hearing held pursuant to the Administrative Procedure Act. Such forms and the rules and regulations necessary for their administration shall be applicable throughout the state and shall be applied uniformly upon similar types of property (R.S. 47:2324-2327).

C. Reappraisal

Real property shall be reappraised at least every 4 years and personal property shall be reappraised on an annual basis (R.S. 47:2331).

D. Statutes Pertaining to Specific Personal Property

1. Bank Shares

The shares of stock of all banks, banking companies, firms, associations or corporations, doing a banking business in this state, chartered by the laws of this state or of the United States, are hereby declared subject to taxation for all purposes in this state (R.S. 47:1967). The basis for arriving at the valuation of the shares of stock in any bank, banking company, firm, association or corporation engaged in the banking business shall be the stockholder equity capital which shall be determined by the addition of paid in common stock, surplus, undivided profits, and all reserves, excluding those reserves for loan losses as allowed by the United

States Internal Revenue Service. Equity capital shall be adjusted to remove that portion of equity capital based on United States obligations by deducting a percentage of equity capital based on the ratio of United States obligations to total assets. Borrowed money and the value of the preferred stock issued by any such bank and actually owned by the United States of America or any agency thereof shall not be construed as equity for the purposes of this Section.

For the purposes in determining the fair market value of bank stock, the following criteria should be used: Stockholder equity should serve as a four times factor, 80 percent, and annual net earnings of the individual banking institution shall serve as a one time factor, 20 percent. Annual net earnings shall be adjusted to remove that portion of earnings based on United States obligations by deducting a percentage of annual net earnings based on the ratio of interest on United States obligations to total operating income. Negative earnings shall not be considered in this formula, and there shall be no earnings loss carried forward or backward. For the purpose of computing the one time, 20 percent earnings factor, the earnings shall be capitalized by multiplying the annual net earnings of the banking institution by the average earnings ratio for all banks in the United States as published by a nationwide recognized bond and securities rating firm.

For the purpose of arriving at fair market value of bank stock in the formula previously outlined, the Tax Commission or its successor shall compute the formula as follows:

1. In the case of banks, banking companies, firms, associations, or corporations created under the laws of the United States, from the statements made to the Comptroller of the Currency and required to be published as of December 31 of each year; or

2. In the case of banks, banking companies, firms, associations, or corporations created under the laws of this state, from the statement made to the Commissioner of Financial Institutions, and required to be published as of December 31 of each year.

From the assessment determined by the application of the fifteen percent of fair market value provided for above, there shall be deducted 50 percent of the assessed value of real estate, improvements, buildings, furniture and fixtures owned by the bank. If such real estate, improvements, buildings, furniture and fixtures are owned by a separate corporation, the deduction will be allowed provided all the capital stock of which (except director's qualifying shares, if any) is owned by the bank, banking company, firm, association or corporation. (R.S. 47:1967).

2. Insurance Companies

All property and assets of life insurance companies organized under the laws of this state, shall be assessed to the corporation as to a natural person, in the name of the corporation, in the parish, town, city, village, or district of its residence, as herein provided and not otherwise, except that taxable real property and tangible personal property shall be assessed at the place such property is situated (R.S. 47:1954).

In computing the taxable property of domestic life insurance companies, the value of the real property and tangible personal property on which the company pays taxes and any holding of national, state, or municipal bonds or stocks not subject to taxation held by the company six months prior to the assessment shall be deducted from its net admitted assets above liabilities as testified and shown by the latest report of the Secretary of State; and the remainder shall be the amount of intangible personal property for which the company shall be assessed. Provided, however, no ad valorem tax shall be imposed on the premiums on life, health and accident insurance policies (R.S. 47:1954).

3. Inventories

a. Inventory Values. The law provides that:

in the assessment of merchandise or stock in trade on hand,

the inventory value of the merchandise shall be ascertained by computing the cost or purchase price at the point of origin, plus the carrying charges to the point of destination, and the average value as so determined during the year preceding the calendar year in which the assessment is made shall be the basis for fixing the assessed value (R.S. 47:1961).

b. Inventory Records. The law provides that:

all persons, engaged in the business of retailing or wholesaling merchandise in the state, whose gross sales shall be in excess of \$15,000, shall make and keep an inventory of their merchandise, fixtures, machinery, equipment and other assets within the state showing the quantity, description and value thereof as of the first day of January of each year; such persons shall likewise make and keep on hand a true and accurate record of all other business transactions had in connection with their stores, mercantile or manufacturing establishments.

c. Inspections of Inventories and Records. The law provides that:

these inventories and records shall be separately made for and kept on hand in each store or establishment within the state, and shall be open for inspection by the tax assessor or any of his deputies, or any other taxing authority, at any reasonable time: when demanded by one of the officers at such time, the inventories and records shall be produced and the officers afforded the opportunity to make a complete and thorough examination of the inventory and records for the purpose of ascertaining the proper assessment to be made of the property of such person. The inventories and records for more than one establishment belonging to the same person may be kept for inspection at one place of business within the state, but in this event such records shall be open for inspection to the assessors and their deputies, or any other taxing authorities of the entire state, and shall be made in such manner as to segregate the stores or establishments from each other and from those in other parishes, and information as to the place where such inventories and records are kept shall be given the tax assessors and other taxing authorities on demand (R.S. 47:1961).

d. Preservation of Inventory Records. The law provides that:

the inventories and records herein provided to be made and kept shall be kept on hand as herein provided for a period of three years from December 31st of the year for which they were made or kept (R.S. 47:1961).

#### 4. Listing and Assessing of Notes and Indebtedness

All credits, including open accounts, bills receivable, judgments and all promissory notes, not exempt, shall be assessed at the personal property ratio. Valuation shall be at an average of the capital employed in the business after deduction from accounts

payable, bills payable and other liabilities of a similar character, not exempt. Liabilities due from branches or subsidiaries shall not be deducted (R.S. 47:1962).

Indebtedness and all evidence of indebtedness shall be taxable only at the situs and domicile of the holder or owner thereof (R.S. 47:1952).

#### E. Statutes Pertaining to Specific Real Property

R.S. 9:1131.9 provides that timeshare property shall be assessed as a single entity unless the property is subject to the Louisiana Condominium Act. The statute further provides that the managing entity shall have the responsibility for collecting and paying the taxes. Further, a timeshare unit subject to a condominium declaration shall not exceed the assessed value of non-time-sharing condominium units, apartments or other accommodation.

#### GUIDELINES FOR ASCERTAINING THE FAIR MARKET VALUE OF LOAN AND FINANCE COMPANY PERSONAL PROPERTY

The taxable personal property of loan and finance companies includes office equipment, office furniture and fixtures, repossessed articles and credits (loans which are not secured by property located in Louisiana; Column 3, loans secured by personal endorsement; Column 5, and signature loans; Column 6). Loans secured by mortgages on property located in Louisiana are exempted from taxation by authority of the Louisiana Constitution.

Discovery of loan and finance companies should present no problem to parish assessors. Therefore, these guidelines are concerned solely with the procedures for valuation of loan and finance company personal property.

Each parish assessor shall provide loan and finance companies with copies of LAT Form 5 and LAT Form 6. LAT Form 5 should be utilized to identify the existence and value of office furniture and equipment. These items are to be brought to present day values and depreciated according to the effective age of the items in compliance with Tables 1.1 and 1.2 for office equipment and office furniture and fixtures, respectively. LAT Form 6 shall be utilized to identify and value repossessed articles which shall be assessed at 15 percent of actual value.

LAT Form 6 shall also be utilized to identify and value taxable credits. Such credits shall be offset and lessened by the actual bona fide accounts payable, bills payable and other liabilities of a similar character. (R.S. 47:1962) This is accomplished by determining the percentage taxable receivables (sum of average, Columns 3, 5 and 6) are to average total receivables, then deducting that percentage of allowable payables (sum of average, Columns 1, 2 and 3) from total taxable receivables. This remainder shall be assessed at 15 percent of fair market value.

Table 1.1  
OFFICE EQUIPMENT

COST INDEX (AVERAGE)		AVERAGE ECONOMIC LIFE 10 YEARS		
YEAR	INDEX	EFFECTIVE AGE	PERCENT GOOD	COMPOSITE MULTIPLIER
1984		1	92	
1983	1.017	2	84	.85
1982	1.036	3	76	.79
1981	1.084	4	67	.73
1980	1.196	5	58	.69
1979	1.316	6	49	.64
1978	1.438	7	39	.56
1977	1.547	8	30	.46
1976	1.629	9	24	.39
1975	1.731	10	21	.36
1974	1.930	11	20	.39

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Table 1.2  
OFFICE FURNITURE AND FIXTURES

COST INDEX (AVERAGE)		AVERAGE ECONOMIC LIFE 15 YEARS		
YEAR	INDEX	EFFECTIVE AGE	PERCENT GOOD	COMPOSITE MULTIPLIER
1984		1	95	
1983	1.017	2	90	.92
1982	1.036	3	85	.88
1981	1.084	4	79	.86
1980	1.196	5	73	.87
1979	1.316	6	68	.89
1978	1.438	7	62	.89
1977	1.547	8	55	.85
1976	1.629	9	49	.80
1975	1.731	10	43	.74
1974	1.930	11	37	.71
1973	2.235	12	31	.69
1972	2.316	13	26	.60
1971	2.393	14	23	.55
1970	2.535	15	21	.53
1969	2.697	16	20	.54

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Table 2.1  
 FLOATING EQUIPMENT  
 MOTOR VESSELS

COST INDEX (AVERAGE)		AVERAGE ECONOMIC LIFE 12 YEARS		
YEAR	INDEX	EFFECTIVE AGE	PERCENT GOOD	COMPOSITE MULTIPLIER
1984		1	94	
1983	1.017	2	87	.88
1982	1.036	3	80	.83
1981	1.084	4	73	.79
1980	1.196	5	66	.79
1979	1.316	6	58	.76
1978	1.438	7	50	.72
1977	1.547	8	43	.67
1976	1.629	9	36	.59
1975	1.731	10	29	.50
1974	1.930	11	24	.46
1973	2.235	12	22	.49
1972	2.316	13	20	.46

CONSIDERATION OF OBSOLESCENCE

Economic and/or functional obsolescence is a loss in value of personal property above and beyond physical deterioration. Upon a showing of evidence of such loss, substantiated by the taxpayer in writing, economic or functional obsolescence shall be given.

Table 2.2  
 FLOATING EQUIPMENT  
 BARGES

COST INDEX (AVERAGE)		AVERAGE ECONOMIC LIFE 20 YEARS		
YEAR	INDEX	EFFECTIVE AGE	PERCENT GOOD	COMPOSITE MULTIPLIER
1984		1	97	
1983	1.017	2	93	.95
1982	1.036	3	90	.93
1981	1.084	4	86	.93
1980	1.196	5	82	.98
1979	1.316	6	78	1.03
1978	1.438	7	74	1.06
1977	1.547	8	70	1.08
1976	1.629	9	65	1.06
1975	1.731	10	60	1.04
1974	1.930	11	55	1.06
1973	2.235	12	50	1.12
1972	2.316	13	45	1.04
1971	2.393	14	40	.96
1970	2.535	15	35	.89
1969	2.697	16	31	.84
1968	2.815	17	27	.76
1967	2.925	18	24	.70
1966	3.046	19	22	.67
1965	3.140	20	21	.66
1964	3.180	21	20	.64

CONSIDERATION OF OBSOLESCENCE

Economic and/or functional obsolescence is a loss in value of personal property above and beyond physical deterioration. Upon a showing of evidence of such loss, substantiated by the taxpayer in writing, economic or functional obsolescence shall be given.

TABLE 3.1

SUBSURFACE EQUIPMENT OF  
OIL, GAS AND ASSOCIATED WELLS

The Fair Market Value and Assessed Value schedule below covers only that portion of subsurface equipment subject to ad valorem taxation. Economic and/or functional obsolescence is a loss in value of personal property above and beyond physical deterioration. Upon a showing of evidence of such loss, substantiated by the taxpayer in writing, economic or functional obsolescence shall be deducted from the fair market value per foot indicated. See explanations in OG Section regarding assessment of Multiple Completion Wells.

<u>PRODUCING DEPTHS</u>	<u>FAIR MARKET VALUE</u> <u>BY DEPTH PER FOOT</u>	<u>ASSESSED VALUE</u> <u>BY DEPTH PER FOOT</u>
0 - 1,249 ft.	\$ 1.39	\$ .21
1,250 - 2,499 ft.	1.95	.29
2,500 - 3,749 ft.	3.47	.52
3,750 - 4,999 ft.	9.29	1.39
5,000 - 7,499 ft.	12.86	1.93
7,500 - 9,999 ft.	15.79	2.37
10,000 - 12,499 ft.	19.35	2.90
12,500 - 14,999 ft.	25.62	3.84
15,000 - 17,499 ft.	35.18	5.28
17,500 - 19,999 ft.	50.31	7.55
20,000 - Deeper ft.	46.48	6.97

<u>PROPERTY DESCRIPTION</u>	<u>FAIR MARKET VALUE</u>	<u>ASSESSED VALUE</u>
<u>DAMPENERS</u> - (See Metering Equipment - "Recorders")		
<u>DESORBERS</u> - No metering equipment included.		
125# Desorber . . . . .	\$ 29,520	\$ 4,430
300# Desorber . . . . .	35,230	5,280
500# Desorber . . . . .	35,970	5,400
<u>DESTROILETS</u> - (See Metering Equipment - "Regulators")		
<u>DESURGERS</u> - (See Metering Equipment - "Regulators")		
<u>DESILTERS</u> - (See Metering Equipment - "Regulators")		
<u>DIATROLLERS</u> - (See Metering Equipment - "Regulators")		
<u>DOCKS, PLATFORMS, BUILDINGS</u> - (Assessed on an individual basis)		
<u>DRY DEHYDRATORS (DRIERS)</u> - (See "Scrubbers")		
<u>ENGINES - UNATTACHED</u> (Only includes engine & skids)		
Per Horsepower . . . . .	70	10
<u>EVAPORATORS</u> - No metering equipment included.		
CLASS I . . . . .	2,470	370
CLASS II . . . . .	4,940	740
CLASS III . . . . .	7,420	1,110
<u>EXPANDER UNIT</u> - No metering equipment included.		
Per Unit . . . . .	9,750	1,460
<u>FLOW SPLITTERS</u> - No metering equipment included.		
48 In. Diameter Vessel . . . . .	4,720	710
72 In. Diameter Vessel . . . . .	5,990	900
96 In. Diameter Vessel . . . . .	8,850	1,330
120 In. Diameter Vessel . . . . .	12,440	1,870
<u>FIRE CONTROL SYSTEM</u> - (Assessed on an individual basis)		
<u>FURNITURE &amp; FIXTURES</u> - (Assessed on an individual basis)		
Field operations only according to location.		
<u>GAS COMPRESSORS</u> - Package unit - skids, scrubbers, cooling system and power controls. No metering or regulating equipment.		
Up to 1500 Horsepower (Per H.P.) . . . . .	380	60
1501 and Up . . . . .	190	30

<u>PROPERTY DESCRIPTION</u>	<u>FAIR MARKET VALUE</u>	<u>ASSESSED VALUE</u>
<u>GAS COOLERS</u> - No metering equipment.		
CLASS 10 CF . . . . (Per Unit) . . . . .	\$ 10,500	\$ 1,580
CLASS 12 CF . . . . (Per Unit) . . . . .	11,240	1,690
CLASS 14 CF . . . . (Per Unit) . . . . .	11,990	1,800
CLASS 16 CF . . . . (Per Unit) . . . . .	12,740	1,910
CLASS 18 CF . . . . (Per Unit) . . . . .	14,230	2,140
<u>GENERATORS</u> - Package Unit Only - No special installation.		
Per K.W. . . . .	140	20
<u>GLYCOL DEHYDRATION</u> - Package unit - including pressure gauge, relief valve, and regulator. No other metering equipment.		
Up to 4.0 MMCF/D . . . . .	6,750	1,010
4.1 to 5.0 MMCF/D . . . . .	8,610	1,290
5.1 to 10.0 MMCF/D . . . . .	9,220	1,380
10.1 to 15.0 MMCF/D . . . . .	11,920	1,790
15.1 to 20.0 MMCF/D . . . . .	17,980	2,700
20.1 to 25.0 MMCF/D . . . . .	19,560	2,930
25.1 to 30.0 MMCF/D . . . . .	25,780	3,870
30.1 to 50.0 MMCF/D . . . . .	31,930	4,790
50.1 to 75.0 MMCF/D . . . . .	50,960	7,640
75.1 & UP . . . . .	76,450	11,470
<u>HEATERS</u> - Includes unit, safety valves, regulators and automatic shut-down. No metering equipment.		
<u>STEAM BATH - DIRECT HEATER</u>		
24 In. Diameter Vessel - 250,000 BTU/HR Rate	3,670	550
30 In. Diameter Vessel - 500,000 BTU/HR Rate	5,170	780
36 In. Diameter Vessel - 750,000 BTU/HR Rate	6,440	970
48 In. Diameter Vessel - 1,000,000 BTU/HR Rate	8,690	1,300
60 In. Diameter Vessel - 1,500,000 BTU/HR Rate	11,760	1,760
<u>WATER BATH - INDIRECT HEATER</u>		
24 In. Diameter Vessel - 250,000 BTU/HR Rate	2,250	340
30 In. Diameter Vessel - 500,000 BTU/HR Rate	3,000	450
36 In. Diameter Vessel - 750,000 BTU/HR Rate	4,190	630
42 In. Diameter Vessel - 1,000,000 BTU/HR Rate	4,870	730
48 In. Diameter Vessel - 1,500,000 BTU/HR Rate	7,130	1,070



<u>PROPERTY DESCRIPTION</u>	<u>FAIR MARKET VALUE</u>	<u>ASSESSED VALUE</u>
<u>STEAM - (STEAM GENERATORS)</u>		
24 In. Diameter Vessel - 250,000 BTU/HR Rate	\$ 1,500	\$ 230
30 In. Diameter Vessel - 450,000 BTU/HR Rate	2,030	300
36 In. Diameter Vessel - 500 to 750,000 BTU/HR	2,400	360
48 In. Diameter Vessel - 1 to 2,000,000 BTU/HR	3,980	600
60 In. Diameter Vessel - 2 to 3,000,000 BTU/HR	5,910	890
72 In. Diameter Vessel - 3 to 6,000,000 BTU/HR	10,940	1,640
96 In. Diameter Vessel - 6 to 8,000,000 BTU/HR	17,840	2,680
<u>HEAT EXCHANGE UNITS - SKID MOUNTED - (See Production Units)</u>		
<u>HEATER TREATERS - Necessary controls, gauges, valves and piping. No metering equipment included.</u>		
<u>HEATER-TREATERS - Non-Metering</u>		
4 x 20 ft. . . . .	3,590	540
4 x 27 ft. . . . .	4,350	650
6 x 20 ft. . . . .	4,790	720
6 x 27 ft. . . . .	5,700	860
8 x 20 ft. . . . .	6,370	960
8 x 27 ft. . . . .	7,030	1,060
10 x 20 ft. . . . .	7,420	1,110
10 x 27 ft. . . . .	8,250	1,240
<u>HEATER-TREATERS-METERING - Also includes metering section with dump counters.</u>		
3 x 15 ft. . . . .	6,750	1,010
4 x 22 ft. . . . .	7,420	1,110
6 x 22 ft. . . . .	8,990	1,350
8 x 22 ft. . . . .	11,240	1,690
10 x 22 ft. . . . .	14,230	2,140
<u>L.A.C.T. (LEASE AUTOMATIC CUSTODY TRANSFER) - (See Metering)</u>		

<u>PROPERTY DESCRIPTION</u>	<u>FAIR MARKET VALUE</u>	<u>ASSESSED VALUE</u>
<u>L.T.X. (LOW TEMPERATURE EXTRACTION)</u> - Includes safety valves, temperature controllers, chokes, regulators, metering equipment, etc. - complete unit.		
RANGE I - Up to 5.0 MMCF/D . . . . .	\$ 29,680	\$ 4,450
RANGE II - 5.1 to 10.0 MMCF/D . . . . .	41,970	6,300
RANGE III - 10.1 to 15.0 MMCF/D . . . . .	53,650	8,050
RANGE IV - 15.1 and up MMCF/D . . . . .	69,250	10,390
<u>LIQUA METER UNITS</u> - (See Metering Equipment)		
<u>MANIFOLDS</u> - (See Metering Equipment)		
<u>MATERIAL &amp; SUPPLIES - INVENTORIES</u> - (Assessed on an individual basis)		
<u>METER CALIBRATING VESSELS</u> - (See Metering Equipment)		
<u>METER PROVER TANKS</u> - (See Metering Equipment)		
<u>METER RUNS</u> - (See Metering Equipment)		
<u>METER CONTROL STATIONS</u> - (Assessed on an individual basis)		
Not considered Communication Equipment.		
<u>METERING EQUIPMENT</u>		
<u>ACTUATORS</u> - Hydraulic, pneumatic & electric valves.	1,500	230
<u>CONTROLLERS</u> - Time cycle valve - valve controlling device (Also known as Intermittent)	910	140
<u>FLUID METERS:</u>		
<u>1 Level Control</u>		
24 In. Diameter Vessel - 1/2 bbl. dump	1,120	170
30 In. Diameter Vessel - 1 bbl. dump	1,270	190
36 In. Diameter Vessel - 2 bbl. dump	1,580	240
<u>2 Level Control</u>		
20 In. Diameter Vessel - 1/2 bbl. dump	1,390	210
24 In. Diameter Vessel - 1/2 bbl. dump	1,500	230
30 In. Diameter Vessel - 1 bbl. dump	1,580	240
36 In. Diameter Vessel - 2 bbl. dump	2,400	360

<u>PROPERTY DESCRIPTION</u>	<u>FAIR MARKET VALUE</u>	<u>ASSESSED VALUE</u>
<u>L.A.C.T. &amp; A.T.S. UNITS</u>		
30 lb. discharge. . . . .	\$ 5,470	\$ 820
60 lb. discharge. . . . .	6,960	1,040
<u>SOLAR PANELS</u>		
Per Unit (10" x 10"). . . . .	220	30
<u>METER RUNS - Piping, Valves &amp; Supports - No Meters</u>		
2 In. piping & valve . . . . .	910	140
3 In. piping & valve . . . . .	1,080	160
4 In. piping & valve . . . . .	1,270	190
6 In. piping & valve . . . . .	1,950	290
8 In. piping & valve . . . . .	2,930	440
10 In. piping & valve . . . . .	4,570	690
12 In. piping & valve . . . . .	4,940	740
14 In. piping & valve . . . . .	7,490	1,120
16 In. piping & valve . . . . .	11,990	1,800
18 In. piping & valve . . . . .	16,480	2,470
20 In. piping & valve . . . . .	22,480	3,370
22 In. piping & valve . . . . .	31,480	4,720
24 In. piping & valve . . . . .	43,470	6,520
<u>RECORDERS (METERS) - Includes both static element and tube drive pulsation dampener - also one and two pen operation.</u>		
Per Meter . . . . .	600	90
<u>METERING VESSELS (ACCUMULATORS)</u>		
1 bbl. Calibration Plate - (24 x 10). . .	710	110
5 bbl. Calibration Plate - (24 x 10). . .	1,720	260
7.5 bbl. Calibration Plate - (30 x 10). . .	1,950	290
10 bbl. Calibration Plate - (36 x 10). . .	2,170	330
<u>MANIFOLDS - MANUAL OPERATED</u>		
<u>HIGH PRESSURE</u>		
Per Well. . . . .	1,790	270
Per Valve . . . . .	910	140
<u>LOW PRESSURE</u>		
Per Well. . . . .	910	140
Per Valve . . . . .	450	70

<u>PROPERTY DESCRIPTION</u>	<u>FAIR MARKET VALUE</u>	<u>ASSESSED VALUE</u>
<u>MANIFOLDS - AUTOMATIC OPERATED</u>		
<u>HIGH PRESSURE</u>		
Per Well. . . . .	\$ 4,800	\$ 720
Per Valve . . . . .	2,400	360
<u>LOW PRESSURE</u>		
Per Well. . . . .	3,890	580
Per Valve . . . . .	1,950	290
NOTE: Automatic Operated System includes gas hydraulic and pneumatic valve actuators, (or motorized valves), block valves, flow monitors - in addition to normal equipment found on manual operated system.		
<u>NO METERING EQUIPMENT INCLUDED</u>		
<u>PROVER TANKS</u>		
5 bbl. (4 x 8). . . . .	3,220	480
10 bbl. (5 x 8). . . . .	3,750	560
15 bbl. (6 x 9). . . . .	4,190	630
20 bbl. (6 x 10) . . . . .	4,350	650
25 bbl. (8 x 9). . . . .	5,100	760
<u>REGULATORS</u>		
Per Unit. . . . .	600	90
<u>PIPE LINES - LEASE LINES</u>		
<u>STEEL</u>		
2 In. Nominal Size - Per Mile . . . . .	5,620	840
2 1/2 In. Nominal Size - Per Mile . . . . .	7,130	1,070
3 & 3 1/2 In. Nominal Size - Per Mile . . . . .	8,990	1,350
4, 4 1/2 & 5 In. Nominal Size - Per Mile. . . . .	12,740	1,910

<u>PROPERTY DESCRIPTION</u>	<u>FAIR MARKET VALUE</u>	<u>ASSESSED VALUE</u>
PIPELINES - Continued		
<u>PLASTIC - P.V.C.</u>		
2 In. Nominal Size - Per Mile. . . . .	\$ 2,250	\$ 340
2 1/2 In. Nominal Size - Per Mile. . . . .	2,630	390
3 In. Nominal Size - Per Mile. . . . .	3,000	450
4 In. Nominal Size - Per Mile. . . . .	3,750	560
6 In. Nominal Size - Per Mile. . . . .	5,620	840
<u>PLASTIC - FIBERGLASS</u>		
2 In. Nominal Size - Per Mile. . . . .	4,500	680
3 In. Nominal Size - Per Mile. . . . .	6,370	960
4 In. Nominal Size - Per Mile. . . . .	7,870	1,180
6 In. Nominal Size - Per Mile. . . . .	13,860	2,080
<u>PIPE STOCK - (Assessed on an individual basis)</u>		
<u>PIPE STOCK - EXEMPT - (Under La. Const. Art. 7 § 21 (D-3))</u>		
<u>PRODUCTION UNITS</u>		
CLASS I - Per Unit - 1 Separator & 1 Heater	6,150	920
CLASS II - Per Unit - 2 Separators & 1 Heater	8,950	1,340
<u>PRODUCTION PROCESS UNITS - These units are by specific design and not in the same category as gas compressors, liquid and gas production units or pump-motor units. Assessed on an individual basis.</u>		
<u>PUMPS - IN LINE</u>		
Per horsepower rating of motor . . . . .	70	10
<u>PUMP-MOTOR UNIT - Pump and Motor Only</u>		
CLASS I (Water Flood, SW disposal, P/L, etc.)		
Up to 300 HP - Rated on Per HP of Motor.	140	20
CLASS II (High Pressure injection, etc.)		
301 and Up HP - Rated on Per HP of Motor	220	30

<u>PROPERTY DESCRIPTION</u>	<u>FAIR MARKET VALUE</u>	<u>ASSESSED VALUE</u>
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PUMPING UNITS - CONVENTIONAL & BEAM BALANCE UNITS

Assessed according to well depth on which unit is operating.

0 - 1,250 ft. well depth. . . . .	\$ 630	\$ 90
1,251 - 2,500 ft. well depth. . . . .	1,270	190
2,501 - 3,750 ft. well depth. . . . .	2,630	390
3,751 - 5,000 ft. well depth. . . . .	4,120	620
5,001 - 7,500 ft. well depth. . . . .	4,500	680
7,501 - 10,000 ft. well depth. . . . .	5,990	900
10,001 - 12,500 ft. well depth. . . . .	6,750	1,010
12,501 - 15,000 ft. well depth. . . . .	8,250	1,240
15,001 - 17,500 ft. well depth. . . . .	9,740	1,460
17,501 - 20,000 ft. well depth. . . . .	13,490	2,020
20,001 - deeper ft. well depth. . . . .	15,740	2,360

For "Air Balance" and "Heavy Duty" units multiply the above market value by 1.30.

REGENERATORS (ACCUMULATOR) - (See Metering Equipment)

SAMPLER - (See Metering Equipment "Fluid Meters".)

SCRUBBERS - TWO CLASSES

CLASS I - Manufactured, for use with other major equipment and at times included with such equipment as part of a package unit.

8 In. Diameter Vessel . . . . .	820	120
10 In. Diameter Vessel . . . . .	1,190	180
12 In. Diameter Vessel . . . . .	1,350	200

CLASS II - Small "in-line" scrubber used in flow system usually direct from a gas well. Much of this type is "shop-made" and not considered as major scrubbing equipment.

8 In. Diameter Vessel . . . . .	220	30
12 In. Diameter Vessel . . . . .	300	50

NO METERING OR REGULATING EQUIPMENT INCLUDED IN THE ABOVE

<u>PROPERTY DESCRIPTION</u>	<u>FAIR MARKET VALUE</u>	<u>ASSESSED VALUE</u>
<u>SKIMMER TANKS</u> - (See Flow Tanks in tank section)		
<u>STABILIZERS</u> - Per Unit. . . . .	\$ 530	\$ 80
<u>SEPARATORS</u> - (No metering equipment included)		
125 PSI Vessel . . . . .	4,120	620
230 PSI Vessel . . . . .	5,100	760
500 PSI Vessel . . . . .	7,490	1,120
600 PSI Vessel . . . . .	7,870	1,180
1,000 PSI Vessel . . . . .	8,990	1,350
1,200 PSI Vessel . . . . .	10,500	1,580
1,440 PSI Vessel . . . . .	11,990	1,800
1,500 PSI Vessel . . . . .	12,740	1,910
2,000 PSI Vessel . . . . .	16,120	2,420
3,000 PSI Vessel . . . . .	18,740	2,810
4,000 PSI Vessel . . . . .	22,870	3,430
5,000 PSI Vessel . . . . .	26,980	4,050
6,000 PSI Vessel . . . . .	32,220	4,830
<u>SUMP/DUMP TANKS</u> - (See Metering Equipment "Fluid Tanks")		
<u>TANKS</u> - No metering equipment		
<u>FLOW TANKS</u> (Receiver or Gunbarrel)		
50 to 548 bbl. range		
Average tank size - 250 bbl. - per barrel	11.24	1.69
<u>STOCK TANK</u> (Lease Tank)		
100 to 750 bbl. range		
Average tank size - 300 bbl. - per barrel	8.24	1.24
<u>STORAGE TANKS</u> (Closed Top) - Per Barrel		
1,000 barrel . . . . .	12.00	1.80
1,500 barrel . . . . .	10.11	1.52
2,000 barrel . . . . .	7.87	1.18
2,001 - 5,000 barrel . . . . .	4.86	.73
5,001 - 10,000 barrel . . . . .	3.37	.51
10,001 - 15,000 barrel . . . . .	2.62	.39
15,001 - 55,000 barrel . . . . .	2.25	.34
55,001 - 150,000 barrel . . . . .	1.88	.28

<u>PROPERTY DESCRIPTION</u>	<u>FAIR MARKET VALUE</u>	<u>ASSESSED VALUE</u>
<u>INTERNAL FLOATING ROOF - Per Barrel</u>		
10,000 barrel. . . . .	\$ 4.86	\$ .73
20,000 barrel. . . . .	3.74	.56
30,000 barrel. . . . .	3.01	.45
50,000 barrel. . . . .	2.62	.39
55,000 barrel. . . . .	2.62	.39
80,000 barrel. . . . .	2.25	.34
100,000 barrel. . . . .	1.88	.28
<u>PONTOON FLOATING ROOF - Per Barrel</u>		
10,000 barrel. . . . .	5.62	.84
20,000 barrel. . . . .	4.13	.62
40,000 barrel. . . . .	3.37	.51
50,000 barrel. . . . .	3.01	.45
80,000 barrel. . . . .	2.62	.39
100,000 barrel. . . . .	2.25	.34
150,000 barrel. . . . .	1.88	.28
<u>VAPOR RECOVERY UNIT - No metering equipment</u>		
CLASS I. . . . .	3,300	500
CLASS II . . . . .	6,600	990
CLASS III . . . . .	9,900	1,490
<u>WATER FLOOD EQUIPMENT - (See "Pump-Motor, Class I")</u>		
<u>UTILITY COMPRESSORS</u>		
Per horsepower - rated on motor. . . . .	190	30
<u>WATERKNOCKOUTS - Includes unit, backpressure valve &amp; regulator, but no metering equipment.</u>		
24 In. Diameter Vessel . . . . .	1,190	180
30 In. Diameter Vessel . . . . .	1,500	230
36 In. Diameter Vessel . . . . .	1,790	270
48 In. Diameter Vessel . . . . .	2,840	430
72 In. Diameter Vessel . . . . .	3,980	600
96 In. Diameter Vessel . . . . .	6,370	950
120 In. Diameter Vessel . . . . .	9,590	1,440



TABLE 3.3  
SERVICE STATIONS  
MARKETING PERSONAL PROPERTY  
\*ALTERNATIVE PROCEDURE

<u>PROPERTY DESCRIPTION</u>	<u>FAIR MARKET VALUE</u>	<u>ASSESSED VALUE</u>
<u>SIGNS - - - Station Signs</u>		
6 ft. lighted-installed on 12 ft. pole. . . .	\$ 450	\$ 70
10 ft. lighted-installed on 16 ft. pole. . . .	1,460	220
<u>Rotators - (Additional Equipment)</u>		
Small & Medium Signs. . . . .	290	40
Large Signs . . . . .	500	80
<u>Attachment Signs - For Station Signs</u>		
Lighted - "Self-Serve" (4 x 11 ft.) . . . . .	340	50
Lighted - "Pricing" (5 x 9 ft.) . . . . .	570	90
<u>High-Rise Signs</u>		
16 ft. lighted - installed on:		
1 Pole. . . . .	2,700	400
2 Pole. . . . .	3,370	510
3 Pole. . . . .	3,940	590
<u>Attachment Signs - For High-Rise</u>		
Lighted "Self-Serve" (5 x 17 ft.) . . . . .	1,350	200
Lighted "Pricing" (5 x 9 ft.) . . . . .	570	90
<u>LIGHTS - - Light Poles - each. . . . .</u>	50	10
Lights - per pole unit. . . . .	110	20
<u>AIR &amp; WATER UNITS - Above ground. . . . .</u>	160	20
Below ground. . . . .	100	20
<u>AIR COMPRESSORS - 1/3 to 1 H.P. . . . .</u>	300	50
1 1/2 to 5 H.P. . . . .	640	100
<u>PUMPS - - Single - Self contained and/or remote con-</u>		
trolled computer - Non-electronic	620	90
<u>Dual - Non-Electronic. . . . .</u>	1,070	160

<u>PROPERTY DESCRIPTION</u>	<u>FAIR MARKET VALUE</u>	<u>ASSESSED VALUE</u>
<u>PUMPS - CONTINUED</u>		
<u>Single</u> - <u>Computerized</u> , non-self-service, post pay, pre/post pay, self- contained and/or remote controlled dispensers. . . . .	\$ 750	\$ 110
<u>Dual</u> - <u>Computerized</u> . . . . .	1,320	200
<u>Read-Out Equipment</u> - At operator of self- service - Per Hose Outlet . . . . .	220	30
<u>Submerged Pumps</u> - Used with remote control equipment, according to number used - per unit . . . . .	310	50
<u>DRIVE ON LIFTS</u> - Single Post . . . . .	1,010	150
Dual Post . . . . .	1,690	250
<u>CAR WASH EQUIPMENT</u> -In Bay (Roll over brushes). . . . .	9,900	1,490
In Bay (Pull Through) . . . . .	17,430	2,610
Tunnel (40 to 50 ft.) . . . . .	33,170	4,980
Tunnel (60 to 75 ft.) . . . . .	36,260	5,440
<u>TANKS</u> - Average for all tank sizes (underground) - per gallon. . . . .	.29	.04

The above represents "Fair Market Value" and "Assessed Value" of modern stations and self-service marketing equipment. Other cost associated with such equipment is included in improvements. Old style stations and equipment should be assessed on an individual basis, at the discretion of the tax assessor, when evidence is furnished to substantiate such action.

\*This ALTERNATIVE ASSESSMENT PROCEDURE should be used ONLY when acquisition cost and age are unknown or unavailable. See GB Section for Normal Assessment Procedure.

TABLE 4.1  
DRILLING RIGS AND RELATED EQUIPMENT

Depth "0" to 3,499 Feet

<u>AGE BRACKET</u>	<u>PERCENT GOOD</u>	<u>FAIR MARKET VALUE</u>	<u>ASSESSMENT</u>
0-3 Years	100%	\$ 371,000	\$ 55,650
4-6 Years	85%	315,000	47,250
7-9 Years	70%	260,000	39,000
10-12 Years	55%	204,000	30,600
13 Years or Older	40%	148,000	22,200

Depth 3,500 to 6,999 Feet

<u>AGE BRACKET</u>	<u>PERCENT GOOD</u>	<u>FAIR MARKET VALUE</u>	<u>ASSESSMENT</u>
0-3 Years	100%	\$ 787,000	\$ 118,050
4-6 Years	85%	669,000	100,350
7-9 Years	70%	551,000	82,650
10-12 Years	55%	433,000	64,950
13 Years or Older	40%	315,000	47,250

Depth 7,000 to 9,999 Feet

<u>AGE BRACKET</u>	<u>PERCENT GOOD</u>	<u>FAIR MARKET VALUE</u>	<u>ASSESSMENT</u>
0-3 Years	100%	\$ 1,124,000	\$ 168,600
4-6 Years	85%	955,400	143,300
7-9 Years	70%	786,800	118,000
10-12 Years	55%	618,200	92,750
13 Years or Older	40%	449,600	67,450

Depth 10,000 to 12,999 Feet

<u>AGE BRACKET</u>	<u>PERCENT GOOD</u>	<u>FAIR MARKET VALUE</u>	<u>ASSESSMENT</u>
0-3 Years	100%	\$ 2,698,000	\$ 404,700
4-6 Years	85%	2,293,000	343,950
7-9 Years	70%	1,889,000	283,350
10-12 Years	55%	1,484,000	222,600
13 Years or Older	40%	1,079,000	161,850

TABLE 4.1 - Continued

Depth 13,000 to 19,999 Feet

<u>AGE BRACKET</u>	<u>PERCENT GOOD</u>	<u>FAIR MARKET VALUE</u>	<u>ASSESSMENT</u>
0-3 Years	100%	\$ 3,597,000	\$ 539,550
4-6 Years	85%	3,057,000	458,550
7-9 Years	70%	2,518,000	377,700
10-12 Years	55%	1,978,000	296,700
13 Years or Older	40%	1,439,000	215,850

Depth 20,000 to 24,999 Feet

<u>AGE BRACKET</u>	<u>PERCENT GOOD</u>	<u>FAIR MARKET VALUE</u>	<u>ASSESSMENT</u>
0-3 Years	100%	\$ 4,497,000	\$ 674,550
4-6 Years	85%	3,822,000	573,300
7-9 Years	70%	3,148,000	472,200
10-12 Years	55%	2,473,000	370,950
13 Years or Older	40%	1,799,000	269,850

Depth 25,000 Feet or Deeper

<u>AGE BRACKET</u>	<u>PERCENT GOOD</u>	<u>FAIR MARKET VALUE</u>	<u>ASSESSMENT</u>
0-3 Years	100%	\$ 5,341,000	\$ 801,150
4-6 Years	85%	4,540,000	681,000
7-9 Years	70%	3,739,000	560,850
10-12 Years	55%	2,938,000	440,700
13 Years or Older	40%	2,136,000	320,400

BARGES (Hull)

Assess Barges (Hull) at 25% of the Assessment for the Rig Age and Value Bracket, and add this to the proper rig assessment to arrive at total for barge and its drilling rig.

WORKOVER RIGS

Assess Workover Rigs at 25% of the Assessment for the Rig Age and Value Bracket.

CONSIDERATION OF OBSOLESCENCE

Economic and/or Functional Obsolescence is a loss in value of personal property above and beyond physical deterioration. Upon a showing of evidence of such loss, substantiated by the taxpayer in writing, economic or functional obsolescence shall be given.

GUIDELINES FOR ASCERTAINING THE  
FAIR MARKET VALUE OF PIPELINES

Pipelines which are not involved in the interstate transmission of products are to be assessed by parish assessors. Two separate classes of pipelines are identified because of differences in function, design and quality. The two classes are "lease lines", which are generally of lower quality, subject to changes in routes, etc.; and "other pipelines" which are generally larger and of higher quality.

Both classes of pipelines are to be assessed in the taxing district where located. A copy of LAT Form 14 is to be provided the pipeline owner. Surface equipment associated with pipelines (compressor stations, booster stations, etc.) are to be reported separately on LAT Form 5. Surface pipeline related equipment is to be valued individually at cost factored to current value less physical deterioration. Pipelines are to be valued for assessment purposes at cost less physical deterioration. A cost schedule is provided for the various sizes of "other pipelines". Represented in this schedule is the cost-new, as of January 1, 1984 for the different size pipelines. This cost is to be reduced for the appropriate allowance for physical deterioration (Table 5.1) based on the age of the pipeline by multiplying replacement cost by the appropriate percent good factor. Where significant functional and economic obsolescence has been proven to the assessor, appropriate allowance should be made on an individual case basis.

Lease Lines

The category "lease lines" represents pipelines which are generally in the two inches to six inches size range. These pipelines are considered to be subject to changes in routes due to equipment and well requirements; and generally are not of the same quality as "other pipelines". These lines are generally associated with wells and surface equipment on the oil and gas production field. Fiberglass and plastic lines which are now being used in some areas are also covered in this category. Refer to Oil and Gas Property Section, Surface Equipment for "lease lines".

TABLE 5.1

PIPELINE TRANSPORTATION

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<u>YEAR</u>	<u>PERCENT GOOD</u>
1984	98
1983	94
1982	91
1981	88
1980	85
1979	81
1978	77
1977	74
1976	70
1975	65
1974	61
1973	57
1972	52
1971	47
1970	44
1969	40
1968	40*
1967	40*
1966	40*
1965	40*
1964	40*
1963	40*

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\*Actual Percent Good less than 40,  
minimum indicated.

TABLE 5.2

CURRENT COSTS FOR OTHER PIPELINES

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SIZE	COST PER FOOT	COST PER MILE
6"	\$ 14.27	\$ 75,350
8"	20.39	107,660
10"	30.53	161,200
12"	33.29	175,770
14"	40.09	211,680
16"	46.89	247,580
18"	54.02	285,230
20"	61.16	322,920
22"	69.32	366,010
24"	77.45	408,940
26"	84.94	448,480
28"	92.40	487,870
30"	101.25	534,600
32"	110.08	581,220
34"	118.23	624,250
36"	126.39	667,340
38"	135.00	712,800
40"	143.59	758,160
42"	152.21	803,670
44"	160.75	848,760
46"	169.29	893,850
48"	177.85	939,050

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TABLE 6.1

AIRCRAFT (INCLUDING HELICOPTERS)

COST INDEX		AVERAGE ECONOMIC LIFE		
(AVERAGE)		10 YEARS		
YEAR	INDEX	EFFECTIVE AGE	PERCENT GOOD	COMPOSITE MULTIPLIER
1984		1	92	
1983	1.017	2	84	.85
1982	1.036	3	76	.79
1981	1.084	4	67	.73
1980	1.196	5	58	.69
1979	1.316	6	49	.64
1978	1.438	7	39	.56
1977	1.547	8	30	.46
1976	1.629	9	24	.39
1975	1.731	10	21	.36
1974	1.930	11	20	.39



TABLE 11.2

COST INDEXES

<u>YEAR</u>	<u>NATIONAL AVERAGE</u>	
	1926 = 100	January 1, 1984 = 100*
1984		
1983	755.8	1.017
1982	742.4	1.036
1981	709.2	1.084
1980	642.8	1.196
1979	584.4	1.316
1978	534.7	1.438
1977	497.1	1.547
1976	472.1	1.629
1975	444.3	1.731
1974	398.4	1.930
1973	344.1	2.235
1972	332.1	2.316
1971	321.3	2.393
1970	303.3	2.535
1969	285.1	2.697
1968	273.2	2.815
1967	262.9	2.925
1966	252.5	3.046
1965	244.9	3.140
1964	241.8	3.180
1963	239.2	3.215
1962	238.5	3.224
1961	237.2	3.242
1960	237.7	3.235
1959	234.9	3.274

\*Reappraisal Date: January 1, 1984 - 769.0 (Base Year)

TABLE 11.4

COMPOSITE MULTIPLIERS

SUB-TABLE #1		SUB-TABLE #2		SUB-TABLE #3		SUB-TABLE #4		SUB-TABLE #5		SUB-TABLE #6		SUB-TABLE #7		SUB-TABLE #8	
AGE	C.M.	AGE	C.M.	AGE	C.M.	AGE	C.M.	AGE	C.M.	AGE	C.M.	AGE	C.M.	AGE	C.M.
1		1		1		1		1		1		1		1	
2	.50	2	.70	2	.80	2	.85	2	.88	2	.92	2	.95	2	.97
3	.35	3	.54	3	.69	3	.79	3	.83	3	.88	3	.93	3	.96
4	.22	4	.37	4	.59	4	.73	4	.79	4	.86	4	.93	4	.98
		5	.28	5	.51	5	.69	5	.79	5	.87	5	.98	5	1.04
		6	.26	6	.43	6	.64	6	.76	6	.89	6	1.03	6	1.11
				7	.37	7	.56	7	.72	7	.89	7	1.06	7	1.16
				8	.34	8	.46	8	.67	8	.85	8	1.08	8	1.21
				9	.33	9	.39	9	.59	9	.80	9	1.06	9	1.22
				10		10	.36	10	.50	10	.74	10	1.04	10	1.23
				11		11	.39	11	.46	11	.71	11	1.06	11	1.31
								12	.49	12	.69	12	1.12	12	1.43
								13	.46	13	.60	13	1.04	13	1.39
										14	.55	14	.96	14	1.34
										15	.53	15	.89	15	1.32
										16	.54	16	.84	16	1.29
										17		17	.76	17	1.24
										18		18	.70	18	1.14
										19		19	.67	19	1.04
										20		20	.66	20	.94
										21		21	.64	21	.83
										22		22		22	.74
										23		23		23	.68
										24		24		24	.65
										25		25		25	.65
										26		26		26	.65

CLASSIFICATION

The Modern Soil Surveys published by the U.S. Department of Agriculture, Soil Conservation Service in cooperation with the Louisiana Agricultural Experiment Station listed in Map Index, together with the conversion legends prepared and distributed by the Soil Conservation Service shall be used for determining the use value classification of agricultural, horticultural and timberland. The parishes in which Modern Soil Surveys have been completed are as follows:

Acadia	Lafayette
Allen	*Lafourche
Ascension	Madison
Assumption	*Morehouse
*Avoyelles	*Natchitoches
Bossier	Ouachita
Caddo	Pointe Coupee
*Calcasieu	Rapides
*Cameron	Red River
*Catahoula	*St. Bernard
*Claiborne	St. James
*Concordia	St. John the Baptist
*Desoto	*St. Landry
East Baton Rouge	St. Martin
*East Carroll	St. Mary
Evangeline	*St. Tammany
Franklin	Tensas
*Grant	Terrebonne
Iberia	West Baton Rouge
Iberville	West Carroll
Jefferson	

\* - Modern Soil Survey completed and now being published.

The General Soil Maps published by the U.S. Department of Agriculture, Soil Conservation Service listed in Map Index, together with the conversion legends prepared and distributed by the Soil Conservation Service shall be used for determining use value classification in all other parishes until the time that the Modern Soil Surveys for such parishes are completed. On January of the year after which the Modern Soil Survey for any parish is completed, such Modern Soil Survey shall then be used for determining use value classification for said parish and the use of the General Soil Map in said parish shall thereafter be discontinued.

It is the intent that General Soil Maps are to be used only in the absence of and until Modern Soil Surveys are completed in the future by the U.S. Depart-

ment of Agriculture, Soil Conservation Service on presently unmapped areas. However, at the option of and by agreement between the assessor and the land owner Modern Soil Surveys that have been completed on any part of any parish (including individual farms or tracts of land), can be used for determining use value classification until such time as the Modern Soil Survey for that parish is completed.

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MAP INDEX  
 LISTING OF GENERAL SOIL MAPS  
 & MODERN SOIL SURVEYS  
 FOR THE STATE OF LOUISIANA  
 PUBLISHED BY  
 U. S. DEPT. OF AGRIC., SOIL CONSERVATION SERVICE  
 IN COOPERATION WITH  
 LOUISIANA AGRICULTURAL EXPERIMENT STATION

<u>Parish</u>	<u>General Soil Map</u>		<u>Modern Soil Surveys</u>
	<u>Date</u>	<u>Map No.</u>	<u>Date Published or Status</u>
Acadia	July, 1972	4-R-14566-A	Sept., 1962 (series 1959#15)
Allen	Jan., 1970	4-R-28814-A	September, 1980
Ascension	Sept., 1972	4-R-16165-B	August, 1976
Assumption	July, 1970	4-R-15698-A	August, 1978
Avoyelles	Nov., 1970	4-R-15240-A	(Survey Complete - Being Published)
Beauregard	Nov., 1971	4-R-28744-A	
Bienville	Nov., 1971	4-R-16791-B	
Bossier	Nov., 1971	4-R-13994-B	August, 1962 (Series 1959#13)
Caddo	Nov., 1971	4-R-16024-A	September, 1980
Calcasieu	Aug., 1972	4-R-28741-B	(Survey Complete - Being Published)
Caldwell	Dec., 1970	4-R-15485-A	
Cameron	Nov., 1971	4-R-28743-A	(Survey Complete - Being Published)
Catahoula	June, 1971	4-R-16812-A	(Survey Complete - Being Published)
Claiborne	June, 1970	4-R-17132-A	(Survey Complete - Being Published)
Concordia	Dec., 1970	4-R-14761-A	(Survey Complete - Being Published)
DeSoto	Nov., 1971	4-R-29144-A	(Survey Complete - Being Published)
East Baton Rouge	May, 1972	4-R-25895-A	September, 1968
East Carroll	Jan., 1970	4-R-28748-A	(Survey Complete - Being Published)
East Feliciana	Nov., 1971	4-R-17441-A	
Evangeline	Nov., 1971	4-R-28936-A	August, 1974
Franklin	Sept., 1972	4-R-15069-B	August, 1981
Grant	Sept., 1972	4-R-16051-B	(Survey Complete - Being Published)
Iberia	Feb., 1974	4-R-15681-A	August, 1978
Iberville	Nov., 1971	4-R-16280-A	June, 1977
Jackson	Jan., 1971	4-R-16811-A	
Jefferson	Nov., 1971	4-R-17344-A	January, 1983
Jefferson Davis	Jan., 1970	4-R-28746-A	
Lafayette	Nov., 1970	4-R-15827-A	August, 1977
Lafourche	June, 1969	4-R-16329-A	(Survey Complete - Being Published)
LaSalle	Aug., 1970	4-R-16813-A	
Lincoln	Sept., 1972	4-R-17131-B	
Livingston	Feb., 1971	4-R-17440-A	
Madison	Mar., 1970	4-R-28745-A	May, 1982
Morehouse	Aug., 1972	4-R-15071-B	(Survey Complete - Being Published)
Natchitoches	Aug., 1972	4-R-16790-B	(Survey Complete - Being Published)
Orleans	July, 1970	4-R-3865-A	

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Map Index (Continued)

Parish	General Soil Map		Modern Soil Surveys
	Date	Map No.	Date Published or Status
Ouachita	June, 1971	4-R-15070-A	February, 1974
Plaquemines	Dec., 1969	4-R-28742-A	
Pointe Coupee	Oct., 1970	4-R-14739-A	March, 1982
Rapides	Sept., 1975	4-R-15239-A	June, 1980
Red River	Nov., 1971	4-R-16027-A	June, 1980
Richland	Oct., 1971	4-R-14778-A	
Sabine	Apr., 1970	4-R-29238	
St. Bernard	Aug., 1970	4-R-17359-A	(Survey Complete - Being Published)
St. Charles	Nov., 1971	4-R-16166-A	
St. Helena	Mar., 1971	4-R-17438-A	
St. James	Nov., 1971	4-R-19476-A	August, 1973
St. John	Nov., 1971	4-R-19476-A	August, 1973
St. Landry	May, 1970	4-R-29386	(Survey Complete - Being Published)
St. Martin	Sept., 1970	4-R-15484-A	April, 1977
St. Mary	May, 1972	4-R-31670	March, 1959 (Series 1952#3)
St. Tammany	Aug., 1972	4-R-17443-B	(Survey Complete - Being Published)
Tangipahoa	Nov., 1971	4-R-17439-A	
Tensas	July, 1972	4-R-13919-A	October, 1968
Terrebonne	Aug., 1972	4-R-31732	February, 1960 (Series 1956#1)
Union	Nov., 1971	4-R-17133-A	
Vermilion	Jan., 1970	4-R-28747-A	
Vernon	June, 1971	4-R-16053-A	
Washington	Nov., 1971	4-R-17437-A	
Webster	Nov., 1971	4-R-27092-A	
West Baton Rouge	July, 1970	4-R-14740-A	March, 1982
West Carroll	Mar., 1976	4-R-14767-A	May, 1977
West Feliciana	Sept., 1975	4-R-29109-A	
Winn	Dec., 1970	4-R-16052-A	

evidence in the form of copies or excerpts or that which is incorporated by reference.

13. Documents and papers offered in evidence by the parties at a hearing before the Commission shall be marked as exhibit. Exhibits offered by a taxpayer shall be marked "Taxpayer's Exhibit Number \_\_\_\_" and shall be consecutively numbered. Exhibits offered by the assessor shall be marked "Assessor's Exhibit Number \_\_\_\_" and shall be consecutively numbered. Exhibits offered by the Commission or its representative shall be marked "Commission Exhibit Number \_\_\_\_" and shall be consecutively numbered.
14. At the close of evidence, five (5) minutes will be allowed each side to argue its case.
15. Hearings may be conducted by a Hearing Officer selected and appointed by the Commission. The Hearing Officer shall have the authority to administer oaths, may examine witnesses and rule upon the admissibility of evidence and amendments to pleadings. The Hearing Officer shall have the authority to recess any hearing from day to day.
16. The Hearing Officer will have the responsibility and duty of assimilating testimony and evidence, compiling a written summary of the testimony and evidence and presenting a proposed order to the Commission. The proposed order shall be served upon the protesting party by certified mail, return receipt requested.
17. The word Commission as used herein refers to the Chairman and the Members, or its delegate appointed to conduct the hearings.

mail, return receipt requested.

12. The Hearing Officer shall direct all parties to enter their appearance on the record. In all proceedings, the protesting party shall open. After the protesting party has presented all its evidence, the Hearing Officer may call upon any party or the staff of the Commission for further material or relevant evidence upon any issue.
13. The Commission shall provide an official reporter to make and transcribe a stenographic record of the hearing and each protest and shall provide for such copies of the transcript as may be required for the purposes of the Commission.
14. Briefs shall be filed within seven (7) days of receipt of the Hearing Officer's proposed order. The points involved shall be concisely stated, the evidence in support of each point shall be briefly summarized, and the argument and authorities shall be organized and directed to each point in a concise and logical manner.
15. Any evidence which would be admissible under the general statutes of the State of Louisiana, or under the rules of evidence governing proceedings in matters not involving a trial by jury in the courts of the State of Louisiana, shall be admissible before the Louisiana Tax Commission. Other evidence may be admitted by the Commission if it is at all probative and relevant provided the substantive rights of all parties are protected. The rules of evidence shall be applied liberally in any proceeding to the end that all needful and proper evidence shall be conveniently, inexpensively and speedily heard while preserving the substantive rights of the parties to the proceeding.
16. A protesting party, with leave of the Hearing Officer of the Commission, may present prepared testimony of a witness upon direct examination, either narrative or question and answer form, which shall be incorporated in the record as if read, upon the witnesses being sworn and identifying the same. Such witness shall be subject to cross-examination. One signed original and four reproduced copies of said signed original shall be filed. Only the original of a Deposition need be filed.

The proposed changes to the Guidelines of the Louisiana Tax Commission are available in the office of the Louisiana Tax Commission, 923 Executive Park Avenue, Baton Rouge, LA between the hours of 8 a.m. and 4 p.m. Ed Leffel is the person responsible for responding to inquiries concerning the intended action.

Those desiring to be heard will be given reasonable opportunity to make their presentations.

Jamar W. Adcock  
Chairman

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

#### **Rule Title: LA Tax Commission Rules and Regulations**

##### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)**

Implementation costs to the agency are the costs of reproduction and distribution of updated regulations. These costs are estimated at \$1,609.00 for the 1984-85 fiscal year.

##### **II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)**

These revisions increase the value of existing personal property of a given age by an average of 3% over value for 1984. Assuming that the average age of personal property statewide remains unchanged, this revision will increase property assessments by 3% or \$297 million. At existing millages (averaging 70.8 mils) this will increase personal property taxes by an estimated \$8.9 million for 1985-86.

##### **III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)**

The initial burden of these additional tax collections would fall on property owners affected by the revised assessment guidelines. The ultimate impact of the additional collections has not been determined.

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

Effects on competition and employment have not been identified or estimated.

Jamar W. Adcock  
Chairman

Mark C. Drennen  
Legislative Fiscal Officer

### **NOTICE OF INTENT Department of the Treasury Bond Commission**

In accordance with the applicable provisions of the Administrative Procedure Act, R.S. 49:950 et seq., notice is hereby given that the Bond Commission intends to amend the Commission's rules as originally adopted on November 20, 1976, and amended as of October 20, 1978, November 20, 1979, January 20, 1981, February 20, 1981, October 20, 1982, November 20, 1982, April 20, 1983 and May 20, 1984.

The Commission proposes to repeal Rule IV, adopted November 20, 1982, and amend its rules and regulations regarding non-traditional tax-exempt bond issues as adopted on November 12, 1979 by the Bond Commission and published in the *Louisiana Register* on November 20, 1979, by adding the following proposed rule:

"(13)" All prospective issuers of non-traditional purpose bonds (as previously defined herein) must provide at least five days notice prior to their initial consideration of application for non-traditional purpose bonds. Thereafter, at least 24 hours notice of subsequent consideration(s) of non-traditional purpose bonds must

be provided state legislators representing the geographical area in which the project is contemplated to be located.

The notice(s) will include the following information:

(1) Name of issuer

(2) Financing beneficiary: (a) proprietorship, partnership, publicly held corporation, closely held corporation, non-profit corporation, other (explain); (b) state of organization; (c) principals and addresses of beneficiary

(3) estimated amount of issue

(4) guarantor

(5) bond counsel

(6) legal authority to issue bonds

(7) location of project: street, city, parish: in-lieu of tax payment?

(8) description of project

(9) if historical building, age of building

(10) employment impact information:

(a) temporary construction jobs

(b) new permanent jobs/annual payroll

(c) present jobs retained or transferred/annual payroll

(d) total jobs/annual payroll of 10(a) and 10(b)

(11) date, time, location and any other pertinent information related to the meeting(s) at which the project will be considered

The proposed rule amendment will be made available for public inspection between the hours of 8 a.m. and 4:30 p.m. on any working day after September 20, 1984 at the Office of the Bond Commission, Third Floor, State Capitol Building, Baton Rouge, La.

Interested persons may submit their views and opinions through September 24, 1984, Third Floor, State Capitol Building, Box 44154, Baton Rouge, La. 70804. The Bond Commission will hold a public hearing on September 25, 1984 at a time and place established in a notice posted 24 hours in advance.

The Bond Commission shall prior to the adoption, amendment or repeal of any rule, afford all interested persons reasonable opportunity to submit data, views, or arguments, orally or in writing. In case of substantive rules, opportunity for oral presentation or argument shall be granted if requested by 25 persons, by a governmental subdivision or agency, by a committee of either house of the Legislature to which the proposed rule change has been referred, as required under the provisions of Section 968 of Title 49.

At least eight working days prior to the meeting of the Bond Commission at which a rule or rules are proposed to be adopted, amended or repealed, notice of an intention to make an oral or written presentation shall be given to the Director or Assistant Director of the Bond Commission. If the presentation is to be oral, such notice shall contain the name or names, telephone numbers, and mailing addresses of the person or persons who will make such oral presentation, who they are representing, the estimated time needed for the presentation, and a brief summary of the presentation. Notice of such oral presentation may be sent to all Bonds Commission members prior to the meeting. If the presentation is to be written, such notice shall contain the name or names of the person or persons submitting such written statement, who they are representing, and a copy of the statement itself. Such written statement will be sent to all Bond Commission members prior to the meeting.

The Commission shall consider all written and oral submissions concerning the proposed rules. Upon adoption of a rule, the Commission, if requested to do so by an interested person either prior to the adoption or within thirty days thereafter, shall issue a concise statement of the principal reasons for or against its adoption.

Mary Evelyn Parker  
State Treasurer and Chairman



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

**Rule Title: Legislator Notification**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)  
Nominal implementation costs would be required by the issuers, i.e., a parish, municipality, district or port, for notifying area legislators of pending projects.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)  
There will be no estimated effect on revenue collection.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)  
Nominal additional costs would be required by the issuers for notifying area legislators of pending projects.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
Competitors may have a better opportunity to be aware of pending revenue bond projects that might affect their business activity.

Thomas D. Burbank, Jr.  
Director and 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 Subcommittee on Oversight met on August 22, 1984 and reviewed certain changes in state regulations proposed by the Louisiana Department of Natural Resources for which notice of intent was published in the July 20, 1984 *Louisiana Register* with the following results:

1) Proposal by the Department of Natural Resources to develop a Commercial Apartment Conservation Service (CACS) State Plan.

Rejected by a vote of 7-0.

Clyde W. Kimball  
Chairman

# Potpourri

**POTPOURRI**

**Department of Health and Human Resources  
Board of Embalmers  
and Funeral Directors**

The Louisiana State Board of Embalmers and Funeral Directors will give a Funeral Director and the National Board exam on Tuesday, September 25, 1984 at Delgado Community College, 615 City Park Ave., New Orleans.

Interested persons may obtain further information from the

Board of Embalmers and Funeral Directors, P.O. Box 8757, Metairie, LA 70011, (504) 483-4684.

Dawn Scardino  
Administrative Assistant

**POTPOURRI**

**Department of Natural Resources  
Fishermen's Gear Compensation Fund**

In accordance with the provisions of the Fishermen's Gear Compensation Fund, Louisiana Revised Statutes 56:700.1 through 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 77 completed claims, amounting to \$99,983.87, were received during the month of August, 1984. During the same month, 52 claims, amounting to \$68,414.92, were paid. The following is a list of the paid claims.

Claim No. 83-1307 Kenneth Adams	Claim No. 83-1308 Webb Cheramie, Jr.	Claim No. 83-1325 Wayne Duhon
Claim No. 83-1329 Malcolm Assevado	Claim No. 83-1346 John Bergeron	Claim No. 83-1369 Emile Rojas, Jr.
Claim No. 83-1373 Paul J. Robeaux, Sr.	Claim No. 83-1374 Ray Lacoste, Jr.	Claim No. 83-1381 Jimmy Frickey
Claim No. 83-1383 Terry Alario	Claim No. 83-1388 Charles Wilson	Claim No. 84-1411 Robert Assavedo
Claim No. 84-1415 Nicholas Mones	Claim No. 84-1420 Leo Paul Pitre	Claim No. 84-1425 Alan Cheramie
Claim No. 84-1426 Michael E. Gourgues	Claim No. 84-1427 Mark Eynard	Claim No. 84-1428 Mark Eynard
Claim No. 84-1431 Gary R. Erlinger	Claim No. 84-1434 George Skinner	Claim No. 84-1435 Carroll Erlinger
Claim No. 84-1440 Kenneth Adams	Claim No. 84-1445 Michael Adam	Claim No. 84-1446 Melvin Dufrene
Claim No. 84-1447 Ray Bumgarden	Claim No. 84-1448 Isadore Dardar	Claim No. 84-1450 Mark Eynard
Claim No. 84-1455 Louis B. Dusenbery	Claim No. 84-1458 Eddie J. Sapia, Jr.	Claim No. 84-1459 Dwayne Fails
Claim No. 84-1460 Dwayne Fails	Claim No. 84-1464 Jules B. Kain	Claim No. 84-1465 Jules B. Kain
Claim No. 84-1468 Bryan J. Despaux	Claim No. 84-1469 Dwayne Fails	Claim No. 84-1471 Perry Felarise
Claim No. 84-1474 George Trahan	Claim No. 84-1476 John Bergeron	Claim No. 84-1477 John Bergeron
Claim No. 84-1486 Bonner Willis	Claim No. 84-1487 Jimmy Dyson	Claim No. 84-1489 Tony Guerra, Jr.
Claim No. 84-1491 Albert Madere	Claim No. 84-1493 Houston Trahan	Claim No. 84-1494 Gareth R. LeBlanc
Claim No. 84-1497 Gareth R. LeBlanc	Claim No. 84-1499 James M. Trosclair	Claim No. 84-1502 Sherrill Authement
Claim No. 84-1507 Ashful Authement	Claim No. 84-1510 Malcolm A. Despaux	Claim No. 84-1513 Loyde Duncan
Claim No. 84-1529 Jefferson P. Lasseigne		

Public hearings to consider completed claims against the Fishermen's Gear Compensation Fund have been scheduled as follows:

Tuesday, October 2, 1984, at 10 a.m., in the Lafitte City Hall, Lafitte, La.:

CLAIM NO. 83-1349 (RESCHEDULED)

Gordon V. Rojas, of Lafitte, La., while trawling on the vessel, "Lady Lois," in East Bay, northeast of Burrwood, at approximate LORAN-C readings of 28,857.0 and 46,782.3, Plaquemines Parish, encountered an unidentified submerged obstruction on November 21, 1983, at approximately 10 a.m., causing loss of his 62 foot trawl and boards.

Amount of Claim: \$1,655.80.

CLAIM NO. 83-1364 (RESCHEDULED)

Clarence R. Guidry, of Lafitte, La., while trawling on the vessel, "Capt. Rosco," in the Gulf of Mexico east of Southeast Pass, at LORAN-C readings of 29,067.3 and 46,790.0, Plaquemines Parish, encountered an unidentified submerged obstruction on November 29, 1983, at approximately 5 p.m., causing loss of his trawl.

Amount of Claim: \$521.

CLAIM NO. 83-1376 (RESCHEDULED)

Craig Arcement, ship captain for Lester Charles Arcement, of Lafitte, La., while trawling on the vessel, "Captain Craig," in the Gulf of Mexico southeast of the Empire Canal, at approximate LORAN-C readings of 28,753.1 and 46,843.3, Plaquemines Parish, encountered an unidentified submerged obstruction on December 10, 1983, at approximately 5:30 p.m., causing the loss of his trawl.

Amount of Claim: \$779.23.

CLAIM NO. 84-1443 (RESCHEDULED)

Gordon V. Rojas, of Lafitte, La., while trawling on the vessel, "Lady Lois," in the Gulf of Mexico west of Southwest Pass, at approximate LORAN-C readings of 28,763.8 and 46,779.0, Plaquemines Parish, encountered an unidentified submerged obstruction on January 8, 1984, at approximately 5 p.m., causing the loss of his 10 foot by 40 inch boards.

Amount of Claim: \$936.

CLAIM NO. 84-1492

Louis Michael Matherne, of Lafitte, La., while trawling on the vessel, "Super Star," in the Barataria Waterway near Bayou St. Denis, Jefferson Parish, encountered a section of 3 inch rope on February 3, 1984, causing damage to his vessel.

Amount of Claim: \$5,000.

CLAIM NO. 84-1495 (RESCHEDULED)

Gareth LeBlanc, of Miss Charlotte, Inc., Lafitte, La., while trawling on the vessel, "Miss Charlotte," in the Gulf of Mexico south of Burrwood, at LORAN-C readings of 28,804.6 and 46,770.1, Plaquemines Parish, encountered an unidentified submerged obstruction on February 13, 1984, at approximately 6:30 a.m., causing the loss of his trawls.

Amount of Claim: \$3,102.

CLAIM NO. 84-1496 (RESCHEDULED)

Gareth LeBlanc, of Miss Santrina, Inc., Lafitte, La., while trawling on the vessel, "Miss Santrina," in the Gulf of Mexico near Southwest Pass, at LORAN-C readings of 28,790.3 and 46,766.2, Plaquemines Parish, encountered an unidentified submerged obstruction on March 10, 1984, at approximately 5:15 a.m., causing the loss of his 50 foot trawl and shark gear.

Amount of Claim: \$1,639.

CLAIM NO. 84-1508 (RESCHEDULED)

Malcolm Despaux, of Barataria, La., while trawling on the vessel, "Louisiana Queen," in the Gulf of Mexico south of Barataria Pass, at approximate LORAN-C readings of 28,564.6 and 46,861.9, Jefferson Parish, encountered a submerged pontoon on

March 15, 1984, at approximately 4 p.m., causing the loss of his 40 foot trawl.

Amount of Claim: \$590.

CLAIM NO. 84-1509 (RESCHEDULED)

Malcolm Despaux, of Barataria, La., while trawling on the vessel, "Louisiana Queen," in the Gulf of Mexico, northwest of Sandy Point, Plaquemines Parish, encountered an unidentified submerged obstruction, at approximately 9 a.m., causing the loss of his 40 foot trawl.

Amount of Claim: \$590.

CLAIM NO. 84-1523

Ronald Thomassie, of Lafitte, La., while trawling on the vessel, "Chris-Ron-Ed," in the Gulf of Mexico, approximately one mile south of Four Bayous Pass, Plaquemines Parish, encountered an unidentified submerged obstruction, on April 28, 1984, at approximately 11 p.m., causing damage to his vessel and loss of his 55 foot trawl.

Amount of Claim: \$3,561.19.

CLAIM NO. 84-1534 (RESCHEDULED)

Clifton O. Creppel, of Lafitte, La., while trawling on the vessel, "Capt. Kojack," in the Gulf of Mexico south of Quatre Bayou Pass, at approximate LORAN-C readings of 28,633.0 and 46,872.7, Plaquemines Parish, encountered an unidentified submerged obstruction on May 16, 1984, at approximately 7 a.m., causing damage to his vessel and the loss of his trawl.

Amount of Claim: \$1,050.

CLAIM NO. 84-1553 (RESCHEDULED)

Curtis Rojas, Sr., of Lafitte, La., while trawling on the vessel, "Roxiann," in Bayou Rigolettes, northeast of the Harvey Cut-off Canal, Jefferson Parish, encountered a submerged log on May 28, 1984, at approximately 5 a.m., causing damage to his vessel.

Amount of Claim: \$613.91.

CLAIM NO. 84-1582

Bob R. Bruce, of Lafitte, La., while trawling on the vessel, "Mr. Bruce," in Bay Ronquille, northeast of Quatre Bayou Pass, Plaquemines Parish, encountered a submerged piling on June 1, 1984, at approximately 8 a.m., causing damage to his trawl.

Amount of Claim: \$63.

CLAIM NO. 84-1591

Henry Fazende, of Barataria, La., while trawling on the vessel, "Typhoon #2," in the Gulf of Mexico, at LORAN-C readings of 28,614.3 and 46,867.9, Plaquemines Parish, encountered an unidentified submerged obstruction, on May 28, 1984, at approximately 8 a.m., causing loss of his 52 foot trawl.

Amount of Claim: \$795.

CLAIM NO. 84-1605

John Zar, III, of Lafitte, La., while traveling on the vessel, "Rhonda Lynn," in the Delcambre Canal between Delcambre and the Intracoastal Waterway, Vermilion Parish, encountered pieces of rope, cable and canvas on May 31, 1984, at approximately 3:30 p.m., causing damage to his vessel.

Amount of Claim: \$5,000.

CLAIM NO. 84-1638

Wilfred J. Savoie, of Marrero, La., while trawling on the vessel, "Barbie," in Little Lake, west of a tank battery, near East Bank, Jefferson Parish, encountered a section of 3 inch diameter pipe on June 21, 1984, at approximately 11:30 a.m., causing loss of his trawl and boards.

Amount of Claim: \$426.15.

CLAIM NO. 84-1679

Derrell Belsome, of Lafitte, La., while trawling on the vessel, "Black Knight," in Bayou St. Denis, south of Bayou Cutler, Jefferson Parish, encountered a submerged piling on June 25, 1984, at approximately 1 p.m., causing damage to his trawl.

Amount of Claim: \$328.56.

CLAIM NO. 84-1680

Derrell Belsome, of Lafitte, La., while trawling on the vessel, "Black Knight," in Lake Grande Ecaille, on the western edge of the lake, Plaquemines Parish, encountered a submerged derrick beacon frame on June 29, 1984, at approximately 7:35 a.m., causing damage to his trawl.

Amount of Claim: \$726.33.

CLAIM NO. 84-1689

Danny J. Robin, of Marrero, La., while trawling on the vessel, "Capt. Danny", in Billet Bay, near Bay Long, Plaquemines Parish, encountered a submerged piling of May 31, 1984, at approximately 7 a.m., causing damage to his trawl.

Amount of Claim: \$251.94.

CLAIM NO. 84-1701

Lawrence J. Plaisance, of Lafitte, La., while trawling on the vessel, "Miss Lea", in Lake Salvador, west of Bayou Villars, Jefferson Parish, encountered an unidentified submerged obstruction, on July 3, 1984, at approximately 4 p.m., causing loss of his 50 foot trawl.

Amount of Claim: \$595.

CLAIM NO. 84-1713

Alan Cheramie, of Lafitte, La., while trawling on the vessel, "Alan-Michele", in the Gulf of Mexico, West of the Grand Isle Sea Buoy, at approximate LORAN-C readings of 28,567.0 and 46,857.2, Jefferson Parish, encountered a submerged section of drill pipe on May 23, 1984, at approximately 2 p.m., causing loss of his 40 foot trawl.

Amount of Claim: \$524.30.

CLAIM NO. 84-1721

Malcolm Despaux, of Barataria, La., while trawling on the vessel, "Louisiana Queen", in the Gulf of Mexico, south of Quatre Bayou Pass, at LORAN-C readings of 28,628.1 and 46,868.1, Plaquemines Parish, encountered an unidentified submerged obstruction, on July 8, 1984, at approximately 7:30 p.m., causing loss of his trawl.

Amount of Claim: \$420.23.

CLAIM NO. 84-1756

Ricardo Kraemer, of Barataria, La., while trawling on the vessel, "Ricardo", in Barataria Pass, Jefferson Parish, encountered an unidentified submerged obstruction, on July 18, 1984, at approximately 7 a.m., causing loss of his trawl.

Amount of Claim: \$338.20.

CLAIM NO. 84-1798

Dwayne Fails, of Bridge City, La., while trawling on the vessel, "LA-8454-AW", in Chandeleur Sound, east of Holmes Island, at LORAN-C readings of 29,200.5 and 47,006.2, St. Bernard Parish, encountered an unidentified submerged obstruction, on June 19, 1984, at approximately 9 a.m., causing damage to his trawl.

Amount of Claim: \$190.

CLAIM NO. 84-1799

Dwayne Fails, of Bridge City, La., while trawling on the vessel, "LA-8454-AW", in Breton Sound, south of Deadman Island, at LORAN-C readings of 29,030.4 and 46,945.2, St. Bernard Parish, encountered a submerged section of pipe on June 27, 1984, at approximately 4 p.m., causing loss of his trawl and boards.

Amount of Claim: \$684.

CLAIM NO. 84-1800

Dwayne Fails, of Bridge City, La., while trawling on the vessel, "LA-8454-AW", in Breton Sound, south of the Mississippi River-Gulf Outlet, at approximate LORAN-C readings of 29,145.0 and 46,878.2, Plaquemines Parish, encountered an unidentified submerged obstruction, on July 4, 1984, at approximately 1:30 a.m., causing damage to his trawl.

Amount of Claim: \$240.

CLAIM NO. 84-1840

Dwayne Fails, of Bridge City, La., while trawling on the vessel, "LA-8454-AW", in Breton Sound, Plaquemines Parish, encountered a floating piling on August 2, 1984 at approximately 4 p.m., causing damage to his vessel.

Amount of Claim: \$5,000.

Monday, October 1, 1984 at 10 a.m. in the Police Jury Office, 8201 West Judge Perez Drive in Chalmette, La.

CLAIM NO. 83-1160 (RESCHEDULED)

Robert W. Kenney, of Kenney Seafood, Inc., Slidell, La., while trawling on the vessel, "Uncle Bob", in Lake St. Catherine at the mouth of Sawmill Pass, Orleans Parish, encountered an unidentified submerged obstruction on September 5, 1983, at approximately 8 a.m., causing damage to his trawl.

Amount of Claim: \$46.

CLAIM NO. 83-1195

Eli Bruce, Boat Captain for High Seas Seafood Corporation, Metairie, La., while trawling on the vessel, "Sea Lover", in the Gulf of Mexico, at LORAN-C readings of 28,490.0 and 46,836.0, Vermilion Parish, encountered an unidentified submerged obstruction, on September 27, 1983, at approximately 9:30 p.m., causing loss of his trawl and boards.

Amount of Claim: \$1,626.40.

CLAIM NO. 83-1208 (RESCHEDULED)

Robert W. Kenney, of Kenney Seafood, Inc., Slidell, La., while trawling on the vessel, "Uncle Bob", in Lake Pontchartrain, five miles north of Bayou Lacombe, St. Tammany Parish, encountered an unidentified submerged obstruction on September 15, 1983, at approximately 12 a.m., causing damage to his trawl.

Amount of Claim: \$30.

CLAIM NO. 84-1533

Noel Usannaz, of New Orleans, La., while trawling on the vessel, "Gros Comme Ca", in the Gulf of Mexico, west of Grand Bayou Pass, at LORAN-C readings of 28,715.3 and 46,864.2, Plaquemines Parish, encountered an unidentified submerged obstruction on May 17, 1984, at approximately 4:30 p.m., causing loss of his test trawl, boards and hardware.

Amount of Claim: \$442.76.

CLAIM NO. 84-1543

James A. Morgan, Jr., of Boothville, La., while dredging for oysters on the vessel, "Lil Jim", in Bayou Cholas, south of Grand Bayou, Jefferson Parish, encountered a submerged light foundation, on May 24, 1984, at approximately 3:30 p.m., causing damage to his vessel.

Amount of Claim: \$4,100.

CLAIM NO. 84-1593

George J. France, of Slidell, La., while trawling on the vessel, "La Brina Jo", in Barataria Pass, on the east side of the pass, Jefferson Parish, encountered submerged tree trunk, on May 23, 1984, at approximately 2 a.m., causing damage to his wing net and frame.

Amount of Claim: \$481.

CLAIM NO. 84-1594

George J. France, of Slidell, La., while trawling on the vessel, "La Brina Jo", in Bayou St. Denis, at the entrance to Barataria Bay, Jefferson Parish, encountered an unidentified submerged obstruction, on June 1, 1984, at approximately 8:30 a.m., causing loss of his 50 foot trawl, boards and hardware.

Amount of Claim: \$1,664.11.

CLAIM NO. 84-1601

Peter F. Loverde, Sr., of New Orleans, La., while trawling on the vessel, "Sugar Bear", in Lake Pontchartrain south of Goose Point, at approximate LORAN-C readings of 28,814.0 and 47,059.6, St. Tammany Parish, encountered an unidentified sub-

merged obstruction, on June 8, 1984, causing loss of his 45 foot trawl.

Amount of Claim: \$490.

CLAIM NO. 84-1608

Rudolph Kreger, Jr., of New Orleans, La., while trawling on the vessel, "Draggin Lady", in Lake Pontchartrain, approximately four miles south of Goose Point, St. Tammany Parish, encountered an unidentified submerged obstruction, on June 8, 1984, at approximately 8:30 p.m., causing loss of his 50 foot trawl, boards and hardware.

Amount of Claim: \$1,390.23.

CLAIM NO. 84-1621

Jules B. Kain, Sr., of Violet, La., while trawling on the vessel, "Chris and Shane", in Breton Sound, southeast of Mozambique Point, at LORAN-C readings of 28,956.9 and 46,920.0, Plaquemines Parish, encountered a submerged section of drill pipe, on June 8, 1984, at approximately 11 a.m., causing loss of his siamese trawls and hardware.

Amount of Claim: \$1,558.11.

CLAIM NO. 84-1644

Joseph F. Latapie, Sr., of St. Bernard, La., while trawling on the vessel, "El -Baba", in Eloi Bay, on the north side of the Bay, St. Bernard Parish, encountered an unidentified submerged obstruction, on June 24, 1984, at approximately 2 p.m., causing damage to his vessel and loss of his 46 foot trawl.

Amount of Claim: \$2,392.45.

CLAIM NO. 84-1648

L. R. Duncan, of R. L. and D. Inc, Boothville, La., while trawling on the vessel, "Mr. Duncan", in Breton Sound, east of Battledore Reef, at LORAN-C readings of 28,977.0 and 46,904.9, Plaquemines Parish, encountered an unidentified submerged obstruction, on June 1, 1984, at approximately 11 a.m., causing loss of his 40 foot trawl, boards and hardware.

Amount of Claim: \$1,505.75.

CLAIM NO. 84-1654

Arnold J. Rodriguez, of Violet, La., while trawling on the vessel, "Our Grand Kids", in Lake Pontchartrain south of Green Point, at LORAN-C readings of 28,752.3 and 47,073.1, St. Tammany Parish, encountered a submerged 12" x 12" piling, on June 12, 1984, at approximately 11:30 a.m., causing loss of his trawl.

Amount of Claim: \$691.71.

CLAIM NO. 84-1674

Opeo H. Frey, of New Orleans, La., while trawling on the vessel, "South Wind", in Lake Pontchartrain, south of The Rigoles, at LORAN-C readings of 28,886.9 and 47,047.4, Orleans Parish, encountered an unidentified submerged obstruction, on June 18, 1984, at approximately 10:30 a.m. causing damage to his trawl.

Amount of Claim: \$215.

CLAIM NO. 84-1738

Joey Latapie, of St. Bernard, La., while trawling on the vessel, "Capt. Travis", in Lake Fortuna, south of a small oil rig, St. Bernard Parish, encountered an unidentified submerged obstruction, on July 16, 1984, at approximately 7:30 a.m., causing loss of his 46 foot trawl.

Amount of Claim: \$661.62.

CLAIM NO. 84-1748

Mark and Darryl Eymard, of Buras, La., while trawling on the vessel, "Capt. Darryl", in Breton Sound, north of the Mississippi River-Gulf Outlet Canal, Plaquemines Parish, encountered a submerged tire, on June 13, 1984, at approximately 5 p.m., causing damage to his trawl.

Amount of Claim: \$62.50.

CLAIM NO. 84-1749

Mark and Darryl Eymard, of Buras, La., while trawling on the vessel, "Capt. Darryl", in Breton Sound, southeast of Point

Chicot, at LORAN-C readings of 29,096.5 and 46,942.9, Plaquemines Parish, encountered a submerged boat, on June 14, 1984, at approximately 3 a.m., causing damage to his trawl.

Amount of Claim: \$62.50.

CLAIM NO. 84-1760

Lester J. Evans, Sr., of St. Bernard, La., while trawling on the vessel, "Swamp Rat", in Breton Sound, south-southeast of Point Chicot, at approximate LORAN-C readings of 29,108.0 and 46,950.5, St. Bernard Parish, encountered a submerged stump, on June 25, 1984, at approximately 12:30 a.m., causing loss of his 65 foot trawl.

Amount of Claim: \$748.90.

CLAIM NO. 84-1766

Warren J. Thibodeaux, of New Orleans, La., while trawling on the vessel, "Honey Sucker", in Breton Sound near the Mississippi River-Gulf Outlet Channel, St. Bernard Parish, encountered an unidentified submerged obstruction, on July 15, 1984, at approximately 4:30 p.m., causing damage to his vessel and loss of his 50 foot trawl, two sets of boards and hardware.

Amount of Claim: \$5,000.

CLAIM NO. 84-1777

John S. Domingo, of St. Bernard, La., while trawling on the vessel, "Capt. John", in Chandeleur Sound, northeast of Point Chicot, at approximate LORAN-C readings of 29,120.0 and 46,963.4, St. Bernard Parish, encountered an unidentified submerged obstruction, on July 18, 1984, at approximately 4:30 p.m., causing loss of his 52 foot trawl.

Amount of Claim: \$789.03.

CLAIM NO. 84-1780

Kenneth Joseph LeFebvre, of St. Bernard, La., while traveling on the vessel, "Bayou Blues", in False Mouth Bay, east of Bayou Marron, St. Bernard Parish, encountered a submerged piling, on July 20, 1984, at approximately 8:30 a.m., causing damage to his vessel.

Amount of Claim: \$920.64.

CLAIM NO. 84-1810

John S. Domingo, of St. Bernard, La., while trawling on the vessel, "Capt. John", in Lake Pontchartrain, north of Chef Menteur Pass, at approximate LORAN-C readings of 28,861.0 and 46,046.3, Orleans Parish, encountered a submerged bridge fender, on July 24, 1984, at approximately 11:10 a.m., causing damage to his trawl.

Amount of Claim: \$677.46.

CLAIM NO. 84-1814

Leon Seghers, of New Orleans, La., while trawling on the vessel, "Sea Demon", in Lake Pontchartrain, approximately 1 mile west of the Causeway, and seven miles from the north shore, St. Tammany Parish, encountered an unidentified submerged obstruction, on July 23, 1984, at approximately 1 a.m., causing loss of his 50 foot trawl.

Amount of Claim: \$755.

CLAIM NO. 84-1830

Gary J. Treuil, of Metairie, La., while trawling on the vessel, "Dawn Mist", in Lake Pontchartrain, six miles north of the South Shore, and one to one-half miles east of the Causeway, Orleans or Jefferson Parishes, encountered an unidentified submerged obstruction, on June 24, 1984, at approximately 9:30 a.m., causing loss of his trawl.

Amount of Claim: \$650.

Thursday, October 11, 1984, at 11 a.m., in the L.S.U. Cooperative Extension Service office, Cameron Parish Courthouse, Cameron, La.:

CLAIM NO. 84-1521 (RESCHEDULED)

Clarence Dyson, Jr., of Cameron, La., while trawling on the vessel, "Charlotte M", in the Gulf of Mexico, east of Calcasieu Pass, at approximate LORAN-C readings of 26,686.0 and 46,976.0,

Cameron Parish, encountered an unidentified submerged obstruction on April 2, 1984, at approximately 2 p.m., causing loss of his 50 foot trawl.

Amount of Claim: \$800.

CLAIM NO. 84-1603 (RESCHEDULED)

Louis Boullion, of Cameron, La., while trawling on the vessel, "The Beak", in Calcasieu Lake, east of Long Point, Cameron Parish, encountered an unidentified submerged obstruction on June 5, 1984, at approximately 9 a.m., causing loss of his 50 foot trawl and tickler chain.

Amount of Claim: \$773.24.

CLAIM NO. 84-1663 (RESCHEDULED)

Merlin Arceneaux, of Cameron, La., while trawling on the vessel, "Gator Man", in Calcasieu Lake, east of Long Point, Cameron Parish, encountered an unidentified submerged obstruction on June 17, 1984, at approximately 11 a.m., causing damage to his 48 foot trawl.

Amount of Claim: \$500.

CLAIM NO. 84-1664 (RESCHEDULED)

Merlin Arceneaux, of Cameron, La., while trawling on the vessel, "Gator Man", in Calcasieu Lake, northeast of Calcasieu Pass, Cameron Parish, encountered an unidentified submerged obstruction on June 25, 1984, at approximately 3 p.m. causing damage to his trawl.

Amount of Claim: \$235.

CLAIM NO. 84-1672

James B. King, of Vinton, La., while trawling on the vessel, "LA-3461-BE", in Black Bayou Cutoff, Cameron Parish, encountered a floating piling, on June 28, 1984, at approximately 5 p.m., causing damage to his vessel and motor.

Amount of Claim: \$5,000.

CLAIM NO. 84-1714

Marshall F. Spicer, of Hackberry, La., while trawling on the vessel, "LA-56-XT", in the Calcasieu Ship Channel, in the northeastern side of West Cove, Cameron Parish, encountered a submerged dredge pipe, on July 9, 1984, at approximately 7 a.m., causing loss of his 40 foot trawl and hardware.

Amount of Claim: \$425.

CLAIM NO. 84-1841

Irving Bang, of Cameron, La., while trawling on the vessel, "Lady Angie", in Lake Borgne, southeast of the Rigolets, at LORAN-C readings of 29,008.2 and 47,042.4, St. Bernard Parish, encountered an unidentified submerged obstruction on July 12, 1984, at approximately 10 a.m., causing loss of his two 50 foot trawls.

Amount of Claim: \$1,400.

Tuesday, October 16, 1984 at 10 a.m. in the L.S.U. Co-operative Extension Service Office, Greater Lafourche Port Commission Building, Highway 308, Galliano, La.:

CLAIM NO. 84-1565

Farrel Charpentier, of Galliano, La., while trawling on the vessel, "Capt. Farrel", in the Gulf of Mexico, southwest of Bayou Thunder von Trac, at LORAN-C readings of 28,408.9 and 46,836.7, Lafourche Parish, encountered an unidentified submerged obstruction, on May 29, 1984, at approximately 5 p.m., causing loss of his trawl.

Amount of Claim: \$913.13.

CLAIM NO. 84-1569

Robert A. Bruce, of Cut Off, La., while trawling on the vessel, "Lion's Paw", in the Gulf of Mexico, between Caminada Pass and Bayou Thunder von Trac, at approximate LORAN-C readings of 28,458.8 and 46,844.0, Jefferson Parish, encountered an unidentified submerged obstruction, on June 1, 1984, at approximately 10:15 a.m., causing loss of his 45 foot trawl, try net and hardware.

Amount of Claim: \$1,074.95.

CLAIM NO. 84-1571

Isadore Dardar, of Galliano, La., while trawling on the vessel, "Miss Lena", in Barataria Bay, southeast of Pelican Point, Jefferson Parish, encountered an unidentified submerged obstruction on June 1, 1984, at approximately 9:45 a.m., causing loss of his 55 foot trawl.

Amount of Claim: \$627.48.

CLAIM NO. 84-1585

Jimmy J. Gisclair, of Galliano, La., while trawling on the vessel, "Patrick James", in the Gulf of Mexico, west of Freshwater Bayou Canal, at approximate LORAN-C readings of 27,179.0 and 46,939.9, Vermilion Parish, encountered an unidentified submerged obstruction on May 25, 1984, at approximately 9:30 a.m., causing damage to his trawl.

Amount of Claim: \$388.50.

CLAIM NO. 84-1604

Ellis J. Adams, of Galliano, La., while trawling on the vessel, "Renegade", in Lake Raccourci, east of Grand Pass Felicity, Lafourche Parish, encountered a submerged key way, on June 10, 1984, at approximately 1:30 p.m., causing loss of his 50 foot trawl and hardware.

Amount of Claim: \$852.97.

CLAIM NO. 84-1618

Melvin Dufrene, of Lockport, La., while trawling on the vessel, "Scott & Billy", in the Gulf of Mexico, west of Locust Bayou, at LORAN-C readings of 27,732.1 and 46,886.7, Terrebonne Parish, encountered an unidentified submerged obstruction on June 12, 1984, at approximately 6:40 a.m., causing damage to his two 55 foot trawls.

Amount of Claim: \$899.19.

CLAIM NO. 84-1627

Harry Cheramie, Sr., of Grand Isle, La., while trawling on the vessel, "Ace of Trade", in the Gulf of Mexico, southeast of Caminada Pass, at LORAN-C readings of 28,498.2 and 46,848.0, Jefferson Parish, encountered an unidentified submerged obstruction on June 13, 1984, at approximately 9 a.m., causing damage to his two 55 foot trawls.

Amount of Claim: \$1,159.15

CLAIM NO. 84-1628

David Duet, Jr., of Galliano, La., while trawling on the vessel, "Mr. Duet", in Breton Sound, north of Bird Island, at LORAN-C readings of 28,974.8 and 46,890.3, Plaquemines Parish, encountered an unidentified submerged obstruction on June 10, 1984, at approximately 9:30 p.m., causing loss of his try net and hardware.

Amount of Claim: \$140.

CLAIM NO. 84-1629

Kearn Chouest, of Galliano, La., while trawling on the vessel, "L&K", in Lake Borgne, southeast of Proctor Point, at approximate LORAN-C readings of 28,882.2 and 47,008.2, St. Bernard Parish, encountered a submerged barge, on June 11, 1984, at approximately 3 p.m., causing loss of his 50 foot trawl.

Amount of Claim: \$1,044.42.

CLAIM NO. 84-1642

Linton Charpentier, of Cut Off, La., while trawling on the vessel, "Capt. Linton", in Breton Sound, between Baptiste Collette Bayou and Main Pass, at LORAN-C readings of 29,020.0 and 46,882.2, Plaquemines Parish, encountered an unidentified submerged obstruction on June 14, 1984, at approximately 1:30 p.m., causing damage to his two 60 foot trawls.

Amount of Claim: \$822.86.

CLAIM NO. 84-1652

Jason J. Guidry, of Cut Off, La., while trawling on the vessel, "B & J", in Timbalier Bay, northeast of Cat Island, Terrebonne Parish, encountered an unidentified submerged obstruction

tion on June 25, 1984, at approximately 3:15 p.m., causing loss of his trawl.

Amount of Claim: \$969.06.

CLAIM NO. 84-1665

Jefferson Lasseigne, of Galliano, La., while trawling on the vessel, "Tee Jeff", in Breton Sound, north of Bird Island, at LORAN-C readings of 28,988.6 and 46,907.5, Plaquemines Parish, encountered an unidentified submerged obstruction on June 22, 1984, at approximately 5 a.m., causing damage to his trawl.

Amount of Claim: \$181.43.

CLAIM NO. 84-1675

Rufus Deroche, of Cut Off, La., while trawling on the vessel, "La Shouche", in the Barataria Waterway, at the north end of East Bay Champagne, Jefferson Parish, encountered an unidentified submerged obstruction on June 13, 1984, causing damage to his vessel.

Amount of Claim: \$3,336.64.

CLAIM NO. 84-1709

Elmo Guidry, Sr. and Linton Duet, of Cut Off, La., while trawling on the vessel, "D & G", in the Gulf of Mexico, east of Bay Champagne, at LORAN-C readings of 28,409.0 and 46,837.5, Lafourche Parish, encountered an unidentified submerged obstruction on July 2, 1984, at approximately 10 a.m., causing loss of his 55 foot trawl, boards and hardware.

Amount of Claim: \$2,356.89.

CLAIM NO. 84-1715

Phillip Thomassie, of Phil T., Inc., Cut Off, La., while trawling on the vessel, "Mr. Richard", in Caillou Bay, north of Racoon Point, at LORAN-C readings of 27,894.2 and 46,834.4, Terrebonne Parish, encountered an unidentified submerged obstruction on July 4, 1984, at approximately 3:30 p.m., causing damage to his vessel.

Amount of Claim: \$3,944.94.

CLAIM NO. 84-1723

Delton Cheramie, Sr., of Galliano, La., while trawling on the vessel, "Cindy Lou", in Lake Racourci, at the mouth of Deep Bayou, Lafourche Parish, encountered a submerged piling, on July 3, 1984, at approximately 10 a.m., causing loss of his 45 foot trawl.

Amount of Claim: \$725.35.

CLAIM NO. 84-1755

Eunice A. Johnfroe, of Galliano, La., while trawling on the vessel, "Patty Marie", in Lake Borgne, south of Half Moon Island, at approximate LORAN-C readings of 29,087.0 and 47,048.0, St. Bernard Parish, encountered an unidentified submerged obstruction on July 10, 1984, at approximately 1 p.m., causing loss of his 50 foot trawl, bridle and boards.

Amount of Claim: \$2,453.55.

CLAIM NO. 84-1763

Douglas Anthony Lafont, of Cut Off, La., while trawling on the vessel, "Tee Tigre", in Breton Sound, north of Bird Island, at LORAN-C readings of 28,978.5 and 46,902.6, St. Bernard Parish, encountered an unidentified submerged obstruction on July 11, 1984, at approximately 9 p.m., causing damage to his vessel.

Amount of Claim: \$3,374.49.

CLAIM NO. 84-1802

Randy J. Adams, of Galliano, La., while trawling on the vessel, "Sunshine Lady", in Chandeleur Sound, south of Mitchell Key, at LORAN-C readings of 29,193.3 and 46,997.6, St. Bernard Parish, encountered a submerged 30 foot piling, on July 26, 1984, at approximately 7:15 a.m., causing loss of his 50 foot Balloon trawl.

Amount of Claim: \$903.22.

CLAIM NO. 84-1837

Norman Plaisance, of Galliano, La., while trawling on the vessel, "Mr. Norman", in Lake Borgne, south of the Rigolets, at approximate LORAN-C readings 28,998.2 and 47,046.0, St.

Bernard Parish, encountered an unidentified submerged obstruction on July 5, 1984, at approximately 3:30 p.m., causing loss of his 51 foot Balloon trawl.

Amount of Claim: \$766.49.

CLAIM NO. 84-1838

Norman Plaisance, of Galliano, La., while trawling on the vessel, "Mr. Norman", in Lake Borgne, north of Blind Pass, at approximate LORAN-C readings of 29,085.0 and 47,034.6, St. Bernard Parish, encountered a submerged tank, on June 29, 1984, at approximately 6 p.m., causing damage to his trawl.

Amount of Claim: \$239.40.

CLAIM NO. 84-1865

Norman Plaisance, of Galliano, La., while trawling on the vessel, "Mr. Norman", in Lake Borgne, south of Long Point, at approximate LORAN-C readings of 28,998.2 and 47,099.0, St. Bernard Parish, encountered an unidentified submerged obstruction on July 18, 1984, at approximately 4:30 p.m., causing damage to his vessel.

Amount of Claim: \$188.75.

CLAIM NO. 84-1882

David Duet, Jr., of Duet Trawlers, Inc., Galliano, La., while trawling on the vessel, "Mr. Duet", in the Gulf of Mexico, south-east of Barataria Pass, at LORAN-C readings of 28,577.6 and 46,857.3, Jefferson Parish, encountered an unidentified submerged obstruction on August 9, 1984, at approximately 8 a.m., causing damage to his trawl.

Amount of Claim: \$267.54.

CLAIM NO. 84-1883

David Duet, Jr., of Duet Trawlers, Inc., Galliano, La., while trawling on the vessel, "Mr. Duet", in the Gulf of Mexico, south of Barataria Pass, at LORAN-C readings of 28,567.8 and 46,855.7, Jefferson Parish, encountered an unidentified submerged obstruction on August 11, 1984, at approximately 11:30 a.m., causing damage to his trawl.

Amount of Claim: \$565.85.

CLAIM NO. 84-1884

David Duet, Jr., of Duet Trawlers, Inc., Galliano, La., while trawling on the vessel, "Mr. Duet", in the Gulf of Mexico, south of Barataria Pass, at LORAN-C readings of 28,555.4 and 46,857.0, Jefferson Parish, encountered an unidentified submerged obstruction on August 13, 1984, at approximately 6:05 a.m., causing loss of his trawl and related gear.

Amount of Claim: \$1,076.74.

Tuesday, October 16, 1984 at 2 p.m. in the L.S.U. Cooperative Extension Office, 511 Roussel Street, Houma, La.:

CLAIM NO. 84-1564

Houston Trahan, of Chauvin, La., while trawling on the vessel, "Rebecca Lynn", in the northwest end of Lake Barre, Terrebonne Parish, encountered a submerged pipe, on June 3, 1984, at approximately 8:30 a.m., causing loss of his trawl and hardware.

Amount of Claim: \$1,045.

CLAIM NO. 84-1580

David Martin, of Houma, La., while trawling on the vessel, "Evergreen", in Terrebonne Bay, northeast of Pass la Poule, Terrebonne Parish, encountered an unidentified submerged obstruction on May 29, 1984, at approximately 9 a.m., causing loss of his 50 foot trawl and boards.

Amount of Claim: \$1,515.32.

CLAIM NO. 84-1606

Houston Trahan, of Chauvin, La., while trawling on the vessel, "Rebecca Lynn", in Lake Barre, northeast of Lake Barre Pass, Terrebonne Parish, encountered submerged seismographic equipment, on June 8, 1984, at approximately 1:30 p.m., causing loss of his trawl and bag.

Amount of Claim: \$1,055.17.

CLAIM NO. 84-1651

Ronnie Joseph Ledet, of Houma, La., while trawling on the vessel, "Dixie Belle", in Breton Sound, north of Bird Island, at LORAN-C readings of 28,978.5 and 46,902.4, Plaquemines Parish, encountered a submerged barge, on June 13, 1984, at approximately 2:30 p.m., causing damage to his vessel.

Amount of Claim: \$4,275.39.

CLAIM NO. 84-1681

Nelson Perrin, Jr., of Dulac, La., while trawling on the vessel, "Lady Earline", in the Gulf of Mexico, out from Barataria Pass, at approximate LORAN-C readings of 28,560.0 and 46,863.0, Jefferson Parish, encountered an unidentified submerged ob-

struction on June 30, 1984, at approximately 9 a.m., causing damage to his vessel and loss of his 50 foot trawl.

Amount of Claim: \$2,336.40.

Any written objections to these claims must be received by the close of business on October 1, 1984. Any person may submit evidence or make objections in person at the hearings. Written comments must be mailed to: William C. Huls, Secretary, Department of Natural Resources, Box 44124, Capitol Station, Baton Rouge, LA 70804.

William C. Huls  
Secretary

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