



State of Louisiana
DIVISION OF ADMINISTRATION
DEPARTMENT OF THE STATE REGISTER

DAVID C. TREEN
GOVERNOR

MAI ABINGTON
DIRECTOR

E. L. HENRY
COMMISSIONER
OF ADMINISTRATION

January 20, 1984

Dear Subscriber:

We will be moving to the 5th floor of the Capitol Annex at 900 Riverside the week of January 23. Our mailing address will remain the same (P.O. Box 44095, Baton Rouge, Louisiana 70804) as will our central phone. (504) 342-5015.

We are looking forward to seeing you in our new quarters.

Sincerely,

A handwritten signature in cursive script that reads "Mai Abington".

Mai Abington
Director

MA/ks

CONTENTS

I. EXECUTIVE ORDERS

DCT 83-27—Extend report date for Task Force on Environmental Health	1+
DCT 83-28—Amend and supplement DCT 83-26, budget reductions	1+
DCT 83-29—Commuting fee for users of state vehicles	1+
DCT 83-30—Concerning Department of Environmental Quality and merger of Departments of Corrections and Public Safety	2+

II. EMERGENCY RULES

Education Department: Board of Elementary and Secondary Education—Computer Science as an elective course	3
Health and Human Resources Department: Office of Family Security—Transportation service for applicants of Title XIX, Medical Assistance	3+
Treasury Department: Bond Commission—Louisiana preference in non-traditional bond financing	4

III. RULES

Commerce Department: Office of Financial Institutions—Agreement corporations	4
Corrections Department: Office of the Secretary—Amend Regulation 30-14	4
Education Department: Board of Elementary and Secondary Education—Special Education; employee resignation, Vo-Tech and Special Schools; teacher certificates; change title of guidance counselor; high school credit for college vo-tech programs; authorized equipment	7
Natural Resources Department: Office of the Secretary—Applications for stay orders	7
Health and Human Resources Department: Office of Family Security—Earned income tax credits	7+
Limit reimbursement to non-profit providers of non-emergency transportation	8+
Payment for nursing home beds	8+
Prorated benefits for individuals added to existing certifications	8+
Reinstatement of Isosorbide Dinitrate	8+
Standard utility allowance for Food Stamps	9+
Office of Health Services and Environmental Quality—Staggered registration regulations	9+
Water vending machine regulations	10+
Office of the Secretary—Standards for registration of dieticians	11+
Revenue and Taxation Department: Tax Commission—Guidelines for value of property	14
Transportation and Development Department: Materials Laboratory—Sale of retail petroleum fuels	46
Treasury Department: Board of Trustees, State Employees Group Benefits Program—Exclude temporary appointment	46

IV. NOTICES OF INTENT

Agriculture Department: State Entomologist—Burrowing nematode	46
--	----

This public document was published at a cost of \$8,468.48. 1,375 copies of this first printing at a cost of \$3,697.40. The total cost of all printing of this document, including reprints is \$8,468.48. This document was published by Baton Rouge Printing Co., Inc., P. O. Box 97, Baton Rouge, La. as a service to the state agencies in keeping them cognizant of the new rules and regulations under the authority of R.S. 49:951-968. This material was printed in accordance with the 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.

Civil Service Department:	
Civil Service Commission—Military leave; leave of absence without pay; enforced annual leave; interruption of probationary period; extension of probationary period; compensation for overtime hours worked; state service	47
Commerce Department:	
Board of Examiners for Certified Shorthand Reporters—Fees	49
Licensing Board for Contractors—Annual license renewal fee	49
Office of Financial Institutions—Sale of thrift club membership	50
Corrections Department:	
Office of the Secretary—Amendments to Regulation 30-19	50
Education Department:	
Board of Elementary and Secondary Education—Certification for speech, language and hearing specialists; policies for dispersal of support services funds; Computer Science as an elective course	51
Governor's Office:	
Division of Administration—Louisiana Office of Women's Business Enterprise, rules and regulations	53
PPM No. 67, Policy on travel in state-owned aircraft	54
Health and Human Resources Department:	
Office of Family Security—Elimination of irregular transportation in	
GA program	57
Inclusion of specific persons in certification for GA	58
Limit of GA checks for recipients out-of-state	58
Medical Assistance Program provider fraud and abuse	59
Reporting lawfully admitted alien sponsor's income and resources in GA program	59
Transportation services for applicants of Title XIX	60
Natural Resources Department:	
Office of Conservation—Revision to Order 29-B concerning disposal of non-hazardous oilfield waste	61
Office of Environmental Affairs—Define "excessive concentration" in Section 17.14, stack heights	61
Treasury Department:	
Bond Commission—Louisiana preference in non-traditional bond financing	62

V. COMMITTEE REPORTS

Natural Resources Department:	
Legal Division, Coastal Management Program—Approval of amendments governing stay orders	63
Office of Environmental Affairs—Approval of construction grants priority list, 1984	63
Approval of emission standards for hazardous air pollutants	63
Approval of fee system of Air Quality Control Program	63
Office of Forestry—Approval of timber stumpage values	63
Wildlife and Fisheries Department:	
Wildlife and Fisheries Commission—Approval of oyster fisheries regulations	64

VII. POTPOURRI

Agriculture Department:	
State Entomologist—Sweet potato weevil quarantine	64
Governor's Office:	
State Planning Office—Official population projections listed	64
Natural Resources Department:	
Fishermen's Gear Compensation Fund—Claims	64
Treasury Department:	
Board of Trustees, State Employees Retirement System—Monthly meeting scheduled	67

Executive Orders

1983-84 Budget Reductions

	Amount	%
Executive	\$ 1,988,087	3.2%
Judiciary	172,573	1.6%
Agriculture	255,922	2.0%
Justice	138,692	2.0%
Insurance	73,699	4.0%
Elections	148,637	2.0%
Lt. Governor	12,804	*
State	495,523**	10.0%
Treasury	32,797	2.0%
Public Service		
Commission	26,764	1.0%
Commerce	298,623	2.5%
Culture, Recreation & Tourism	504,787	2.8%
DOTD	2,733,945	1.3%
Public Safety	1,308,591	1.7%
DHHR	7,788,750	1.04%
Corrections	-0-	-0-
Natural Resources	779,341	2.4%
Revenue	294,000	1.0%
Labor	75,349	5.8%
DUCA	303,497	7.6%
Civil Service	119,009	1.9%
Dept. of Education	1,693,824	1.02%
Minimum Foundation	9,799,843	1.0%
Other Education	430,113	1.9%
Higher Education	9,017,632	1.8%
Vo-Tech	558,312	1.0%
Parish Revenue		
Equalization	59,478	10.0%
Supp. Revenue		
Sharing	950,092	10.0%
Parish Transp. Fund	4,793,350	10.0%
Jury Commission	7,266	3.0%
TOTAL	\$44,861,300	

* Equates to 3% of budget plus amount approved by I.E.B.
 ** Includes \$240,000 in printing costs for Presidential Primary

NOTE: Tobacco Tax distribution to municipalities is not reduced.

EXECUTIVE ORDER NO. DCT 83-27

WHEREAS, it appears necessary that Executive Order No. 83-1 be amended to authorize additional time than that set forth in the original order for the Governor's Task Force on Environmental Health to complete its work and report to the Governor.

NOW, THEREFORE, I, DAVID C. TREEN, Governor of the State of Louisiana, by virtue of the authority vested in me as Governor, pursuant to the Constitution and applicable statutes of the State of Louisiana, do hereby amend Executive Order No. 83-1 to extend the date on which a report is to be filed until February 15, 1984. In all other respects the Executive Order remains unchanged.

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 15th day of December, A.D., 1983.

David C. Treen
 Governor of Louisiana

EXECUTIVE ORDER NO. DCT 83-28

WHEREAS, Executive Order 83-26 was issued November 23, 1983, directing that budget reductions be effective December 16, 1983; and

WHEREAS, prior to the effective date of the reductions, the Legislature of Louisiana in Extraordinary Session has provided additional potential revenues to the state; and

WHEREAS, the additional revenues provided are not sufficient to eliminate the need for all budget reductions, the Legislature having indicated its desire to combine increasing revenues with continued, but lesser, reductions;

NOW, THEREFORE, I, DAVID C. TREEN, Governor of the State of Louisiana, pursuant to the authority granted me by the Constitution and laws of this state, including Section 10 of Act 14 of the 1983 Regular Session independently and as incorporated by Article IV, Section 5G (2) of the Louisiana Constitution, Article IV Section 5 (A) of the Louisiana Constitution and La. R.S. 39:55, it is hereby ordered that Executive Order 83-26 is hereby amended and supplemented insofar as inconsistent with this order and that budget reductions be effected in accordance with this order.

The Governor and the Commissioner of Administration, pursuant to Executive Order 83-26, have evaluated budget impact statements submitted by budget units; these statements having been considered, budget units are directed to make budget reductions in accordance with the schedule attached hereto. In implementing the reductions, budget units shall submit budget revisions for approval no later than January 10, 1984. Approval of the implementation of budget reductions and adjustments to the budget changes will be made not later than January 20, 1984.

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 15th day of December, A.D., 1983.

David C. Treen
 Governor of Louisiana

EXECUTIVE ORDER NO. DCT 83-29

WHEREAS, a number of state employees have been personally assigned state vehicles for use in carrying out their official functions and regularly use these vehicles for commuting to and from their residences; and

WHEREAS, the cost of operating state vehicles exceeds the amount attributable to official state business; and

WHEREAS, it is necessary and equitable to institute a policy by which the state will be reimbursed for the commuting mileage placed on state vehicles by state employees and the personal use of vehicles by State Police troopers assigned to field duties,

NOW, THEREFORE, I, DAVID C. TREEN, 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:

1. A monthly fee be imposed for all persons, except as provided in this order, who drive a state vehicle between their business domiciles and residences, ("commuting mileage,") on a regular basis. The fee shall be based on the monthly commuting mileage at a rate of \$.20 per mile, with a minimum fee of \$40 per month;

2. A monthly fee of \$25 be imposed for all state troopers assigned and performing primarily field duties and who make any personal use of their state vehicles (other than commuting); all other state troopers shall be regulated by paragraph 1, except that the maximum monthly fee shall be \$40.

3. Persons who do not report to an office on an average of more than twice a week, and can thereby document their status as field personnel or being assigned to multiple locations, are excluded from this fee;

4. The fee will be collected regardless of the state employee's official attendance for the month, unless the state vehicle was reassigned to another person who will pay the fee or split it proportionate to usage, or the vehicle is no longer used for commuting;

5. The fees shall be collected by all state agencies, including all state offices, departments, divisions, boards, commissions, councils, committees, state colleges or universities, and other entities of the executive branch of state government. Collection may be made by payroll deduction. Further instructions on collection and the approval process will be forthcoming from the Division of Administration;

6. The use of any state vehicle covered by this order shall constitute agreement by the employee to pay the fee as provided herein and to payment by payroll deduction;

7. The fee shall be effective for the month of February, 1984 and shall continue thereafter.

IN WITNESS WHEREOF, I have herewith set my hand officially and consent to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this the 22nd day of December, 1983.

David C. Treen
Governor of Louisiana

EXECUTIVE ORDER NO. DCT 83-30

Pursuant to the authority vested in and obligations imposed upon the Governor as chief executive officer of the State, the following findings are made:

1. Act 97 of the Regular Session of the Legislature of 1983 created the Department of Environmental Quality and merged the Departments of Public Safety and Corrections; and

2. Act 97 authorizes the appointment of certain positions effective December 1, 1983, and mandates full implementation of the Act as of February 1, 1984; and

3. The Governor of this state is mandated by Article IV, Section 5(a) of the Louisiana Constitution to see that the laws are faithfully executed; and

4. The legislature at its Second Extraordinary Session of 1983 purportedly approved an instrument entitled Senate Concurrent Resolution No. 3 (SCR No. 3) to suspend the effect of Act 97 but said subject matter was not within the proclamation issued by the Governor calling the legislature into extraordinary session; and

5. Suspension of laws is subject to the "same procedures and formalities required for enactment" except for veto and time limitation for introduction in accordance with Article III, Section 20

of the Louisiana Constitution; and

6. A suspension resolution must be specifically within the subject matter of the proclamation calling the legislature into extraordinary session since it is regulated by Article III, Section 20 and is clearly legislating rather than carrying out ministerial duties of the legislature; and

7. The following non-exclusive reasons indicate that SCR No. 3 was not within the scope of the proclamation:

(a) Item No. 18 within which proponents of SCR No. 3 urge that it was "specifically" included provides, "To legislate by appropriating funds for the expenses of state government."

(b) Nothing in Act 97 involves legislating "by appropriating funds" and nothing in SCR No. 3 involves legislating "by appropriating funds."

(c) The public was not reasonably put on notice by Item No. 18 that the legislature might reorganize the executive branch of government by the action purportedly taken in SCR No. 3.

(d) A common understanding of "appropriating funds" does not include reorganizing the executive branch of state government; the legal definition of "appropriation" in La. R.S. 39:2 provides, "authorization by the legislature to a budget unit to expend from public funds a sum of money for purposes designated."

(e) Act 97 is not an appropriation act. If it were it would violate Article III, Section 15(A) of the Constitution which provides only the general appropriation bill can have multiple objects; the single object of Act 97 was to reorganize state government, not the multiple objects of reorganizing and appropriating.

(f) SCR No. 3 would fail the constitutional test of *Henry v. Edwards*, 346 So. 2d 153 (La. 1977); "the legislature cannot through the appropriation process" circumvent the Governor's veto power over substantive legislation (like reorganization) by artfully drafting general law measures so that they appear to be true conditions or limitations on an item of appropriation." (346 So. 2d at 158); and

8. Purported legislative action of an extraordinary session when a matter is not "specifically" enumerated in the proclamation covering the session results in a "nullity" pursuant to Article III, Section 2(B) of the Louisiana Constitution; and

9. Additionally and independently of all other considerations, SCR No. 3 has no special effective date provision in the resolutive portion of the resolution; thus, pursuant to Article III, Sections 19 and 20 of the Louisiana Constitution, SCR No. 3, if it were not a nullity, would not be effective legislation until the sixtieth day after adjournment of the extraordinary session; that date is after February 1, 1984, at which time all aspects of Act 97 of the 1983 Regular Session are to be implemented; and

10. The consequences of the suspension of a law after it has become effective and fully implemented results in the prior law not being revived and thus no law in force on the subject. Such a potential consequence in the important environmental regulation area is intolerable; and

11. Additionally, SCR No. 3 does not even purport to affect Act 411 of the Regular Session of the Legislature of 1983 enacted subsequent to Act 97; Act 411 gives the Governor the final decision as to the responsibility of each department represented on the Governor's Resource Development and Environmental Quality Council, which includes, *inter alia*, the Department of Environmental Quality, the Department of Natural Resources and the Department of Public Safety (which is succeeded by the Department of Public Safety and Corrections pursuant to Section 15 of Act 97); and

12. Moreover, the merger of the Department of Public Safety and Corrections will not disturb the operations of either department because of the manner in which the merger is effected; and additionally, because pursuant to Section 12B of Act 97 the

Governor may retain all employees of each department in their present job classification until July 1, 1984; and

13. The nullity of SCR No. 3 renders all the potential adverse consequences moot; and

14. Despite the nullity of SCR No. 3, to avoid or lessen as much as possible confusion and untoward and intolerable potential results created by SCR No. 3, this Executive Order is issued.

Pursuant to the authority vested in the Governor as chief executive officer of the State, the following directive is issued:

I.

The provisions of Act 97 of the 1983 Regular Session of the Legislature shall be implemented in accordance with its provisions and pursuant to further direction of the Governor as provided in said Act and in accordance with Act 411 of the 1983 Regular Session of the Legislature.

II.

The Secretary of the Department of Natural Resources and the Secretary of the Department of Environmental Quality are directed to cooperate and coordinate their activities so as to minimize costs and assure adequate enforcement of the environmental laws of Louisiana. To the extent feasible, administrative positions, facilities, resources and support personnel shall be shared and not duplicated.

III.

Effective February 1, 1984, the person occupying the office of Secretary of the Department of Corrections shall be the Deputy Secretary for Correction Services of the Department of Public Safety and Corrections; the person occupying the office of Deputy Secretary of Public Safety shall be the Deputy Secretary for Public Safety Services of the Department of Public Safety and Corrections; and, the person occupying the office of Secretary of Public Safety shall be the Secretary of Public Safety and Corrections. Internal administrative actions shall be taken in such a manner as to cause the least disruption possible of the existing internal administration. Present accounting, payroll and purchasing procedures and support services of each Department shall continue except that the Secretary of the Department of Public Safety and Corrections shall have final authority as Secretary of the Department. In the event there is disagreement between the Deputy Secretary of Correction Services and the Secretary, the Governor will make the final decision.

IV.

Pursuant to the authority provided by Section 12B of Act 97 of the 1983 Regular Session and where applicable Act 411 of the 1983 Regular Session and Article IV, Section 5 of the Louisiana Constitution, all administrative employees of the Department of Public Safety and the Department of Corrections affected by Act 97 shall maintain their present job classification in the new department until July 1, 1984, or until further direction of the Governor.

V.

To avoid or lessen any adverse consequences to the public through uncertainty in enforcement of the regulatory laws of this state in the event there is a final judicial decree upholding the validity of SCR No. 3 of the Second Extraordinary Session of 1983, each department affected shall, insofar as practicable, implement the regulatory and enforcement functions in a manner to assure their validity under prior and existing law.

Cooperation and coordination among the affected departments are directed to assure that the regulatory laws of this state are effectively developed and enforced.

VI.

The purpose of this Order is to provide for the orderly conduct of the affairs of our state and to avoid unnecessary confusion, expense, uncertainty, and delay while still enforcing the laws of Louisiana. Those persons charged with the responsibilities hereunder should cooperate toward that goal. This order may be supplemented and amended by written directive 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 the 29th day of December, A.D., 1983.

David C. Treen
Governor of Louisiana

Emergency Rules

DECLARATION OF EMERGENCY

Board of Elementary and Secondary Education

The State Board of Elementary and Secondary Education, at its meeting of December 15, 1983, exercised those powers conferred by the emergency provisions of the Administrative Procedure Act, R.S. 49:953B, and adopted the following item as an Emergency Rule:

1. The Board directed that Computer Science may be used as an elective course if taught by a certified teacher having the necessary skills as verified by his/her school principal and parish or city superintendent.

This emergency adoption is necessary because Computer Science is listed in Bulletin 741 under mathematics and can be used as one of the three maths required for graduation. Schools are encouraged to offer Computer Science and certified teachers are not readily available. Secondary schools are presently being cited on the Annual School Report because teachers not certified in math are teaching Computer Science and this lowers their classification.

James V. Soileau
Executive 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. 49:953 B), to implement the following policy on arrangement of transportation service for applicants of Title XIX, Medical Assistance.

Emergency Rule

Effective January 1, 1984 Attachment 3.1-A, Item 18(a), C. of the Title XIX State Plan, entitled Authorization of Title XIX Funds shall have a new section (iv) to read as follows:

(iv) In the case of an applicant for Title XIX, Medical Assistance, arrangements can be made with a certified Title XIX medical transportation provider to provide services if the transportation provider agrees to transport. The parish Office of Family

Security shall not issue an authorization form for such transport until such time as the applicant becomes Title XIX eligible. If the Title XIX applicant does not become an eligible recipient, the transportation provider must understand, prior to transport, that no authorization will be issued and no payment made.

This policy change is necessary so that ambulance or non-ambulance medical transportation can be arranged while the individual is still in application status and subsequently authorized if the individual becomes eligible for Title XIX. This policy change is particularly needed for long term care applicants, who due to their need for specialized care, may require access to other services such as those provided by a physician or a hospital.

Roger P. Guissinger
Secretary

DECLARATION OF EMERGENCY

Department of the Treasury Bond Commission

The State Bond Commission at a regular meeting on December 13, 1983 unanimously adopted an amendment to its Rules regarding non-traditional tax-exempt bond issue applications as previously adopted and amended.

Due to the present economic situation in the State of Louisiana, specifically high unemployment, and after receiving correspondence and oral comments from representatives of the construction industry, and in an effort to assist the welfare of that industry in such dire times, the Commission by unanimous consent has adopted the following Emergency Rule pursuant to Louisiana Revised Statutes Title 49:950-970, Administrative Procedure Act:

(13) The Commission shall not grant preliminary approval of non-traditional bonds unless project beneficiaries certify that Louisiana manufacturers, contractors, sub-contractors and suppliers will be given an opportunity to bid on the project and further certify that preference and priority will be given to Louisiana manufacturers, contractors, sub-contractors, suppliers and labor.

Before final approval is granted, project beneficiaries must provide a certified list of names and business domiciles of manufacturers, contractors, sub-contractors and suppliers for the project and a statement as to whether Louisiana labor will be used. If Louisiana manufacturers, contractors, sub-contractors, suppliers and labor will not be used for the project, beneficiaries must provide detailed explanation as to why they will not be used.

Mary Evelyn Parker
Treasurer and Chairman

Rules

RULE

Department of Commerce Office of Financial Institutions

Agreement Corporations

Under authority granted by LRS 6:237(B), the Commissioner of Financial Institutions has adopted the following Rule which permits the formation of State-chartered "Agreement

Corporations."

Rule

Activities engaged in by a corporation ("Agreement Corporation") under an agreement with the Board of Governors of the Federal Reserve System (the "Federal Reserve"), including an agreement under Section 25 of the Federal Reserve Act (12 U.S.C. §§601-604(a)), pursuant to which agreement such corporation's activities are limited to those which may be performed by a corporation ("Edge Corporation") organized under Section 25(a) of such Act (12 U.S.C. §§611-631), shall be deemed not to constitute a banking business and an Agreement Corporation engaging in such activities shall be deemed not to be a bank, so long as its activities are at all times subject to regulation by the Federal Reserve and limited to those activities which may be performed in accordance with any regulations issued by or agreements with the Federal Reserve applicable to such Agreement Corporation. The Commissioner of Financial Institutions may, however, visit and examine an Agreement Corporation engaging in such activities in Louisiana whenever in his judgement an examination of its affairs is necessary or expedient.

Hunter O. Wagner, Jr.
Commissioner

RULE

Department of Corrections Office of the Secretary

DEPARTMENT REGULATIONS NO. 30-14 ADULT SERVICES

PLACEMENT AND TRANSFER OF OFFENDERS: Selection Criteria

1. **PURPOSE:** The purpose of this regulation is to establish selection criteria to be followed in placement and transfer of adult offenders to the various units within the Department of Corrections.

2. **RESPONSIBILITY:** The assistant secretary for adult services, wardens and classification personnel of adult institutions are responsible for the implementation of this regulation. They shall insure that necessary information and instructions are furnished to all affected employees and offenders.

3. **LEGAL REFERENCES:** R.S. 15:824, 15:832, 15:893.1, 15:1062

4. **GENERAL:** A comprehensive selection process for placement and transfer of offenders within the Department of Corrections is essential in order to fulfill the purposes and goals of the various institutions. Offenders should be able to benefit from the programs offered at the institution to which they are being assigned. The selection criteria outlined below should be considered the outside limits of acceptability. Other factors such as adjustment potential, as determined by psychological evaluation, excessiveness of the criminal records and observable behavior should also be considered in the selection process. The Secretary retains the right to make such assignments as he, in his sole discretion, deems appropriate.

5. **PROCEDURE:**

(A) All placements or transfers will be approved by the Secretary or by his designated representative.

(B) Only the Secretary, or in his absence, his designated representative, has the authority to waive any of the eligibility requirements listed below and then only for good cause.

6. **DEFINITIONS:** "Earliest release eligibility date" means the earliest date on which an offender is legally eligible for

release, even if actual release is predicted on a future decision of the Department or of the Parole Board.

7. SELECTION CRITERIA:

(A) Louisiana Correctional and Industrial School (L.C.I.S.)

* (1) Only first offenders are eligible.

(2) Offenders found guilty of escape or attempted escape by a court or institutional disciplinary board within the past seven years are ineligible.

(3) Persons who are currently under and/or who have demonstrated a need for intensive medical treatment (physically or psychologically) are ineligible. At the time treatment has been completed, and such termination or services has been documented by competent medical staff, persons may then be considered as eligible for transfer.

*May not be waived (R.S. 15:1062)

(4) Persons who have demonstrated an overt-aggressive pattern of homosexual behavior, to the extent that it would disrupt the smooth daily operation of the institution, are ineligible. Evidence must be documented and of a firsthand rather than of a hearsay nature.

(5) Persons who have a balance of time extending beyond eight years remaining to serve on their sentence prior to their earliest release eligibility date are ineligible.

(6) Persons serving a life sentences will not be eligible unless there is a demonstrated need by the institution for the skill of the offender. Such an offender must meet all other requirements.

(7) Persons who have demonstrated a consistent pattern of poor institutional adjustment and/or have a poor institutional conduct record are not eligible. Evidence must be documented and of a firsthand rather than of a hearsay nature.

(8) Persons who are young in age should be given priority over the older first offenders who satisfy all other requirements.

(9) When bed space is not available for all offenders meeting the criteria in (1) thru (8) above, priority will be given to those offenders convicted of offenses other than:

(a) Aggravated, forcible or simple rape or an attempt to commit these crimes.

(b) Carnal knowledge of a juvenile.

(c) Aggravated crime against nature.

(d) Aggravated arson.

(e) Aggravated kidnapping.

(f) Armed robbery or attempted armed robbery.

(g) Distribution or possession with intent to distribute any controlled dangerous substance — (with the exception of marijuana offenses).

(h) Possession of any drug listed in Schedule I, Section A or B, in Schedule II of the Controlled Dangerous Substance Law (R.S. 40:964).

(i) Murder or attempted murder (first and second degree).

(j) R.S. 15:529.1 (Habitual Offender Law).

(B) Dixon Correctional Institute (D.C.I.), Hunt Correctional Center (H.C.C.), Wade Correctional Center (W.C.C.), Washington Correctional Institute (W.C.I.)

(1) Persons with a history of criminal activity which reflect an assaultive (violent) personality are ineligible. This includes both arrest and/or institutional records.

(2) Persons presently serving sentences for the commission of the following crimes are ineligible:

(a) Aggravated, forcible, or simple rape.

(b) Attempted aggravated rape.

(c) Attempted forcible rape.

(d) Aggravated crime against nature.

(e) Murder (first or second degree).

(f) Aggravated arson.

(g) Armed robbery - second or subsequent offense.

(h) Aggravated kidnapping.

(NOTE: Persons convicted of the above may be considered for transfer upon recommendation of the Warden of LSP after serving a minimum of five years of their sentence).

(3) Persons who are currently under and/or have demonstrated a need for extensive and/or intensive medical treatment (physically or psychologically) are ineligible. At the time treatment has been completed, and such termination of service has been documented by competent medical staff, persons may then be considered as eligible for transfer.

(4) Offenders who have demonstrated an overt-aggressive pattern of homosexual behavior, to the extent that it would disrupt the smooth daily operation of the institution, are ineligible. Evidence must be documented and of a firsthand rather than of a hearsay nature.

(5) Persons who have a balance of time extending beyond ten years remaining to serve on their sentence prior to their earliest release eligibility date are ineligible.

(6) Persons serving life sentences will not be eligible unless there is a demonstrated need by the institution for the skill of the offender. Such an offender must meet all other requirements.

(7) Persons who have demonstrated a pattern of poor institutional adjustment and/or have a poor institutional conduct record are not eligible. Evidence must be documented and of a firsthand rather than of a hearsay nature.

(C) Woodworth Forestry Camp

(1) Any offender who is transferred to Woodworth Forestry Camp must meet the criteria for assignment to Work Training Facility/North (Camp Beauregard).

(2) Offenders currently housed at Work Training Facility/North will be given first preference.

(3) Since offenders at Woodworth Forestry Camp will be allowed a quarterly furlough, only offenders who qualify for furloughs (See Department Regulation 30-7) may be considered for transfer.

(D) Work Training Facility/North (Camp Beauregard) and Work Training Facility/South (Jackson Barracks) (See Department Regulation No. 30-14 A for Work Release Criteria)

(1) Offenders having detainers or warrants for pending felony charges are ineligible. This does not apply to detainers for traffic violations or for court costs.

(2) Persons presently serving sentences for the commission of the following offenses are ineligible: * (a) Aggravated, forcible, or simple rape or of an attempt to commit these crimes.

* (b) Carnal knowledge of a juvenile.

* (c) Aggravated crime against nature.

* (d) Aggravated arson.

* (e) Murder (first or second degree).

* (f) Distribution of any controlled dangerous substance — (with the exception of marijuana offenses).

(g) Possession of any drug listed in Schedule I, Section A or B, or in Schedule II of the Controlled Dangerous Substance Law (R.S. 40:964).

(h) Attempted Murder.

(i) Armed robbery.

(j) Attempted armed robbery.

* (k) Aggravated kidnapping.

* (l) R.S. 15:529.1 (Habitual Offender Law)

*May not be waived (R.S. 15:893.1)

*(m) Indecent behavior with a juvenile.
*(n) Incest
*(3) Persons who have escaped and/or have abetted an escape and/or have attempted to escape within the last seven years are ineligible.

*(4) Persons who are currently under and/or who have demonstrated a need for intensive medical treatment (physically or psychologically) are ineligible. At the time treatment has been completed, and such termination of services has been documented by competent medical staff, persons may then be considered as eligible for transfer.

*(5) Persons who have demonstrated an overt-aggressive pattern of homosexual behavior, to the extent that it would disrupt the smooth daily operation of the institution, are ineligible. Evidence must be documented and of a firsthand rather than of a hearsay nature.

*(6) Persons having a balance of time extending beyond five years to the earliest release eligibility date are ineligible.

(7) Persons who have demonstrated a consistent pattern of poor institutional adjustment and/or have a poor institutional conduct record are not eligible. Evidence must be documented and of a firsthand rather than of a hearsay nature.

*May not be waived (R.S. 15:893.1)

*(8) Persons with a history of criminal activity which reflects an assaultive (violent) personality are ineligible. This includes both arrest and/or institutional records.

(E) Sheriff or Police Maintenance

(1) The offender must be specifically requested by the Sheriff or Chief of Police.

(2) The Sheriff or the Chief of Police and the Department must enter into a written contract which conforms with the requirements set forth in R.S. 15:832 (D).

(3) The offender must be domiciled in, or sentenced from, the parish which is requesting him, unless specifically exempted from this requirement by the Secretary of Corrections.

(4) Offenders who have been found guilty of escape or attempted escape by a court or institutional disciplinary board in the last seven years are ineligible.

(5) Persons who are currently under and/or who have demonstrated a need for intensive medical treatment (physically or psychologically) are ineligible. At the time treatment has been completed, and such termination of services has been documented by competent medical staff, persons may then be considered as eligible for transfer.

*May not be waived (R.S. 15:893.1)

(6) Persons who have demonstrated an overt-aggressive pattern of homosexual behavior, to the extent that it would disrupt the smooth daily operation of the institution, are ineligible. Evidence must be documented and of a firsthand rather than of a hearsay nature.

(7) Persons serving life sentences will not be eligible unless there is a demonstrated need by the institution for the skill of the offender. Such an offender must meet all other requirements.

(8) Persons presently serving sentences for the commission of the following offenses are ineligible:

(a) Aggravated, forcible, or simple rape or of an attempt to commit these crimes.

(b) Carnal knowledge of a juvenile.

(c) Aggravated crime against nature.

(d) Aggravated arson.

(e) Murder or attempted murder (first and second degree).

(f) Distribution or possession with intent to distribute any controlled dangerous substance — (with the exception of marijuana offenses).

(g) Possession of any drug listed in Schedule I, Section A or B, or in Schedule II of the Controlled Dangerous Substance Law (R.S. 40-964).

(h) Armed robbery or attempted armed robbery.

(i) Aggravated kidnapping.

(j) R.S. 15:529.1 (Habitual Offender Law).

(k) Indecent behavior with a juvenile.

(l) Incest.

(9) Offenders having detainers or warrants for pending felony charges are ineligible. This does not apply to detainers for traffic violations or for court costs.

(10) Offenders on maintenance programs will be assigned to the appropriate probation and parole district supervisor for monitoring purposes.

(F) State Police Barracks

(1) Offender must be specifically requested by State Police.

(2) Offenders found guilty of escape or attempted escape by a court or institution disciplinary board within the past seven years are ineligible.

(3) Persons who are currently under and/or who have demonstrated a need for intensive medical treatment (physically or psychologically) are ineligible. At the time treatment has been completed, and such termination of services has been documented by competent medical staff, persons may then be considered as eligible for transfer.

(4) Persons who have demonstrated an overt-aggressive pattern of homosexual behavior, to the extent that it would disrupt the smooth daily operation of the institution, are ineligible. Evidence must be documented and of a firsthand rather than of a hearsay nature.

(5) Persons serving life sentences will not be eligible unless there is a demonstrated need by the institution for the skill of the offender. Such an offender must meet all other requirements.

8. PROTECTION: Before transferring an offender to protective status at Wade Correctional Center, the Warden at the institution of assignment must certify, in writing, to the Office of Adult Services the reasons as to why adequate protection cannot be provided at said institution or any other unit within the Department of Corrections. Upon receipt of the Warden's assessment the Administrator of Classification at Headquarters will review and certify to the Assistant Secretary for Adults why the offender needs to be protected and should be placed in protective status.

9. DETAINERS:

(A) Detainers for traffic violations or misdemeanors should not be considered with the exception that misdemeanors other than traffic or cost of court detainers would be considered for Maintenance inmates only;

(B) A detainer for a felony which a conviction could result in a sentence that would disqualify the inmate from assignment to a certain security class should serve to disqualify the inmate from that assignment in fact;

(C) A detainer for a concurrent sentence which is shorter than the sentence which the inmate is serving within the Department of Corrections should be disregarded unless the sentence itself changes the inmate's security class.

10. ESCAPES:

(A) An escape other than the returning late from a pass from any Department of Corrections facility shall result in as-

signment to at least one higher security class;

(B) A documented aggravated escape from a DOC facility or any penal institution within the past seven years should require the classification of an inmate as Maximum Security; and

(C) A documented history of non-aggravated escapes totaling more than two would result in classification of an inmate as Maximum Security and as a high escape risk.

11. CANCELLATION: This regulation supercedes Department Regulation No. 30-14, dated 1 January 1979, and will not operate to require the transfer of any offender who was transferred to a facility for which he does not now qualify, provided he was transferred to that facility prior to January 20, 1984.

John T. King
Secretary

RULES

Board of Elementary and Secondary Education

Rule 4.00.04.g

The Board deleted Section 507 D.3 from Bulletin 1706, *Regulations for Implementing the Exceptional Childrens' Act*.
Rule 4.03.04 and 3.02.04.d

The Board adopted a policy authorizing vocational technical school directors and BESE's special school superintendents to accept the resignation of employees on behalf of the Board, with the effective date of termination to be the date of receipt by the director/superintendent of the school.

Rule 4.05.01

The Board directed that certification fees for Temporary Certificates be eliminated, effective January 1, 1984.

Rule 3.01.70.bb

The Board amended Bulletin 746, page 104 to change the title of position as Guidance Counselor to Personnel Service Officer and directed that certification requirements for Guidance Counselor become the requirements for Student Personnel Service Officer. The Board noted that this change applies only to vocational technical Guidance Counselors.

Rule 3.01.51.z(2)

The Board adopted the revision of high school credit for college courses in Vocational Education as required in Bulletin 741 (page 35-B).

Rule 4.00.72.c(2)

The Board amended Bulletin 1196, *School Food Services Program Policies of Operation* to include pedestal and ceiling fans (including installation and electrical connection) in the Table of Authorized School Food Service Equipment (page 39).

James V. Soileau
Executive Director

RULE

Department of Natural Resources Office of the Secretary

Under the authority of the State and Local Coastal Resources Management Act, La. R.S. 49:213.1 et seq., in particular, Section 213.16 B, and in accordance with the provisions of the Administrative Procedure Act, La. R.S. 49:950 et seq., and upon the approval of the Louisiana Coastal Commission on July 3, 1984, the following amendments are hereby adopted:

I.

Part IV A. (1), Appendix cl, Stay of Activities Under Permits

Pending Appeal, is hereby rescinded.

II.

Part V, Appendix cl, Modification, Suspension or Revocation of Permits, is renumbered and identified as Part IV, Modification, Suspension or Revocation of Permits; Part VI General Permits, is renumbered and identified as part V, General Permits; Part VII, Determinations as to Whether Uses are of State Concern or Local Concern, is renumbered and identified as Part VI, Determinations as to Whether Uses are of State Concern or Local Concern; and Part VIII, Determination as to Whether a Coastal Use Permit is Required, is renumbered and identified as Part VII, Determination as to Whether a Coastal Use Permit is Required.

III.

The Procedural Rules for the Hearing of Appeals by the Louisiana Coastal Commission, Appendix c5, is hereby amended to add a new Section "P" which shall read as follows:

P. APPLICATIONS FOR STAY ORDERS.

1. There shall be a Stay Order Committee comprised of the chairman plus four members elected by the Commission from its membership. Two of the elected members shall be parish government appointees and two shall be appointees of the governor.

2. Any person who has timely filed an appeal from a decision on a coastal use permit or approval of a local program or who has timely intervened in an appeal, may request the Commission to stay all or a portion of the activities authorized under the permit.

3. Requests for stay orders shall comply with the requirements of Section C. Pleadings, Section H. Burden of Proof, and Section N. Service of Pleadings and Orders, and shall also be served upon the applicant, the Administrator, any affected local government, and any interested person who has filed a written request for notification of the subject appeal with the Clerk of the Coastal Commission.

4. Upon notification that a request for a stay order has been properly filed, the chairman shall convene the Stay Order Committee, which shall hold an adjudicatory hearing upon the stay order request within seven days of the chairman's call, unless later, because of force majeure. Any absent Committee member's alternate on the Commission may participate and vote in his behalf. In the interest of justice, the Committee may stay all or a portion of the authorized permit activities or local program. A majority vote of the total membership of the Committee is required for the issuance of a stay order.

5. Stay orders shall terminate upon disposition of the appeal by the Commission or upon an earlier date or event fixed in the order.

Any interested party may seek judicial review of the decision on the stay order in accordance with the Administrative Procedure Act.

Frank P. Simoneaux
Secretary

RULE

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, shall implement the following Rule in the AFDC and Refugee Programs in accordance with 45 CFR 233.20(a)(ix) as published in the *Federal Register* of Friday, February 5, 1982, Volume 47, Number 25 Page 5676.

RULE

AFDC and Refugee recipients who are determined to be potentially eligible for the Earned Income Tax Credit (EITC) will be allowed 14 days to apply for and receive advance EITC payments. If after the 14 day period the recipient has not provided verification of ineligibility for EITC or of their employer's refusal to cooperate in paying EITC, the amount of EITC which the recipient is eligible to receive as determined from tables provided by the Secretary of the Treasury shall be budgeted as income in determining eligibility and grant amount.

Roger P. Guissing
Secretary

RULE

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

The Department of Health and Human Resources, Office of Family Security, hereby amends the Title XIX State Plan, Attachment 4.19 B, Item 18a. entitled Transportation Services, to limit the amount reimbursed to providers of non-emergency medical transportation for the transport of an attendant needed to accompany a Title XIX recipient.

RULE

Effective February 1, 1984, Attachment 4.19 B, Item 18 a. I. B. 1. (b) shall read as follows:

(b) \$5.00 per one-way pick up for each additional person and for an Attendant;

Effective February 1, 1984, Attachment 4.19 B, Item 18 a.

I. B. 3. first sentence shall read as follows:

3. Non-Profit organization - all non-profit organizations may be reimbursed for providing transportation for a recipient and an attendant to accompany him at a rate equal to the amount currently paid state employees for mileage traveled on official business, except that the maximum to be paid for the attendant shall not exceed \$5 for a one-way pickup.

This action is being taken to comply with recommendations made by the United States Department of Health and Human Services in their 1983 State Assessment of the Medical Assistance Program.

Roger P. Guissing
Secretary

RULE

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

The Department of Health and Human Resources, Office of Family Security, hereby amends the Title XIX State Plan, Methods and Standards for Payment for Medical and Remedial Care and Services - Skilled Nursing and Intermediate Care Facilities.

RULE

Effective February 1, 1984, the Title XIX State Plan, Attachment 4.19-D, paragraph E.1 page 16 and 17; page 103, paragraph 2; and page 114 after paragraph E will be amended as follows:

Page 16 and 17 of Paragraph E.1. will include the following sentence: Failure to do so will result in withholding of Title XIX

reimbursement for the number of beds which have not been approved in accordance with the Social Security Act (42 USC Section 1320 a-1 et. seq.).

Page 103, Paragraph 2. will include the following wording: 2. . . . and shall not include expenditures made without required Section 1122 of P.L. 92-603 approval.

Page 114, After Paragraph E. New paragraph F. shall read as follows:

4. F. Payment will be made in amount not to exceed the total number of beds which will have been approved in accordance with the Social Security Act (42 USC Section 1320 -1 et. seq.) times (x) the number of days in the month. Such payment will be considered the total agency payment for all Title XIX recipients in the facility. The number of beds reflected in current provider agreements shall be considered to be approved beds. The capital expenditures allowable in cost reports shall be based on approvals in accordance with the Social Security Act (42 USC Section 1320 a-1 et. seq).

The intent of the proposed rule change is to ensure that payment is not made to facilities for any beds which have not been approved in accordance with the Social Security Act (42 USC Section 1320 a-1 et. seq.) and to delete such capital expenditures in determining allowable costs for rate setting purposes.

Roger P. Guissing
Secretary

RULE

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

The Department of Health and Human Resources, Office of Family Security, shall implement the following Rule in the AFDC Program. The Rule is authorized by 45 CFR 206.10 as published in the *Federal Register* of Tuesday, June 21, 1983, Volume 48, Number 120, pages 28407 and 28408.

RULE

All individuals applying for inclusion in an existing Aid to Families with Dependent Children or Refugee certification shall be considered applicants for assistance and file an application form. The date the application form is received in the parish office shall be considered their filing date and if found eligible during that initial month of application, the initial month's benefits shall be prorated from the date of application to the end of the month.

Roger P. Guissing
Secretary

RULE

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

The Department of Health and Human Resources, Office of Family Security, hereby adopts the following Rule in the Medical Assistance Program:

RULE

Effective February 1, 1984, Title XIX reimbursement will be reinstated for the following drug:

TRADE NAME	ACTIVE INGREDIENT	DOSAGE FORM/ROUTE	FIRM
ISOSORBIDE	ISOSORBIDE	TAB/subl	Bolar
DINITRATE	DINITRATE	TAB/oral	
		SRT/oral	

Reimbursement for this drug was discontinued in a Final Rule, effective August 20, 1983, as published in the *Louisiana Register*, Vol. 9, No. 8, page 552, because it was determined to be "less than effective" by the Food and Drug Administration (FDA). However, the Medical Assistance Program was advised by the United States Department of Health and Human Services, Health Care Financing Administration by Transmittal No. 8, Part 4, of the State Medicaid Manual, dated September, 1983, that the above stated drug, Isosorbide Dinitrate, manufactured by Bolar, has been determined to be effective by the FDA, and therefore payment may be made for this drug.

Roger P. Guissinger
Secretary

RULE

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

The Department of Health and Human Resources, Office of Family Security, shall adopt the following Rule in the Food Stamp Program as mandated by federal regulations as published in the *Federal Register*, Tuesday, June 21, 1983, Vol. 48, No. 120 pp. 28190-28193. The Rule entitled "Standard Utility Allowance for the Food Stamp Program" which was published in the *Louisiana Register* of February 20, 1983, Vol. 9, No. 2, page 64, is hereby amended.

RULE

Effective October 1, 1983, the standard utility allowance in the Food Stamp Program shall be \$145.

A cooling cost is a verifiable utility expense relating to the operation of air conditioning systems or room air conditioners.

Roger P. Guissinger
Secretary

RULE

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

Effective January 20, 1984, the Department of Health and Human Resources, Office of Health Services and Environmental Quality, Food and Drug Control Unit, in order to implement the provisions of LSA R.S. 40:627, will revise the registration procedures for foods, drugs, cosmetics and prophylactic devices for the registration period beginning August 1, 1984, and codify the revised registration procedures in accordance with the codification system in the "State of Louisiana Food, Drug and Cosmetic Laws and Regulations", dated September, 1968 (the 'Red Book'). There will be a one year transition period during which registration certificates will be issued for varying periods of time in accordance with the following regulation:

2.218. In accordance with the provisions of LSA R.S. 40:627 and in order to establish a staggered registration period during the calendar year, manufacturers, packers, processors and distributors of all processed foods, proprietary or patent medicines, prophylactic devices and cosmetics in packaged form, whose names appear on the labels, must submit an application for registration of such products on or before August 1, 1984 in accordance with the following schedule:

Category	-Domicile- Parish, State and/or Foreign Country	New Expira- tion Date	Initial Regis- tration Interval- Months	New Certificate Renewal Date
1	Acadia - St. John	1/31	6	2/1
2	St. Landry - Winn	4/30	9	5/1
3	Alaska - Idaho Illinois - Ohio (Excluding N.Y.)	7/31	12	8/1
4	New York - Wyoming (Excluding North Carolina, North Dakota & Ohio) Foreign Countries	10/31	15	11/1

The above listed categories include firms with domiciles in the following parishes, states and/or foreign countries:

CATEGORY 1

PARISHES

Acadia	Jackson
Allen	Jefferson
Ascension	Jefferson Davis
Assumption	Lafayette
Avoyelles	Lafourche
Beauregard	LaSalle
Bienville	Lincoln
Bossier	Livingston
Caddo	Madison
Calcasieu	Morehouse
Caldwell	Natchitoches
Cameron	Orleans
Catahoula	Ouachita
Claiborne	Plaquemines
Concordia	Pointe Coupee
DeSota	Rapides
East Baton Rouge	Red River
East Carroll	Richland
East Feliciana	Sabine
Evangeline	St. Bernard
Franklin	St. Charles
Grant	St. Helena
Iberia	St. James
Iberville	St. John

CATEGORY 2

PARISHES

St. Landry	Vermilion
St. Martin	Vernon
St. Mary	Washington
St. Tammany	Webster
Tangipahoa	West Baton Rouge
Tensas	West Carroll
Terrebonne	West Feliciana
Union	Winn

STATES

Alabama	Delaware
Alaska	District of Columbia
Arizona	Florida
Arkansas	Georgia
California	Hawaii
Colorado	Idaho
Connecticut	

CATEGORY 3

Illinois	Missouri
Indiana	Montana
Iowa	Nebraska

Kansas	Nevada
Kentucky	New Hampshire
Maine	New Jersey
Maryland	New Mexico
Massachusetts	North Carolina
Michigan	North Dakota
Minnesota	Ohio
Mississippi	

CATEGORY 4

New York	Utah
Oklahoma	Vermont
Oregon	Virginia
Pennsylvania	Washington
Rhode Island	West Virginia
South Carolina	Wisconsin
South Dakota	Wyoming
Tennessee	Foreign
Texas	Countries

Firms are required to submit registration fees based on the life of their Certificate of Registration.

CATEGORY 1:	CATEGORY 2:
1 product-\$1.25	1 product-\$1.88
2 products-\$2.50	2 products-\$3.75
3 products-\$3.75	3 products-\$5.63
4 or more products-\$5.00	4 or more products-\$7.50
CATEGORY 3:	CATEGORY 4:
1 product-\$2.50	1 product-\$3.13
2 products-\$5.00	2 products-\$6.25
3 products-\$7.50	3 products-\$9.38
4 or more products-\$10.00	4 or more products-\$12.50

The current procedures for registration of foods, drugs, cosmetics and prophylactic devices are on an annual schedule beginning August 1 of each year and ending July 31 of the following calendar year. The registration fees are currently \$2.50 per product up to a maximum of \$10 for any one firm.

This is a temporary measure allowing the issuance of registration certificates on a staggered basis. After the initial issuance of certificates on August 1, 1984, all firms will apply for annual re-registration based on the new registration dates assigned them. Registration certificates issued with new registration dates after this initial issuance will be valid for one year in accordance with Sect. 2.215 of this Part.

Roger P. Guissinger
Secretary

RULE

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

Effective January 20, 1984, the Department of Health and Human Resources, Office of Health Services and Environmental Quality, Food and Drug Control Unit, in order to implement the provisions of LSA R.S. 40:661 through LSA R.S. 40:661.5, will adopt regulations for vending machines designed to dispense water intended for human consumption. This is done to assure that consumers using such machines are given appropriate information as to the nature of the vended water and to assure that the quality of the water vended meets an acceptable standard for potability and that the vending equipment is installed, operated and maintained so as to protect the health, safety and welfare of the consuming public. These regulations are codified in accordance with the codification system in the "State of Louisiana Food, Drug and Cosmetic Laws and Regulations", dated September,

1968 (the 'Red Book'); as follows:
2.120 Definitions.

(A) "Water vending machine" shall mean any self-service device which, upon insertion of money or tokens or upon receipt of payment by other means, dispenses unit servings of water in bulk into a container, without the necessity of refilling the machine between each operation.

(B) "Permit" shall mean and be limited to a permit issued under and pursuant to the provisions of these regulations.

(C) "Vended water" shall mean that water dispensed by means of a water vending machine.

(D) "Person" shall mean any individual, public or private corporation, company, association, partnership, municipality or any other legal entity or its legal representative, agent or assigns.

(E) "Operator" shall mean any person who owns or operates a water vending machine.

(F) "Potable water" shall mean water which meets the requirements of Chapter VIII of the Louisiana State Sanitary Code of January 1, 1977 and any subsequent revisions.

(G) "Spring water" shall mean water obtained from a water source which flows naturally from an underground spring or is obtained from such spring by means of drilling and/or pumps.

(H) "United States Pharmacopeia" shall mean "the Pharmacopeia of the United States of America prepared under authority of the United States Pharmacopeial Convention"; a book of standards for drugs, tests, waters and reagents.

(I) "Purified water" shall mean water produced by distillation, deionization, reverse osmosis or other methods as defined in the current edition of the "United States Pharmacopeia."

(J) "Non-toxic materials" shall mean materials which are free of substances which may render the water injurious to health or which may adversely affect the flavor, color, odor or microbiological quality of the water.

(K) "Approved" means approved in writing by the designated representative of the State Health Officer.

(L) "Sanitary" shall mean promoting or pertaining to health and, therefore, free of harmful or deleterious contaminants.

2.121 Operating Requirements.

Each water vending machine operator shall:

(A) Obtain a permit for each water vending machine operated.

(B) Install each water vending machine to a potable water supply in accordance with the State Sanitary Code and any applicable, local plumbing codes.

(C) Operate and maintain all water vending machines in a sanitary manner.

(D) Maintain adequate water quality monitoring by analyzing one sample every three months bacteriologically from each water vending machine.

(E) Take investigative or corrective action, in cooperation with the Food and Drug Control Unit, as necessary when a vending machine malfunctions to assure that a pure, wholesome and potable water supply is supplied to consumers.

2.122 Permits.

(A) Each person desiring to operate a water vending machine in Louisiana shall, prior to such operation, apply to the State Health Officer for a permit.

(B) Any application for a permit shall be on a form as prescribed by the State Health Officer and shall contain the following:

(1) Name and principal address of the applicant.

(2) Address of the proposed water vending machine location. A separate application for permit must be filed for each water vending machine location.

(3) Signature of a responsible officer of the firm and his/her title.

(4) Any additional information needed for the orderly maintenance of records and data processing requirements.

(5) The model number or name of the water vending machine.

(6) Evidence with respect to each model of machine intended to be used, that:

(a) Said model complies with the construction standards of the National Sanitation Foundation (NSF) and/or the National Automated Merchandising Association (NAMA). Such standards are available from the National Sanitation Foundation, 3475 Plymouth Rd., Ann Arbor, Michigan 48105 and/or the National Automated Merchandising Association, 7 S. Dearborn St., Chicago, Illinois 60603.

(b) All exterior and interior surfaces and component parts of said machine are designed and constructed to permit easy cleaning and maintenance.

(c) All parts and surfaces of said machine with which the water comes into contact are of non-toxic, corrosion resistant, non-absorbent material capable of withstanding repeated cleaning and sanitizing treatment.

(d) Said machine has a recessed or guarded corrosion resistant dispensing spout.

(e) All treatment of the vended water by distillation, ion-exchange filtration, ultraviolet light, reverse osmosis, mineral addition or any other process is done in a manner so as to accomplish its intended purpose of purifying water.

(f) All vending machines are located in an area that can be maintained in clean condition and in a manner that avoids insect and rodent harborage.

(g) The source of water supply is from a community water supply approved by the State Health Officer as defined in the State Sanitary Code, Sect. 8.1.

(h) All machines have a system of collection and handling of drip, spillage and overflow of water.

(i) All connections with the public water supply have a backflow prevention device approved by the State Health Officer.

(j) All vending machines display, in a position clearly visible to customers, the following information: the name, license number and address of the operator, the fact that the water is obtained from a public water supply, a statement describing the treatment process; if no treatment process is utilized, then a statement to that effect, chemical names and concentrations of any preservatives or additives and a local telephone number than may be called for further information, service or complaints.

(k) Prior to delivery into the customer's container, water vended by the machine is disinfected by ultraviolet light or other method approved by the State Health Officer.

(l) All water vending machines are equipped with monitoring devices designed to shut down operation of the machine when the disinfection unit fails to function.

(m) All vending machines are equipped with a self-closing, tight fitting door on the vending compartment.

(n) No vended water is described on a machine or elsewhere as "spring water" or "purified water" unless such water conforms to the definition contained in this Part.

(o) Activated carbon, if used, complies with the American Water Works Association (AWWA) specifications for granular, activated carbon used in the treatment of potable water (AWWA B604—74).

(p) All vending machines are maintained in a clean and sanitary condition, free from dirt and vermin.

(C) Evidence that the person applying for permit has:

(1) A competent and responsible staff approved by the State Health Officer for the local supervision of the operation of the machines. Competent staff shall be construed to mean a person or persons with at least one year's experience concerning the proper

operation of the type of water vending machine they will operate, (or similar training or experience in this or related operations.)

(2) An acceptable maintenance program for the routine servicing of water vending machines. The program shall include written servicing instructions for the operator, technical manuals of the machine and of the water treatment appurtenances involved and regularly scheduled service visits.

(D) Issuance of permit. The State Health Officer, after a reasonable period of time, shall either grant or deny an applicant a permit.

(E) Permit revocation and cancellation. Each permit issued in accordance with the provisions of this Part, shall be for a period of one year and shall remain in force and effect for that period unless terminated, revoked or cancelled upon due notice and hearing.

(F) Fees. Each person applying for a permit to operate a water vending machine within Louisiana shall pay an initial and an annual permit fee of \$50 (Reference - LSA R.S. 40:701, Act No. 510 of 1983).

(G) Each water vending machine permitted for use in Louisiana shall display, in the upper right hand corner of the front panel, a permit decal furnished by the State Health Officer.

2.123 Service, Sampling and Records.

(A) All parts and surfaces of the water vending machines shall be maintained in clean condition by the water vending operator. The vending chamber and vending nozzle of each machine shall be cleaned and sanitized each time the machine is serviced. A record of cleaning and maintenance operations shall be kept by the operator for each water vending machine.

(B) The vended water from each water vending machine shall be analyzed once every three months for total coliforms. The analysis shall be performed by a laboratory approved by the State Health Officer in accordance with the provisions of the EPA Manual #600/8-78-008 titled "Manual for the Interim Certification of Laboratories Involved in Analyzing Public Water Supplies' Criteria and Procedures, May, 1978". This manual is prepared by the United States EPA, 1201 Elm St., Dallas, Texas 75270.

(C) The vended water from each water vending machine utilizing silver-impregnated carbon filters in the treatment process shall be analyzed once every three months for silver. The analysis shall be performed by a laboratory approved by the State Health Officer in accordance with the provisions of the EPA Manual #600/8-78-008 titled "Manual for the Interim Certification of Laboratories Involved in Analyzing Public Water Supplies' Criteria and Procedures, May, 1978".

(D) A more frequent analysis of the above parameters, or additional analysis may be required by the State Health Officer if there is some presumption of unfitness of the vended water because of the presence of undesirable elements, compounds or materials caused by the passage of water through the machine.

Roger P. Guissinger
Secretary

RULE

Department of Health and Human Resources Office of the Secretary

In accordance with Act 197 of the 1982 Regular Session (R.S. 37:3081 et seq.), the Department of Health and Human Resources, Office of the Secretary has adopted the following Rule pertaining to the requirements of dietitians and registered dietitians:

Rule

1. DEFINITIONS

A. Registered Dietitian - the designation of persons who have completed all requirements and satisfactorily completed the dietetic registration examination and have maintained the continuing education requirements.

B. Dietitian - designation of person who have completed all requirements except satisfactorily completing the exam to become registered (i.e. Registration eligible)

C. Commission on Dietetic Registration (CDR) is the certifying component of the American Dietetic Association (ADA). This commission is charged to review, modify, and enforce standards for dietetic registration. This commission is autonomous in most aspects. It independently establishes registration eligibility

criteria and independently administers the examination to determine if applicants meet those criteria.

D. Plan IV - is the designation for the minimum academic requirements (for ADA membership for dieticians) to become registration eligible.

II. For the purposes of La. R.S. 37:3081 (a)(b)(c)(d) and (e) the Secretary accepts and adopts all of the prescribed requirements of the ADA, CDR, as may be amended, and more particularly with regards to the establishment of academic requirements; prescribing a program of experience; the determination of an examination and establishment of continuing education requirements. The ADA, CDR standards are combined in Part III of these rules. Any change in the ADA, CDR standards are automatically accepted and adopted by the Secretary.

III.

THE AMERICAN DIETETIC ASSOCIATION
430 North Michigan Avenue, Chicago, Illinois 60611
REQUIREMENTS FOR MEMBERSHIP IN THE AMERICAN DIETETIC ASSOCIATION AND/OR ELIGIBILITY FOR THE REGISTRATION EXAMINATION FOR DIETITIANS EDUCATION*, EXPERIENCE, ENDORSEMENT AND SUPERVISION REQUIREMENTS

I. Introduction

- A. Applicants with a degree from an accredited college or university must present:
1. A final official transcript with college seal indicating the degree and/or degrees.
2. Verification Statement of Completion of Plan IV Academic Requirements For Membership And/Or Eligibility For The Dietetic Registration Examination signed by the Program Representative of a college or university approved for Plan IV by The American Dietetic Association or an ADA Plan IV transcript evaluation completed before November 1980. Approved Plan IV Programs are listed in annual DIRECTORY OF DIETETIC PROGRAMS.
3. Verification of successful completion of qualifying experience in The United States.
4. Qualifying Endorsement(s).

†Until December 31, 1984 approved Plan III transcript evaluations (done prior to January 1, 1980)

- B. The current issue of the annual directory "Accredited Institutions of Postsecondary Education", is accepted as a guide in determining whether an institution is "accredited." It is published by the American Council on Education, One Dupont Circle, Washington, D.C. 20036.

II. Experience and Endorsement Requirements

- A. Associate Degree#
1. Qualifying experience and endorsement:
a. An American Dietetic Association approved Dietetic Technician program.
b. Endorsement by the director of the program.
B. Baccalaureate Degree
1. Qualifying experience and endorsement:
a. A coordinated undergraduate program accredited by ADA and endorsement by the director of the program.
b. A dietetic internship accredited by ADA and endorsement by the director of the internship.
c. Three years of full-time or equivalent of "pre-planned professional experience" preceded by Associate membership. (Associate members are not eligible for Active membership or the registration examination until the qualifying experience is completed.) A minimum of two endorsements is required.
1. Sponsor
2. Secondary endorser
C. Master's Degree
1. Qualifying experience:
a. Six months of full-time or 12 months half-time of successful experience in practice of dietetics within the last 5 years. This experience should follow completion of current ADA academic requirements. However, experience concurrent with the last course requirement will be considered. Teaching experience must be beyond high school level. Positions of less than six months will not be considered. Prior approval not required but recommended.
b. A master's degree with a graduate assistantship within the last 5 years is an alternate route to membership. Assistantships must be held for a minimum of one academic year on a half-time (20 hours per week) basis. The academic requirements must be completed by the time the master's degree is granted. Only assistantships in-

cluding a variety of experiences related to the practice of dietetics will be acceptable. Prior approval is required for each individual.

- 2. Endorsement and Supervision: Two Endorsements are required. One endorser must be involved in the academic or work experience for at least a six month, full-time, continuous period, on the premise with the individual. Preferably both endorsers will be Active members of ADA and registered. At least one of the two must be a Registered Active ADA member for the past three years.
a. Endorsement by the person who has observed, directed, and evaluated the applicant as satisfactory in the academic program.
b. A second endorsement is required from a person who has been in a position to supervise the applicant's work throughout the period of experience and is qualified to professionally assess the applicant's performance.

D. Doctoral Degree

- 1. Qualifying experience:
a. Six months' qualifying experience will be required in teaching, research or practice in dietetics.
2. Endorsements--same as for Master's degree.

III. Associate Membership#

- A. An interim category with a time limit of 8 years to satisfy requirements for Active Membership. Experience requirements as outlined with the Baccalaureate or a Master's degree must be completed. Recency of educational requirements may be completed concurrently with experience.

Should Associate membership lapse the work experience performed during the time of non-membership is not applicable to the three years of necessary experience. Individuals taking over five years to complete the necessary three years of experience will be subject to meeting the recency of education requirements prior to transfer of status.

- B. This category is available to any person who:
1. Has a minimum of a baccalaureate degree
2. Satisfies current academic requirements for Active membership.
3. Plans to complete one of the approved experience options.

IV. Recency of Education Requirements

Additional coursework in dietetics or some related area is required to "update" degrees and/or academic requirements, which were completed five or more years prior to application. These courses must be upper division or graduate level. The semester hours required will vary as indicated below.

Effective January 1, 1979, the recency of education requirements are as follows with Baccalaureate, Masters or Doctoral Degree:

Table with 2 columns: Duration (Up to 5 years, 5 to 10 years, 10 to 20 years, 20 years and over) and Semester/Quarter Hours (0, 6, 9, 12 semester hours; 0, 9, 14, 18 quarter hours).

* Minimum academic requirements on reverse side. Refer to Plan IV.
Eligibility for the registration examination is established by completion of the requirements as outlined for Baccalaureate, M.S., Doctoral degrees.
Note: R.D.® is The American Dietetic Association's trademark for Registered Dietitian.

The College or University's plan for meeting these academic requirements must be approved by the ADA before they can be applied to the individual student. See I. A.2. for documentation of completion of academic requirements.

Plan IV

MINIMUM ACADEMIC REQUIREMENTS FOR ADA MEMBERSHIP

A Baccalaureate Degree Including Basic Requirements Plus One Area of Specialization**

AREA OF SUBJECT MATTER	BASIC REQUIREMENTS	AREAS OF SPECIALIZATION IN DIETETICS			
		General	Management	Clinical	Community
Physical & Biological Sciences	Chemistry, inorganic and organic Human physiology Microbiology	Biochemistry		Biochemistry Biochemical analysis ^b Anatomy or ^b advanced physiology or ^b genetics	Biochemistry
Behavioral & Social Sciences	Sociology or psychology (principles) Economics	Cultural anthropology or sociology	Labor economics or relations	Cultural anthropology or sociology	Cultural anthropology or sociology ^c Psychology
Professional Sciences	Food (composition, physical and chemical changes, quality, acceptability, and aesthetics) Prerequisite: organic chemistry Nutrition Prerequisites: human physiology & organic chemistry Management theory and principles	Food service systems management Nutrition in disease Prerequisite: biochemistry	Food service systems management Principles of business organization (Management of personnel) Financial management	Additional nutrition course Prerequisite: biochemistry Nutrition in disease Prerequisite: biochemistry	Nutrition in disease Prerequisite: biochemistry Nutrition and community health Prerequisite: biochemistry Food service systems management (volume food service in the community)
Communication Sciences	Writing (creative or technical) ^a Mathematics to intermediate algebra Learning theory or educational methods	^b Data processing (computer logic) or ^b Data evaluation (statistics)	Data processing (computer logic) or Data evaluation (statistics)	Data evaluation (statistics)	Data evaluation (statistics)

^aMay be acquired prior to college entrance

^bRecommended, not required

^cIf not completed in Basic Requirements

Adopted July 1, 1972

**Minimum Academic Requirements are expressed in terms of *basic competencies* rather than in specific credit hours. In *knowledge areas*, not in courses.

IV. The requirements for a registered dietitian and dietitian are found in La. R.S. 37:3081 A and B and Parts II and III of these Rules.

V. Louisiana Dietetic Association, Executive Board is hereby designed by the Secretary to:

(a) receive and investigate complaints regarding title violations of La. R.S. 37:3081 et seq, and make recommendations to the Secretary;

(b) monitor compliance with the provisions of La. R.S. 37:3081 et seq. and these Rules;

(c) advise, comment, propose, etc. to the Secretary on legislation pertaining to nutrition and dietetics; and

(d) make recommendations to the Secretary on the Rules necessary to implement the provisions of La. R.S. 37:3081 et seq.

VI. Enforcement

The Secretary may enforce these standards in accordance with the provisions of R.S. 37:3082

Roger P. Guissing
Secretary

RULE

Department of Revenue and Taxation Tax Commission

The Louisiana Tax Commission has adopted rules, regulations and guidelines relating to the assessment of real and personal property.

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 fifteen thousand dollars (\$15,000.00), 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 deputies 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-timesharing condominium units, apartments or other accommodation.

DEFINITIONS PERTAINING TO
REAL AND PERSONAL PROPERTY

Composite Multiplier is a factor obtained by multiplying the cost index for the base year times percent good.

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

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

Economic Obsolescence is loss in value due to causes outside the property and independent of it, and not included in physical deterioration.

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

Extended Life Expectancy is the increased life expectancy due to seasoning and proven ability to exist. Just as a person will have a total normal life expectancy at birth which increases as he grows older, so it is with structures and equipment.

Fair Market Value is the price for property which would be agreed upon between a fully informed buyer and seller, under normal circumstances.

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

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

Non-Operating or Non-Utility Property is property owned by a public service company used for purposes other than the normal operation of that public service company. It includes property held for future use or development, property leased to third parties, and certain other property not included in the company rate base. (This definition is for sole purpose of establishing the criteria for determining when the property is to be assessed by local tax assessor in accordance with R.S. 47:1853 (c).)

Percent Good equals 100% less the percentage of cost represented by depreciation. It is the present value of the structure or equipment at the time of

Table 1.1
OFFICE EQUIPMENT

COST INDEX (AVERAGE)		AVERAGE ECONOMIC LIFE 10 YEARS		
YEAR	INDEX	EFFECTIVE AGE	PERCENT GOOD	COMPOSITE MULTIPLIER
1983	0.991	1	92	.91
1982	1.009	2	84	.85
1981	1.057	3	76	.80
1980	1.166	4	67	.78
1979	1.282	5	58	.74
1978	1.401	6	49	.69
1977	1.507	7	39	.59
1976	1.587	8	30	.48
1975	1.686	9	24	.40
1974	1.881	10	21	.40
1973	2.178	11	20	.44

Table 1.2
OFFICE FURNITURE AND FIXTURES

COST INDEX (AVERAGE)		AVERAGE ECONOMIC LIFE 15 YEARS		
YEAR	INDEX	EFFECTIVE AGE	PERCENT GOOD	COMPOSITE MULTIPLIER
1983	0.991	1	95	.94
1982	1.009	2	90	.91
1981	1.057	3	85	.90
1980	1.166	4	79	.92
1979	1.282	5	73	.94
1978	1.401	6	68	.95
1977	1.507	7	62	.93
1976	1.587	8	55	.87
1975	1.686	9	49	.83
1974	1.881	10	43	.81
1973	2.178	11	37	.81
1972	2.256	12	31	.70
1971	2.332	13	26	.61
1970	2.470	14	23	.57
1969	2.628	15	21	.55
1968	2.743	16	20	.55

TABLE 2.1
 FLOATING EQUIPMENT
 MOTOR VESSELS

COST INDEX (AVERAGE)		AVERAGE ECONOMIC LIFE 12 YEARS		
YEAR	INDEX	EFFECTIVE AGE	PERCENT GOOD	COMPOSITE MULTIPLIER
1983	0.991	1	94	.93
1982	1.009	2	87	.88
1981	1.057	3	80	.85
1980	1.166	4	73	.85
1979	1.282	5	66	.85
1978	1.401	6	58	.81
1977	1.507	7	50	.75
1976	1.587	8	43	.68
1975	1.686	9	36	.61
1974	1.881	10	29	.55
1973	2.178	11	24	.52
1972	2.256	12	22	.50
1971	2.332	13	20	.47

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

YEAR	COST INDEX (AVERAGE) INDEX	AVERAGE ECONOMIC LIFE		
		EFFECTIVE AGE	20 YEARS	
			PERCENT GOOD	COMPOSITE MULTIPLIER
1983	0.991	1	97	.96
1982	1.009	2	93	.94
1981	1.057	3	90	.95
1980	1.166	4	86	1.00
1979	1.282	5	82	1.05
1978	1.401	6	78	1.09
1977	1.507	7	74	1.12
1976	1.587	8	70	1.11
1975	1.686	9	65	1.10
1974	1.881	10	60	1.13
1973	2.178	11	55	1.20
1972	2.256	12	50	1.13
1971	2.332	13	45	1.05
1970	2.470	14	40	.99
1969	2.628	15	35	.92
1968	2.743	16	31	.85
1967	2.850	17	27	.77
1966	2.968	18	24	.71
1965	3.060	19	22	.67
1964	3.099	20	21	.65
1963	3.133	21	20	.63

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 3.1SUBSURFACE 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 BY DEPTH PER FOOT</u>	<u>ASSESSED VALUE BY DEPTH PER FOOT</u>
0 - 1,249 ft.	\$ 1.67	\$.25
1,250 - 2,499 ft.	1.73	.26
2,500 - 3,749 ft.	3.69	.55
3,750 - 4,999 ft.	8.52	1.28
5,000 - 7,499 ft.	12.21	1.83
7,500 - 9,999 ft.	15.19	2.28
10,000 - 12,499 ft.	16.43	2.46
12,500 - 14,999 ft.	23.00	3.45
15,000 - 17,499 ft.	30.22	4.53
17,500 - 19,999 ft.	42.14	6.32
20,000 - Deeper ft.	48.07	7.21

<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	\$ 28,660	\$ 4,300
300# Desorber	34,200	5,130
500# Desorber	34,920	5,240
<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	2,400	360
CLASS II	4,800	720
CLASS III	7,200	1,080
<u>EXPANDER UNIT</u> - No metering equipment included.		
Per Unit	9,470	1,420
<u>FLOW SPLITTERS</u> - No metering equipment included.		
48 In. Diameter Vessel	4,580	690
72 In. Diameter Vessel	5,820	870
96 In. Diameter Vessel	8,590	1,290
120 In. Diameter Vessel	12,080	1,810
<u>FIRE CONTROL SYSTEM</u> - (Assessed on an individual basis)		
<u>FURNITURE & 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.)	370	60
1501 and Up (Per H.P.)	180	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)	\$ 10,190	\$ 1,530
CLASS 12 CF (Per Unit)	10,910	1,640
CLASS 14 CF (Per Unit)	11,640	1,750
CLASS 16 CF (Per Unit)	12,370	1,860
CLASS 18 CF (Per Unit)	13,820	2,070
<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	6,550	980
4.1 to 5.0 MMCF/D	8,360	1,250
5.1 to 10.0 MMCF/D	8,950	1,340
10.1 to 15.0 MMCF/D	11,570	1,740
15.1 to 20.0 MMCF/D	17,460	2,620
20.1 to 25.0 MMCF/D	18,990	2,850
25.1 to 30.0 MMCF/D	25,030	3,750
30.1 to 50.0 MMCF/D	31,000	4,650
50.1 to 75.0 MMCF/D	49,480	7,420
75.1 & UP	74,220	11,130
<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	3,560	530
30 In. Diameter Vessel - 500,000 BTU/HR Rate	5,020	750
36 In. Diameter Vessel - 750,000 BTU/HR Rate	6,250	940
48 In. Diameter Vessel - 1,000,000 BTU/HR Rate	8,440	1,270
60 In. Diameter Vessel - 1,500,000 BTU/HR Rate	11,420	1,710
<u>WATER BATH - INDIRECT HEATER</u>		
24 In. Diameter Vessel - 250,000 BTU/HR Rate	2,180	330
30 In. Diameter Vessel - 500,000 BTU/HR Rate	2,910	440
36 In. Diameter Vessel - 750,000 BTU/HR Rate	4,070	610
42 In. Diameter Vessel - 1,000,000 BTU/HR Rate	4,730	710
48 In. Diameter Vessel - 1,500,000 BTU/HR Rate	6,920	1,040

<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	\$ 1,460	\$ 220
30 In. Diameter Vessel - 450,000 BTU/HR Rate	1,970	300
36 In. Diameter Vessel - 500 to 750,000 BTU/HR	2,330	350
48 In. Diameter Vessel - 1 to 2,000,000 BTU/HR	3,860	580
60 In. Diameter Vessel - 2 to 3,000,000 BTU/HR	5,740	860
72 In. Diameter Vessel - 3 to 6,000,000 BTU/HR	10,620	1,590
96 In. Diameter Vessel - 6 to 8,000,000 BTU/HR	17,320	2,600

HEAT EXCHANGE UNITS - SKID MOUNTED - (See Production Units)

HEATER TREATERS - Necessary controls, gauges, valves and piping. No metering equipment included.

HEATER-TREATERS - Non-Metering

4 x 20 ft.	3,490	520
4 x 27 ft.	4,220	630
6 x 20 ft.	4,650	700
6 x 27 ft.	5,530	830
8 x 20 ft.	6,180	930
8 x 27 ft.	6,830	1,020
10 x 20 ft.	7,200	1,080
10 x 27 ft.	8,010	1,200

HEATER-TREATERS-METERING - Also includes metering section with dump counters.

3 x 15 ft.	6,550	980
4 x 22 ft.	7,200	1,080
6 x 22 ft.	8,730	1,310
8 x 22 ft.	10,910	1,640
10 x 22 ft.	13,820	2,070

L.A.C.T. (LEASE AUTOMATIC CUSTODY TRANSFER) - (See Metering)

<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	\$ 28,820	\$ 4,320
RANGE II - 5.1 to 10.0 MMCF/D	40,750	6,110
RANGE III - 10.1 to 15.0 MMCF/D	52,090	7,810
RANGE IV - 15.1 and up MMCF/D	67,230	10,080
<u>LIQUA METER UNITS</u> - (See Metering Equipment)		
<u>MANIFOLDS</u> - (See Metering Equipment)		
<u>MATERIAL & 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.	1,460	220
<u>CONTROLLERS</u> - Time cycle valve - valve controlling device (Also known as Intermittent)	880	130
<u>FLUID METERS:</u>		
<u>1 Level Control</u>		
24 In. Diameter Vessel - 1/2 bbl. dump	1,090	160
30 In. Diameter Vessel - 1 bbl. dump	1,230	180
36 In. Diameter Vessel - 2 bbl. dump	1,530	230
<u>2 Level Control</u>		
20 In. Diameter Vessel - 1/2 bbl. dump	1,350	200
24 In. Diameter Vessel - 1/2 bbl. dump	1,460	220
30 In. Diameter Vessel - 1 bbl. dump	1,530	230
36 In. Diameter Vessel - 2 bbl. dump	2,330	350

<u>PROPERTY DESCRIPTION</u>	<u>FAIR MARKET VALUE</u>	<u>ASSESSED VALUE</u>
<u>L.A.C.T. & A.T.S. UNITS</u>		
30 lb. discharge	\$ 5,310	\$ 800
60 lb. discharge	6,760	1,010
<u>SOLAR PANELS</u>		
Per Unit (10" x 10")	210	30
<u>METER RUNS - Piping, Valves & Supports - No Meters</u>		
2 In. piping & valve	880	130
3 In. piping & valve	1,050	160
4 In. piping & valve	1,230	180
6 In. piping & valve	1,890	280
8 In. piping & valve	2,840	430
10 In. piping & valve	4,440	670
12 In. piping & valve	4,800	720
14 In. piping & valve	7,270	1,090
16 In. piping & valve	11,640	1,750
18 In. piping & valve	16,000	2,400
20 In. piping & valve	21,830	3,270
22 In. piping & valve	30,560	4,580
24 In. piping & valve	42,200	6,330
<u>RECORDERS (METERS)- Includes both static element and</u> tube drive pulsation dampener - also one and two pen operation.		
Per Meter	580	90
<u>METERING VESSELS (ACCUMULATORS)</u>		
1 bbl. Calibration Plate - (24 x 10) . .	690	100
5 bbl. Calibration Plate - (24 x 10) . .	1,670	250
7.5 bbl. Calibration Plate - (30 x 10). .	1,890	280
10 bbl. Calibration Plate - (36 x 10) . .	2,110	320
<u>MANIFOLDS - MANUAL OPERATED</u>		
<u>HIGH PRESSURE</u>		
Per Well	1,740	260
Per Valve	880	130
<u>LOW PRESSURE</u>		
Per Well	880	130
Per Valve	440	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	\$ 4,660	\$ 700
Per Valve	2,330	350
<u>LOW PRESSURE</u>		
Per Well	3,780	570
Per Valve	1,890	280
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)	3,130	470
10 bbl. (5 x 8)	3,640	550
15 bbl. (6 x 9)	4,070	610
20 bbl. (6 x 10)	4,220	630
25 bbl. (8 x 9)	4,950	740
<u>REGULATORS</u>		
Per Unit	580	90
<u>PIPE LINES - LEASE LINES</u>		
<u>STEEL</u>		
2 In. Nominal Size - Per Mile	5,460	820
2 1/2 In. Nominal Size - Per Mile . .	6,920	1,040
3 & 3 1/2 In. Nominal Size - Per Mile	8,730	1,310
4, 4 1/2 & 5 In. Nominal Size - Per Mile	12,370	1,860

<u>PROPERTY DESCRIPTION</u>	<u>FAIR MARKET VALUE</u>	<u>ASSESSED VALUE</u>
<u>PIPELINES - Continued</u>		
<u>PLASTIC - P.V.C.</u>		
2 In. Nominal Size - Per Mile	\$ 2,180	\$ 330
2 1/2 In. Nominal Size - Per Mile . .	2,550	380
3 In. Nominal Size - Per Mile	2,910	440
4 In. Nominal Size - Per Mile	3,640	550
6 In. Nominal Size - Per Mile	5,460	820
<u>PLASTIC - FIBERGLASS</u>		
2 In. Nominal Size - Per Mile	4,370	660
3 In. Nominal Size - Per Mile	6,180	930
4 In. Nominal Size - Per Mile	7,640	1,150
6 In. Nominal Size - Per Mile	13,460	2,020
<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	5,970	900
CLASS II - Per Unit - 2 Separators & 1 Heater	8,690	1,300
<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	210	30

<u>PROPERTY DESCRIPTION</u>	<u>FAIR MARKET VALUE</u>	<u>ASSESSED VALUE</u>
<u>PUMPING UNITS - CONVENTIONAL & BEAM BALANCE UNITS</u>		
Assessed according to well depth on which unit is operating.		
0 - 1,250 ft. well depth	\$ 610	\$ 90
1,251 - 2,500 ft. well depth	1,230	180
2,501 - 3,750 ft. well depth	2,550	380
3,751 - 5,000 ft. well depth	4,000	600
5,001 - 7,500 ft. well depth	4,370	660
7,501 - 10,000 ft. well depth	5,820	870
10,001 - 12,500 ft. well depth	6,550	980
12,501 - 15,000 ft. well depth	8,010	1,200
15,001 - 17,500 ft. well depth	9,460	1,420
17,501 - 20,000 ft. well depth	13,100	1,970
20,001 - deeper ft. well depth	15,280	2,290
For "Air Balance" and "Heavy Duty" units multiply the above market value by 1.30.		
<u>REGENERATORS (ACCUMULATOR) - (See Metering Equipment)</u>		
<u>SAMPLER - (See Metering Equipment "Fluid Meters".)</u>		
<u>SCRUBBERS - TWO CLASSES</u>		
<u>CLASS I</u> - Manufactured, for use with other major equipment and at times included with such equipment as part of a package unit.		
8 In. Diameter Vessel	800	120
10 In. Diameter Vessel	1,160	170
12 In. Diameter Vessel	1,310	200
<u>CLASS II</u> - 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	210	30
12 In. Diameter Vessel	290	40
<u>NO METERING OR REGULATING EQUIPMENT INCLUDED IN THE ABOVE</u>		

<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.	\$ 510	\$ 80
<u>SEPARATORS</u> - (No metering equipment included)		
125 PSI Vessel.	4,000	600
230 PSI Vessel.	4,950	740
500 PSI Vessel.	7,270	1,090
600 PSI Vessel.	7,640	1,150
1,000 PSI Vessel.	8,730	1,310
1,200 PSI Vessel.	10,190	1,530
1,440 PSI Vessel.	11,640	1,750
1,500 PSI Vessel.	12,370	1,860
2,000 PSI Vessel.	15,650	2,350
3,000 PSI Vessel.	18,190	2,730
4,000 PSI Vessel.	22,200	3,330
5,000 PSI Vessel.	26,190	3,930
6,000 PSI Vessel.	31,280	4,690
<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	10.91	1.64
<u>STOCK TANK</u> (Lease Tank)		
100 to 750 bbl. range		
Average tank size - 300 bbl. - per barrel	8.00	1.20
<u>STORAGE TANKS</u> (Closed Top) - Per Barrel		
1,000 barrel	11.65	1.75
1,500 barrel	9.82	1.47
2,000 barrel	7.64	1.15
2,001 - 5,000 barrel	4.72	.71
5,001 - 10,000 barrel	3.27	.49
10,001 - 15,000 barrel	2.54	.38
15,001 - 55,000 barrel	2.18	.33
55,001 - 150,000 barrel	1.83	.27

<u>PROPERTY DESCRIPTION</u>	<u>FAIR MARKET VALUE</u>	<u>ASSESSED VALUE</u>
<u>INTERNAL FLOATING ROOF - Per Barrel</u>		
10,000 barrel.	\$ 4.72	\$.71
20,000 barrel.	3.63	.54
30,000 barrel.	2.92	.44
50,000 barrel.	2.54	.38
55,000 barrel.	2.54	.38
80,000 barrel.	2.18	.33
100,000 barrel.	1.83	.27
<u>PONTOON FLOATING ROOF - Per Barrel</u>		
10,000 barrel.	5.46	.82
20,000 barrel.	4.01	.60
40,000 barrel.	3.27	.49
50,000 barrel.	2.92	.44
80,000 barrel.	2.54	.38
100,000 barrel.	2.18	.33
150,000 barrel.	1.83	.27
<u>VAPOR RECOVERY UNIT - No metering equipment</u>		
CLASS I.	3,200	480
CLASS II	6,410	960
CLASS III	9,610	1,440
<u>WATER FLOOD EQUIPMENT - (See "Pump-Motor, Class I")</u>		
<u>UTILITY COMPRESSORS</u>		
Per horsepower - rated on motor.	180	30
<u>WATER KNOCKOUTS - Includes unit, backpressure valve & regulator, but no metering equipment.</u>		
24 In. Diameter Vessel	1,160	170
30 In. Diameter Vessel	1,460	220
36 In. Diameter Vessel	1,740	260
48 In. Diameter Vessel	2,760	410
72 In. Diameter Vessel	3,860	580
96 In. Diameter Vessel	6,180	930
120 In. Diameter Vessel	9,310	1,400

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. . .	\$ 440	\$ 70
10 ft. lighted-installed on 16 ft. pole. . .	1,420	210
<u>Rotators - (Additional Equipment)</u>		
Small & Medium Signs.	280	40
Large Signs	490	70
<u>Attachment Signs - For Station Signs</u>		
Lighted - "Self-Serve" (4 x 11 ft.)	330	50
Lighted - "Pricing" (5 x 9 ft.)	550	80
<u>High-Rise Signs</u>		
16 ft. lighted - installed on:		
1 Pole.	2,620	390
2 Pole.	3,270	490
3 Pole.	3,830	570
<u>Attachment Signs - For High-Rise</u>		
Lighted "Self-Serve" (5 x 17 ft.)	1,310	200
Lighted "Pricing" (5 x 9 ft.)	550	80
<u>LIGHTS - - Light Poles - each.</u>	50	10
Lights - per pole unit.	110	20
<u>AIR & WATER UNITS - Above ground.</u>	160	20
Below ground.	100	20
<u>AIR COMPRESSORS - 1/3 to 1 H.P.</u>	290	40
1 1/2 to 5 H.P.	620	90
<u>PUMPS - - Single - Self contained and/or remote con-</u>		
trolled computer - Non-electronic	600	90
<u>Dual</u> - Non-Electronic	1,040	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	\$ 730	\$ 110
<u>Dual</u> - <u>Computerized</u>	1,280	190
<u>Read-Out Equipment</u> - At operator of self- service - Per Hose Outlet.	210	30
<u>Submerged Pumps</u> - Used with remote control equipment, according to number used - per unit.	300	50
<u>DRIVE ON LIFTS</u> - Single Post.	980	150
Dual Post.	1,640	250
<u>CAR WASH EQUIPMENT</u> - In Bay (Roll over brushes)	9,610	1,440
In Bay (Pull Through).	16,920	2,540
Tunnel (40 to 50 ft.).	32,200	4,830
Tunnel (60 to 75 ft.).	35,200	5,280
<u>TANKS</u> - - - - - Average for all tank sizes (underground) - per gallon28	.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%	\$ 360,000	\$ 54,000
4-6 Years	85%	306,000	45,900
7-9 Years	70%	252,000	37,800
10-12 Years	55%	198,000	29,700
13 Years or Older	40%	144,000	21,600

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%	\$ 764,000	\$ 114,600
4-6 Years	85%	649,000	97,350
7-9 Years	70%	535,000	80,250
10-12 Years	55%	420,000	63,000
13 Years or Older	40%	306,000	45,900

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%	\$ 1,091,000	\$ 163,650
4-6 Years	85%	927,000	139,050
7-9 Years	70%	764,000	114,600
10-12 Years	55%	600,000	90,000
13 Years or Older	40%	436,000	65,400

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%	\$ 2,619,000	\$ 392,850
4-6 Years	85%	2,226,000	333,900
7-9 Years	70%	1,833,000	274,950
10-12 Years	55%	1,440,000	216,000
13 Years or Older	40%	1,048,000	157,200

TABLE 4.1 - Continued

<u>Depth 13,000 to 19,999 Feet</u>			
<u>AGE BRACKET</u>	<u>PERCENT GOOD</u>	<u>FAIR MARKET VALUE</u>	<u>ASSESSMENT</u>
0-3 Years	100%	\$ 3,492,000	\$ 523,800
4-6 Years	85%	2,968,000	445,200
7-9 Years	70%	2,444,000	366,600
10-12 Years	55%	1,921,000	288,150
13 Years or Older	40%	1,397,000	209,550

<u>Depth 20,000 to 24,999 Feet</u>			
<u>AGE BRACKET</u>	<u>PERCENT GOOD</u>	<u>FAIR MARKET VALUE</u>	<u>ASSESSMENT</u>
0-3 Years	100%	\$ 4,366,000	\$ 654,900
4-6 Years	85%	3,711,000	556,650
7-9 Years	70%	3,056,000	458,400
10-12 Years	55%	2,401,000	360,150
13 Years or Older	40%	1,746,000	261,900

<u>Depth 25,000 Feet or Deeper</u>			
<u>AGE BRACKET</u>	<u>PERCENT GOOD</u>	<u>FAIR MARKET VALUE</u>	<u>ASSESSMENT</u>
0-3 Years	100%	\$ 5,185,000	\$ 777,750
4-6 Years	85%	4,407,000	661,050
7-9 Years	70%	3,630,000	544,500
10-12 Years	55%	2,852,000	427,800
13 Years or Older	40%	2,074,000	311,100

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, 1983 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

YEAR	PERCENT GOOD
1983	98
1982	94
1981	91
1980	88
1979	85
1978	81
1977	77
1976	74
1975	70
1974	65
1973	61
1972	57
1971	52
1970	47
1969	44
1968	40
1967	40*
1966	40*
1965	40*
1964	40*
1963	40*
1962	40*
1961	40*

*Actual Percent Good less than 40,
minimum indicated.

TABLE 5.2

CURRENT COSTS FOR OTHER PIPELINES

SIZE	COST PER FOOT	COST PER MILE
6"	\$ 13.85	\$ 73,130
8"	19.80	104,540
10"	29.64	156,500
12"	32.32	170,650
14"	38.92	205,500
16"	45.52	240,350
18"	52.45	276,940
20"	59.38	313,530
22"	67.30	355,340
24"	75.19	397,000
26"	82.47	435,440
28"	89.71	473,670
30"	98.30	519,020
32"	106.87	564,270
34"	114.79	606,090
36"	122.71	647,910
38"	131.07	692,050
40"	139.41	736,080
42"	147.78	780,280
44"	156.07	824,050
46"	164.36	867,820
48"	172.67	911,700

TABLE 6.1

AIRCRAFT (INCLUDING HELICOPTERS)

COST INDEX		AVERAGE ECONOMIC LIFE		
(AVERAGE)		10 Years		
YEAR	INDEX	EFFECTIVE AGE	PERCENT GOOD	COMPOSITE MULTIPLIER
1983	0.991	1	92	.91
1982	1.009	2	84	.85
1981	1.057	3	76	.80
1980	1.166	4	67	.78
1979	1.282	5	58	.74
1978	1.401	6	49	.69
1977	1.507	7	39	.59
1976	1.587	8	30	.48
1975	1.686	9	24	.40
1974	1.881	10	21	.40
1973	2.178	11	20	.44

Computer Equipment

Main frame, on-line peripheral equipment (storage, printer-connected to the main frame) and system support software will have a seven year life. Off-line equipment such as sorters, printers and other equipment will also have a seven year life.

The present day selling price--new, shall represent the base for arriving at fair market value for assessment purposes. The manufacturer- lessor shall submit to each assessment jurisdiction the age and present day selling price--new, of this equipment. If price information is not available, then the last published selling price for new equipment shall be used and shall be factored to present day selling price--new, in accordance with the indexes presented in this manual.

The assessor shall take into consideration the effective age of the equipment and allow depreciation based on the data presented in Table 9.2.

Other Equipment

Equipment leased and offered for sale other than computer equipment shall be classed by activity/type and the appropriate cost index and percent good table used in the same manner as for other like equipment.

The manufacturer-lessor shall submit to each assessment jurisdiction, the age and present day selling price--new, of this equipment. If such price information is not available, then the last published selling price--new, shall be used and shall be factored to present day selling price--new, in accordance with the indexes presented in this manual.

The Assessor shall take into consideration the effective age of the equipment and allow depreciation based on the data presented in Table 9.2.

Leased Property - Lessor Is Not Manufacturer

Leased personal property, when the lessor is not the manufacturer, shall be reported by and assessed to the lessor in the taxing district where the property is located on January 1 of each year. The lessee shall be required to furnish the owner's name and address. The Fair Market Value of such leased personal property shall be determined in the same manner as any other personal property.

TABLE 11.2
COST INDEXES

<u>YEAR</u>	<u>NATIONAL AVERAGE</u>	
	1926 = 100	January 1, 1983 = 100*
1983	755.8	0.991
1982	742.4	1.009
1981	709.2	1.057
1980	642.8	1.166
1979	584.4	1.282
1978	534.7	1.401
1977	497.1	1.507
1976	472.1	1.587
1975	444.3	1.686
1974	398.4	1.881
1973	344.1	2.178
1972	332.1	2.256
1971	321.3	2.332
1970	303.3	2.470
1969	285.1	2.628
1968	273.2	2.743
1967	262.9	2.850
1966	252.5	2.968
1965	244.9	3.060
1964	241.8	3.099
1963	239.2	3.133
1962	238.5	3.142
1961	237.2	3.159
1960	237.7	3.152
1959	234.9	3.190
1958	231.0	3.244

*Reappraisal Date: January 1, 1983 - 749.3 (Base Year)

TABLE 11.3
PERCENT GOOD

<u>SUB- TABLE #1</u>		<u>SUB- TABLE #2</u>		<u>SUB- TABLE #3</u>		<u>SUB- TABLE #4</u>		<u>SUB- TABLE #5</u>		<u>SUB- TABLE #6</u>		<u>SUB- TABLE #7</u>		<u>SUB- TABLE #8</u>	
3 Years		5 Years		8 Years		10 Years		12 Years		15 Years		20 Years		25 Years	
<u>AGE</u>	<u>% GOOD</u>	<u>AGE</u>	<u>% GOOD</u>	<u>AGE</u>	<u>% GOOD</u>	<u>AGE</u>	<u>% GOOD</u>	<u>AGE</u>	<u>% GOOD</u>	<u>AGE</u>	<u>% GOOD</u>	<u>AGE</u>	<u>% GOOD</u>	<u>AGE</u>	<u>% GOOD</u>
1	70	1	85	1	90	1	92	1	94	1	95	1	97	1	98
2	49	2	69	2	79	2	84	2	87	2	90	2	93	2	95
3	34	3	52	3	67	3	76	3	80	3	85	3	90	3	93
4	20	4	34	4	54	4	67	4	73	4	79	4	86	4	90
		5	23	5	43	5	58	5	66	5	73	5	82	5	87
		6	20	6	33	6	49	6	58	6	68	6	78	6	84
				7	26	7	39	7	50	7	62	7	74	7	81
				8	22	8	30	8	43	8	55	8	70	8	78
				9	20	9	24	9	36	9	49	9	65	9	75
								10	29	10	43	10	60	10	71
								11	24	11	37	11	55	11	68
										12	31	12	50	12	64
										13	26	13	45	13	60
												14	40	14	56
												15	35	15	52
												16	31	16	48
													27	17	44
													24	18	39
													22	19	34
													21	20	30
														21	26
															23
															21
															20
															20
															20
															20

42

GB-8

12/13/83

TABLE 11.4

COMPOSITE MULTIPLIERS

<u>SUB- TABLE #1</u>		<u>SUB- TABLE #2</u>		<u>SUB- TABLE #3</u>		<u>SUB- TABLE #4</u>		<u>SUB- TABLE #5</u>		<u>SUB- TABLE #6</u>		<u>SUB- TABLE #7</u>		<u>SUB- TABLE #8</u>	
3 Years		5 Years		8 Years		10 Years		12 Years		15 Years		20 Years		25 Years	
<u>AGE</u>	<u>C.M.</u>	<u>AGE</u>	<u>C.M.</u>	<u>AGE</u>	<u>C.M.</u>	<u>AGE</u>	<u>C.M.</u>	<u>AGE</u>	<u>C.M.</u>	<u>AGE</u>	<u>C.M.</u>	<u>AGE</u>	<u>C.M.</u>	<u>AGE</u>	<u>C.M.</u>
1	.69	1	.84	1	.89	1	.91	1	.93	1	.94	1	.96	1	.97
2	.49	2	.70	2	.80	2	.85	2	.88	2	.91	2	.94	2	.96
3	.36	3	.55	3	.71	3	.80	3	.85	3	.90	3	.95	3	.98
4	.23	4	.40	4	.63	4	.78	4	.85	4	.92	4	1.00	4	1.05
		5	.29	5	.55	5	.74	5	.85	5	.94	5	1.05	5	1.12
		6	.28	6	.46	6	.69	6	.81	6	.95	6	1.09	6	1.18
				7	.39	7	.59	7	.75	7	.93	7	1.12	7	1.22
				8	.35	8	.48	8	.68	8	.87	8	1.11	8	1.24
				9	.34	9	.40	9	.61	9	.83	9	1.10	9	1.26
								10	.55	10	.81	10	1.13	10	1.34
								11	.44	11	.81	11	1.20	11	1.48
										12	.70	12	1.13	12	1.44
										13	.61	13	1.05	13	1.40
										14	.57	14	.99	14	1.38
										15	.55	15	.92	15	1.37
										16	.55	16	.85	16	1.32
												17	.77	17	1.25
												18	.71	18	1.16
												19	.67	19	1.04
												20	.65	20	.93
												21	.63	21	.81
														22	.72
														23	.66
														24	.63
														25	.64
														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	*Lafourche
Allen	Madison
Ascension	*Morehouse
Assumption	*Natchitoches
*Avoyelles	Ouachita
Bossier	Pointe Coupee
Caddo	Rapides
*Catahoula	Red River
*Concordia	*St. Bernard
East Baton Rouge	St. James
*East Carroll	St. John the Baptist
Evangeline	*St. Landry
Franklin	St. Martin
*Grant	St. Mary
Iberia	Tensas
Iberville	Terrebonne
Jefferson	West Baton Rouge
Lafayette	West Carroll

* - 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. Department of Agriculture, Soil Conservation Service on presently unmapped areas. However, at the option of and by agreement between the assessor and the land owner

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

Parish	General Soil Map		Modern Soil Surveys
	Date	Map No.	Date Published or Status
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	
Caldwell	Dec., 1970	4-R-15485-A	
Cameron	Nov., 1971	4-R-28743-A	
Catahoula	June, 1971	4-R-16812-A	(Survey Complete - being published)
Claiborne	June, 1970	4-R-17132-A	
Concordia	Dec., 1970	4-R-14761-A	(Survey Complete - being published)
DeSoto	Nov., 1971	4-R-29144-A	
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	
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

J. Reginald Coco
Chairman

RULE

Department of Transportation and Development Materials Laboratory

METHOD OF SALE OF RETAIL PETROLEUM FUELS

(a) Retail petroleum fuel dispensers may use any one of the following three methods of sale of petroleum fuel products through the dispensers, namely, price per gallon, price per half-gallon, or price per liter.

(b) Retail outlets choosing to use the sales by full gallon units on gasoline pumps must in all instances comply with the specifications and tolerances established for those devices by the National Bureau of Standards Handbook 44. Advertisements, billboards, and signs advertising prices must be in terms of price per gallon and must comply with all other statutes and regulations concerning advertisements.

(c) Retail outlets choosing to use the sales by half-gallon units must do so in the following manner:

(1) Set the pump indicators to indicate the price per half-gallon. Attach an adhesive label of durable material over the existing wording to indicate that the price set on the pump computer is per one-half gallon.

(2) Attach an adhesive label of durable material on the face of the pump in proximity to the indicated price per half-gallon. This label will indicate the price per gallon. The size and character of the letters and numerals shall not be smaller than those placed thereon by the pump manufacturer.

(3) Attach an adhesive label of durable material over the manufacturer's statement of total sales price to indicate that the dollar and cent amount shown is one half the total sales price to be paid by the customer. The size and character of the letters shall not be smaller than those placed thereon by the pump manufacturer.

(4) Advertised prices on signs, billboards, or displays shall be in terms of price per gallon.

(d) Retail outlets choosing to use the sales by liter units must do so in the following manner:

(1) The value of the smallest unit of indicated delivered quantity shall not exceed 1/10 liter.

(2) Where applicable, the metric equivalent of tolerances and specifications for the retail fuel dispenser will be used to ascertain compliance with state standards of weights and measures.

(3) Equivalent or corresponding prices per gallon must be posted in a conspicuous location.

(4) Advertisements, billboards, or signs used for advertising the price of a petroleum fuel product must clearly indicate that the price posted, if only liter pricing is displayed, is a liter price. The price per gallon must be posted in bold letters on or near each pump or outlet whether one-half gallon or liter.

(e) All pumps using the above three methods must attach an adhesive label of durable material on the face of the pump indicating the type of gasoline, octane of gasoline, and that gasoline is alcohol enriched when alcohol is added to gasoline.

Paul J. Hardy
Secretary

RULE

Department of the Treasury Board of Trustees of the State Employees Group Benefits Program

Pursuant to the authority granted by R.S. 42:871(c) and R.S. 42:874 the Board of Trustees of the State Employees Group Benefits Program has amended its Rules to exclude from par-

ticipation in the State Employees Group Benefits Program those persons on employment appointment of 120 days or less.

James D. McElveen
Executive Director

Notices of Intent

NOTICE OF INTENT

Department of Agriculture State Entomologist

Notice is hereby given that the Department of Agriculture, through the State Entomologist and under the authority contained in LRS 3:1652, will adopt quarantine and control regulations providing procedures necessary to control, prevent, and eradicate the crop pest burrowing nematode (*Radopholus similis*) and prevent the entry of said crop pest into Louisiana from areas located outside the State of Louisiana.

Regulations to be adopted include but are not necessarily limited to the following subject areas: scouting, inspection, control and eradication authority; areas against which quarantines will be imposed; regulated products; conditions governing shipment of regulated products; control and eradication measures; shipments of regulated products for scientific purposes; penalties; and so forth.

Interested persons may secure a copy of the full draft of the proposed quarantine and control regulation for the burrowing nematode by written request to Dan Davenport, Box 44153, Baton Rouge, LA 70804; or at his office at 9151 Interline Boulevard, Baton Rouge 70806; or by calling him at 504/925-7772. He will also accept comments from interested persons concerning the proposed regulation. Any interested person may present data, arguments, and views, orally or in writing, to Dan Davenport or at any hearing which may be called subsequent to publication of this notice of intended action. All such data, argument, and views will be given full consideration prior to final action concerning the proposed quarantine and control regulation for the burrowing nematode.

Bob Odom
Commissioner

Fiscal and Economic Impact Statement For Administrative Rules Rule Title: Burrowing Nematode

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

There will be no effect on expenditures by the state regulatory agency, because the agency has already been doing all of the actions necessary to enforce the regulation under the assumption that the regulation was legally valid. Local governments are not involved in interstate plant quarantine activity and are thus not affected in any way by the official adoption of the regulation.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF

STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

There will be no effect on revenue collections of either the state regulatory agency or local governments, because no revenues are generated through the imposition of quarantines.

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

There will be no effect on costs and no economic benefits to the regulated groups as a result of official adoption of the burrowing nematode regulation, because the Department has been enforcing the regulation under the assumption that it was legally valid. Therefore, the official adoption of the regulation will not have any effect on the regulated community.

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

There will be no effect on competition or employment, because the procedures necessary for enforcement of the burrowing nematode regulation are already being observed by the state regulatory agency.

John Impson
Assistant Commissioner
and State Entomologist

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of State Civil Service
Civil Service Commission**

The State Civil Service Commission will hold a public hearing on February 7, 1984 for the purpose of considering proposed Civil Service Rules 1.1.1, 1.1.2, 1.15.3, 1.20.1, 1.37.1, (Definitions), and amendment of Rules 11.26 (Military Leave), 11.27(f) (Leave of Absence without pay), 11.9 (Enforced Annual Leave) 9.3 (Interruption of probationary period), 9.4(a) (Extension of Probationary Period), 6.25(f) (Compensation for Overtime Hours Worked) and 1.39.2(b)9d (State Service).

The hearing will begin at 9 a.m. and will be held in the twelfth floor hearing room of the Republic Tower Building, 5700 Florida Boulevard, Baton Rouge, LA.

The proposals to be considered at the public hearing are as follows:

PROPOSAL A

CHAPTER 1

Enact the following Rules:

1.1.1 'Military Active Duty' - Full-time duty in the active military service, other than active duty for training.

1.1.2 'Military Active Duty for Training' - Full-time paid duty in the active military service for training purposes. This may be indicated on military orders as "ADT" (Active Duty for Training), "FTTD" (Full-time Training Duty), "AT" (Annual Training), or "IADT" (Initial Active Duty for Training).

1.15.3 'Initial Military Active Duty for Training' - Training of not less than three months which is an obligation for members of the Reserve and National Guard who have not previously served on active duty.

1.20.1 'Military Training Duty' - Includes active and inactive duty for training such as annual two-week summer encampments and cruises, weekly and weekend drills or training meetings, attendance at service schools for refresher training or the upgrading of military skills, field exercises, and the like.

1.37.1 'Reserve Component' - Consists of members of the National Guard and Reserves of all Branches, officers and enlisted personnel, who perform active duty, active duty for

training or inactive training duty.

EXPLANATION

Definitions of military terms are required to fully understand the provisions of Rule 11.26, Military Leave, as amended.

PROPOSAL B

CHAPTER 11

Amend and re-enact Rule 11.26 as follows:

11.26 Military Leave.

(a) Military Leave with Pay.

1. Probationary and permanent employees who are members of a Reserve Component of the Armed Forces of the United States shall be entitled to military leave with pay when placed on "military active duty for training" by order of an authority of the Armed Forces of the United States.

2. Maximum military leave with pay for "military active duty for training" is 15 working days per calendar year.

(b) Leave Without Pay for Military Purposes.

Probationary and permanent employees may apply for but shall not be required to take annual or compensatory leave for military purposes. However, they shall be entitled to leave without pay for a period of 180 consecutive calendar days:

1. When ordered to "military active duty", or

2. When placed on "initial military active duty for training"; or

3. When placed on "military training duty" and the maximum authorized military leave with pay has been exhausted or is not authorized.

(c) Separation for Military Service.

Probationary and permanent employees ordered to "military active duty" or "military active duty for training" with the Armed Forces of the United States for periods in excess of 180 consecutive calendar days may be separated from State service and be restored to duty upon return as provided in Rule 8.19, or may be placed on leave without pay for the maximum periods of time specified in Rule 8.19 for restoration to duty.

(d) Rights Upon Return.

Probationary and permanent employees returning to their classified positions under the provisions of this Rule or Rule 8.19, shall return with such seniority, status, pay, and annual and sick leave accrual rates as they would have had if they had not been absent for military training or military active duty; however, status is subject to the provisions of Rule 9.3.

EXPLANATION

The proposed amendment organizes Rule 11.26 into four subsections 1) Military leave with pay, 2) Leave without pay for military purposes, 3) Separation for military service, and 4) Rights upon return. The new military term definitions in Proposal A are keyed to the understanding of proposed Rule 11.26. One of the major changes the proposed amendment offers is the option given an appointing authority to place an employee ordered to military active duty or military active duty for training for periods in excess of 180 consecutive calendar days on either leave without pay or to separate the employee from State service. Restoration to duty upon return must be in accordance with the provisions of this Rule and Rule 8.19. Rule 11.26(d) of the proposal specifies the employee rights upon return to State service after completing military training or military active duty.

PROPOSAL C

CHAPTER 11

Amend and re-enact Rule 11.27(f) as follows:

11.27 Leave of Absence Without Pay

(f) An appointing authority on its own initiative or at the request of the employee may curtail a period of leave of absence

PROPOSAL G

CHAPTER 6

Amend and re-enact Rule 6.25(f) as follows:
6.25 Compensation for Overtime Hours Worked.

- (a) . . .
- (b) . . .
- (c) . . .
- (d) . . .
- (e) . . .
- (f) Subject to the provisions of Rule 11.29(d), (e), and (f),

each employee occupying positions in a class below GS-23 in the General Schedule or WG-14 in the Wage Grades shall, at or before the expiration of six months following the end of the quarter year in which it was earned, be compensated in accordance with Rule 6.25(b) for all accrued unused compensatory leave credited to him under the provisions of subsection (e) of this Rule. Exceptions to this provision are that:

1. Payment shall not be made for compensatory time given in lieu of straight time, and
2. Payment may be delayed beyond six months following the quarter in which compensatory leave was earned provided an employee was on military duty in accordance with Rule 8.19, 11.26(a) or (b) during the six months period following the quarter in which it was earned. Extensions will not exceed the number of days the employee served on military duty during that six months period.

EXPLANATION

This change provides appointing authorities some flexibility in compensating employees for unused compensatory time when the employee may be absent for military reasons. It is a budgetary consideration and gives the appointing authority additional time to place employees who were absent for military reasons on compensatory leave.

PROPOSAL H

CHAPTER 1

Amend and re-enact Rule 1.39.2(b)9d as follows:

1.39.2 'State Service', for the purposes of layoff and layoff avoidance measures, means the total length of Classified State Service in the equivalent full-time years, months, and days as an employee of a State agency or agencies subject to the following:

- (a) . . .
- (b) Periods of time counted as Classified State Service under this definition for the purpose of layoff avoidance measures are the following:
 1. . . .
 2. . . .
 3. . . .
 4. . . .
 5. . . .
 6. . . .
 7. . . .
 8. . . .
 9. Authorized leave without pay under the following conditions:

- a. . . .
- b. . . .
- c. . . .
- d. Leave without pay for military purposes as provided in Rule 11.26.

EXPLANATION

Changes are required to properly reference Rule 11.26 also currently proposed, which provides for leave without pay for

without pay extended to an employee, provided such curtailment is for the best interest of the State service and reasonable and proper notice thereof is furnished to the employee. Curtailment must not conflict with the provisions of Rule 11.26(b).

EXPLANATION

Federal law requires employers to grant leave without pay for military training and military active duty. Leave without pay for periods in excess of 180 consecutive calendar days is optional with the appointing authority (Rule 11.26(b)).

PROPOSAL D

CHAPTER 11

Amend and re-enact Rule 11.9 as follows:

11.9 Enforced Annual Leave

(a) Subject to subsection (b) hereof, and military leave provisions in Rule 11.26, an appointing authority may require an employee to take annual leave whenever in his administrative judgement such action would be in the best interest of the Department.

(b) No employee shall be required to reduce his accrued annual leave to less than 240 hours; however, subject to the military leave provisions of Rule 11.26, an employee may be required to take any part or all of his accrued annual leave prior to being granted leave without pay.

EXPLANATION

Rule 11.26 was inserted in subsections (a) and (b) because employees performing military duties shall not be required to use annual leave for that purpose. However, they may request to do so.

PROPOSAL E

CHAPTER 9

Amend and re-enact Rule 9.3 as follows:

9.3 Interruption of Probationary Period.

A probationary employee who is absent for military training, military active duty or leave without pay, in excess of thirty consecutive calendar days, shall be returned to duty in the probationary status at the point he reached in the probationary period before leaving. Absences of 30 consecutive calendar days or less shall be counted as part of the six months probationary period.

EXPLANATION

This change provides for re-entry into the probationary period of probationary employees returning from military training, military active duty, and leave without pay when the absence exceeds thirty consecutive calendar days. Absences of 30 consecutive calendar days or less would be credited as part of the six months probationary period.

PROPOSAL F

CHAPTER 9

Amend and re-enact Rule 9.4(a) as follows:

9.4 Extension of Probationary Period.

(a) No probationary period shall extend beyond 12 months from the date of the probationary appointment involved, except for reasons of military duty under the provisions of Rules 8.19 and 11.26.

EXPLANATION

In some instances, twelve months will not provide adequate time for a probationary employee returning from military duty to complete the probationary period. The Rule change is necessary to comply with Federal law and to provide sufficient time for probationary employees returning from military duty to complete their probationary period.

military purposes. Currently, Rule 1.39.2(b)9d references subsection (b)4 pertaining only to reinstatement following separation for military service, and is not applicable to leave without pay.

Persons interested in making comments relative to these proposals may do so at the public hearing or in writing to the following address: Director, Department of State Civil Service, Box 44111, Baton Rouge, LA 70804. Your participation is welcomed.

Herbert L. Sumrall
Director

NOTICE OF INTENT

Department of Commerce Board of Examiners for Certified Shorthand Reporters

In accordance with the provisions of LSA R.S. 49:951 et seq., the Administrative Procedure Act, notice is hereby given that the Board of Examiners for Certified Shorthand Reporters will conduct a public hearing on January 28, 1984, at 10 a.m. at 421 Loyola Avenue, New Orleans, LA 70112, at which time the Board will consider the adoption of amended Rules and Regulations. Such Rules and Regulations will affect Article IX of the Rules and Regulations of the Board, covering the fees charged by the Board. Interested persons may secure a copy of the text of the proposed Rules and Regulations by written or oral request to Diane Pelafique, Board of Examiners of Certified Shorthand Reporters, 234 Loyola Avenue, Suite 614, New Orleans, LA 70112, (504) 523-4306.

Comments and inquiries will be accepted through January 27, 1984, or may be presented in person at the public hearing. All interested persons will be provided an opportunity to submit data, arguments, and views orally or in writing, at the hearing.

Patrick M. Schott
Chairman

Fiscal and Economic Impact Statement For Administrative Rules Rule Title: Fees

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

There is no estimated implementation costs or savings to state or local governmental units as a result of this Rule change.

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

Revenue collections will increase by approximately \$20,000. These increased revenues will be used to fund the activities of the Board.

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

1. Certified reporters' renewal fees will increase from \$20/year to \$75/year.
2. Applicant's fee for Certification Examination will increase from \$30/year to \$85/year.
3. Reporters applying for temporary certificates will pay a new fee of \$50.
4. Cost of Seal for certified reporters will increase from \$25 to \$40.

5. Certification fee for reporters passing NSRA Examination will pay a new fee of \$20.

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

There is no estimated effect on competition and employment as a result of this Rule change.

William E. Wright, Jr.
Member

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Commerce Licensing Board for Contractors

At its meeting on November 8, 1983, the State Licensing Board for contractors made a motion to change Rule IV to read as follows:

"The annual fee for renewal of licenses for the following year shall be set by the Board at its October meeting each year. The annual fee in no case for renewal of licenses shall be more than \$100 for any one major classification or subdivision thereof, and not more than \$50 for each specialty, additional major classification or subdivision thereof. In no case shall the maximum fee exceed \$300. In addition, there will be a \$25 charge for each examination or re-examination and a \$25 charge for a structural change."

The purpose of this Rule is to allow the Board to give a reduction in the renewal fees for one year.

A public hearing has been set for February 14, 1984, to begin in the conference room of the Board offices, 7434 Perkins Road, Baton Rouge, LA, at 9 a.m. Anyone desiring to respond to the above proposed change in Rule IV, either verbally or in writing, is invited to attend this meeting. If they can't attend the meeting and wish to express their views in writing, they may write to Thomas R. Hunt, II, Executive Director, State Licensing Board for Contractors, 7434 Perkins Road, Baton Rouge, LA 70808, or phone (504) 766-9751.

Thomas R. Hunt, II
Executive Director

Fiscal and Economic Impact Statement For Administrative Rules Rule Title: Rule IV

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

Additional costs will be incurred only if the fee schedule is revised. The additional cost would be for materials only, which would be a printed cover letter to accompany renewal forms normally mailed to contractors. Additional costs are estimated at \$185.

Since the proposed Rule change will not be effective in time to affect FY 83-84 license fee payments, the cost would not be incurred until 1984-85.

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

The proposed Rule change will allow the State Contractors' Licensing Board to establish fees, up to the maximum amount, at levels sufficient to meet anticipated annual operating cost. Reductions in fees for 1984-85 and beyond are subject to future Board decisions.

- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
Any reduction in fees charged will benefit contractors which must be licensed by the state.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
There is no estimated effect on competition or employment as a result of this Rule change.

Thomas R. Hunt, II
Executive Director

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Commerce
Office of Financial Institutions**

The Commissioner of Financial Institutions, in exercise of his powers, specifically enumerated in L.R.S. 9:3554A(5) and 9:3554B, intends to adopt the following Rule for the purpose of defining the sale of thrift club memberships as a financial service and to allow the cost of such memberships to be included in the "amount financed" with respect to consumer loans.

PROPOSED RULE

A licensed or supervised lender may offer and sell thrift club memberships at any location where supervised loans are made. In addition, the cost of such thrift club memberships may, at the consumer's option, be payable from the proceeds of consumer loans and included in the amount financed, provided that:

- 1. The sale of the thrift club membership is not a factor in the approval of credit and this fact is clearly disclosed in writing to the consumer.
- 2. In order to obtain the thrift club membership, the consumer gives specific affirmative written indication of his or her desire to purchase it after receiving written disclosure of the cost.

REFERENCE

L.R.S. 9:3515A states in part: "A licensed lender who is authorized to make supervised loans under this Chapter shall not engage in the business of making sales of goods at any location where supervised loans are made. The sale of insurance or financial and tax services shall not be deemed a violation of this Chapter."

L.R.S. 9:3516(3) defines "amount financed" in consumer loans as "the total of the following items to the extent that payment is deferred:

"(a) The amount of cash or its equivalent which will be paid to the consumer or for his account or to another person on his behalf"

Written comments may be addressed to Hunter O. Wagner, Jr., Commissioner, Office of Financial Institutions, Box 44095, Baton Rouge, LA 70804.

Hunter O. Wagner, Jr.
Commissioner

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Sale of Thrift Club Membership**

- 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)
The cost to borrowers cannot be estimated, since the memberships are to be offered on a voluntary basis. Borrowers buying the memberships are promised discount prices on purchases of goods and services. Licensed and supervised lenders will profit by the sale of memberships.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
There is no foreseen effect, since most borrowers will be unaware of the memberships plan until such time as their loans are consummated.

Hunter O. Wagner, Jr.
Commissioner

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Corrections
Office of the Secretary**

The Department of Corrections, Office of the Secretary, intends to amend Department Regulations 30-19 as follows:

- 1. Section 5, (B)(2)(b) - Delete: "only when there is good cause to believe contraband is contained herein, and then"
- 2. Section 5, (D) - will read as follows: These items shall be available for purchase by the inmates and shall be provided to indigent inmates in sufficient quantity for all legal and official correspondence, and for at least two letters of personal correspondence each week. Legal and official correspondence is correspondence addressed to courts, prosecuting attorneys, probation and parole officers, Department of Corrections' officials, identifiable attorneys and identifiable members of the press. The institution is not required to provide postage for registered, certified or special delivery mail.
- 3. Section 7, (A)(5) - Will read as follows: the printed matter contains material which reasonably construed, is written for the purpose of communicating information which could promote the breakdown of order through inmate disruption such as strikes or riots or fomentation of inmate unrest.
- 4. Section 10 - Change August 8, 1978 to January 20, 1984, and delete: "insofar as that regulation dealt with Adult inmate correspondence."

Written comments of interested persons on the proposed amendments may be addressed to: Ray Dry, Attorney, Department of Corrections, Box 44304, Capitol Station, Baton Rouge, LA 70804. He will respond to all inquiries regarding this amended regulation through February 10, 1984.

John T. King
Secretary

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: DOC Reg. 30-19**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
Implementation of this regulation will not cause the agency or local governmental units to incur additional costs

or produce any additional savings.

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

Implementation of this regulation will not affect revenue collections.

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

Implementation of this regulation will not produce any additional economic benefits nor economic costs to affected groups or persons.

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

Implementation of this regulation will have no effect on competition or employment.

Mike Martin
Undersecretary

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 deleted page 57 of *Bulletin 746* and approved for substitution, the following language relative to the certification of speech, language and hearing specialists:

TYPES OF CERTIFICATES FOR SPEECH, LANGUAGE, AND HEARING SPECIALISTS

Type C (Effective for all entering freshmen Fall Semester of 1985)

A Type C certificate is based upon completion of an educational training program, approved by the State Board of Elementary and Secondary Education, in disorders of communication (speech, language, and hearing disorders and severe language disorders) with credits distributed as hereinafter provided, including general, professional, and specialized academic education, and a master's degree in disorders of communication (speech, language, and hearing disorders and severe language disorders).

ALL SPEECH, LANGUAGE AND HEARING SPECIALISTS CERTIFIED PRIOR TO THE FALL SEMESTER, 1990 WILL BE GOVERNED BY THE FOLLOWING PROVISIONS:

Level I

A Level I certificate is issued to an individual who earns a baccalaureate degree including completion of an educational training program approved by the State Board of Elementary and Secondary Education, in disorders of communication (speech, language, and hearing disorders and severe language disorders), with credits distributed as hereinafter provided, including general, professional, and specialized academic education areas. Certification at this level requires direct supervision.

When a master's degree (or equivalent as hereinafter provided) is earned in disorders of communication (speech, language, and hearing disorders and severe language disorders), the Level I designation requiring direct supervision shall be removed upon request.

Definition of equivalency of master's degree: Thirty semester hours beyond the bachelor's degree that could count toward a master's degree in speech pathology and audiology; no less than 24 of the 30 semester hours shall be in professional content courses in speech pathology, language pathology and audiology.

2. The Board adopted the *Policies and Procedures for*

Dispersal of P.L. 94-142, Part B, Support Services (Discretionary) Funds as follows:

POLICIES AND PROCEDURES FOR DISPERSAL OF P.L. 94-142, PART B, SUPPORT SERVICES (DISCRETIONARY) FUNDS

Policies:

1. The Department of Education, with approval of the Board of Elementary and Secondary Education (BESE) shall:
 - a. establish priorities for the use of P.L. 94-142, Part B, support services (discretionary) funds;
 - b. administer and direct distribution of these funds;
 - c. assure proper receipt and disbursement of these funds.
2. Support services funds shall be used to address one or more of the priority areas specified in the approved State Special Education Program Plan and must be supported by third party evaluation information. An annual needs assessment will be conducted to verify needs specified in the state plan.
3. Allocation of support service funds shall be made annually under the following categories:
 - a. Priority Grants — competitive grant awards in response to requests for proposals (RFPs).
 - b. Inhouse Support — special projects to address priority areas coordinated by the Department.
 - c. Field Support — noncompetitive grants and emergency awards.

4. Procedures for dispersal of support services (discretionary) funds are carried out by the Office of Special Educational Services (OSSES).

5. The Special Education Advisory Council shall comment publicly on the Department's preliminary and final recommendations for dispersal of support services funds prior to submission to BESE for approval.

Procedures for Implementation of Policy:

1. Develop, in accordance with procedures and timelines specified by the U. S. Department of Education, the three-year State Special Education Program Plan, specifying priorities for expenditure of Part B, support services (discretionary) funds.

2. Following public review and comment by the Special Education Advisory Committee, submit the plan to BESE for approval prior to submission to the U. S. Department of Education for review and approval.

3. Prior to December 31 of the current fiscal year, submit to the Special Education Advisory Council for review and comment and to BESE for approval a preliminary report specifying projected categorical funding levels for each major support service category for the next fiscal year. Justification of needs will be based on review and analysis of the most recent P.L. 94-142 Annual Evaluation Report; summary of due process hearing findings and decisions; summary of trends in citations resulting from onsite administrative site reviews; annual written verification of the needs specified in the special education program plan; and other available needs assessment data. The annual written verification process will be a survey of regular and special education teachers and administrators, parents of handicapped children, university personnel, representatives of vocational/technical schools and other public agencies, and advocacy organizations. Projected funding level will be based on the December 1 P.L. 94-142 Child Count. This preliminary report will specify:

- a. Priority Grant RFPs (per RFP)
 - topics and statement of need (priority addressed)
 - eligible applicants
 - evaluation and reporting requirements
 - criteria for approval
 - internal/external review procedures
 - timelines for review and approval

projected funding level

b. Inhouse Support Projects (per project)
description (priority address and justification)
fiscal year objective(s)

projected funding level
c. Field Support Projects
projected funding level

4. Issue RFPs for Priority Grants allowing four to six weeks for submission of proposals (January - February).

5. Conduct internal and external review of Priority Grants proposals (March - mid-April).

6. Compile results of internal and external reviews and determine rank order. Establish recommended funding levels. Conduct negotiations with applicants requesting budget revisions as needed (mid-April - mid-May).

7. On or before May 15 prepare report for review by the Superintendent specifying recommendations for funding of each support services category. This report will include:

a. Priority Grant RFPs (per RFP)

list of all proposals submitted in rank order
description of proposals recommended, recommended funding levels, and justification for recommendations

b. Inhouse Support Projects
description of project (priority addressed)

fiscal year objective(s)
recommended funding levels

c. Field Support Projects
funds available

8. On or before June 15, submit report to Special Education Advisory Council for review and comment and to BESE for approval and authorization for funding. Date for actual awarding of funds is contingent on receipt of P.L. 94-142 grant award from the U. S. Department of Education.

— — —

3. The Board directed that Computer Science may be used as an elective course if taught by a certified teacher having the necessary skills as verified by his/her school principal and parish or city superintendent.

Interested persons may comment on the proposed policy change and/or additions, in writing, until 4:30 p.m., March 9, 1984 at the following address: State Board of Elementary and Secondary Education, Box 44064, Capitol Station, Baton Rouge, LA 70804.

James V. Soileau
Executive Director

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

**Rule Title: Certification Requirement for Speech,
Language and Hearing Specialists**

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

The adoption of this policy will be of no cost or savings to this agency. Beginning in 1990, local school systems may experience a decrease in the availability of speech, language and hearing specialists due to this additional requirement.

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

Beginning in 1990, a slight decline in revenues may result due to the anticipated decline in number of speech, language and hearing specialists certified.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO

DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)

The proposed change will require individuals seeking certification in Speech, Language and Hearing to spend additional time in college to gain a master's degree prior to entering the work force. This requirement will be effective for all incoming freshmen in the Fall Semester of 1985. Additional costs to this group of teachers will be reflected in college tuition and loss of income during the period of additional academic preparation. The prior requirements allowed Speech, Language and Hearing Specialists to enter the profession while working toward their master's degree. Completion of this program should provide a better trained speech therapist to work with students with speech problems. Those certified with a B.A. prior to Fall 1990 will be issued a Level I certificate which requires direct supervision until a Master's Degree is earned.

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

Louisiana is currently experiencing a shortage of speech, language and hearing specialists. The effect of this Rule change is expected to be a further reduction in availability of certified specialists after 1990.

George B. Benton, Jr.
Deputy Superintendent

Mark C. Drennen
Legislative Fiscal Officer

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: P.L. 94-142 Part B,
Policies and Procedures**

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

There will be no estimated implementation costs (savings) to state or local governmental units.

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

There will be no estimated effect on revenue collections of state or local governmental units. P.L. 94-142 Part B discretionary funds of approximately \$2.7 million are already included in the 1983-84 budget.

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

There will be no estimated 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 estimated effect on competition and employment.

George B. Benton, Jr.
Deputy Superintendent

Mark C. Drennen
Legislative Fiscal Officer

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Teaching of Computer Science**

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

(Summary)

The cost will be approximately \$400 to print and mail a notice of the new Rule to all secondary schools and school systems.

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

There will be no estimated effect on revenue collections of state or local governmental units.

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

There will be no costs but the Rule could be of assistance to some schools in offering a Computer Science course.

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

There will be no estimated effect on competition and employment.

George B. Benton, Jr.
Deputy Superintendent

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

Division of Administration

Louisiana Office of Women's Business Enterprise

RULES AND REGULATIONS

The Office of the Governor, Division of Administration, Louisiana Office of Women's Business Enterprise (LOWBE) hereby gives notice of intent to adopt the following policies, Rules, and regulations relative to the Louisiana Office of Women's Business Enterprise. These regulations are adopted in accordance with La. R.S. 39:1731-1738 and will address certification, eligibility, and other related matters.

I

STATEMENT OF POLICY

The Louisiana Small Business Procurement Act requires that, for each fiscal year, an amount not to exceed 10 percent of the value of anticipated total state procurement of goods and services be set aside for awarding to small businesses. In addition to this amount, 10 percent of that 10 percent will be set aside for awarding to Louisiana small women-owned businesses.

II

DEFINITIONS

For the purpose of these Rules and regulations the following words have the meanings indicated:

Small Business - A business as defined by the Small Business Administration of the United States Government which for the purposes of size eligibility or other factors meets the applicable criteria set forth in 13 Code of Federal Regulations, Part 121, as amended, and which has its principle place of business in Louisiana.

Women Owned Business - A business that is at least 51 percent owned by a woman or women who also control and operate it.

Control - Exercising the power to make policy decisions.

Operate - Being actively involved in the day-to-day management of the company.

III

CERTIFICATION

A. DELEGATION

The Commissioner of Administration has delegated to the

Louisiana Office of Women's Business Enterprise the authority to certify that a business is woman-owned in accordance with La. R.S. 39:1738.

B. PROCEDURE

The following procedure shall be utilized for certification of women-owned businesses under Louisiana law.

1. Any business that wishes to be certified by the State as a woman-owned business shall complete form DA 3302, a copy of which accompanies and is made a part of these regulations. All parts of this form must be completed and all information on the form shall be true and correct.

2. The completed and signed form must be submitted to State Central Purchasing, P.O. Box 44095, Baton Rouge, LA 70804.

3. The Purchasing Office will then submit the form to the Department of Commerce where a determination will be made regarding the applicants' eligibility as a small business.

4. After being reviewed by the Commerce Department, the form will be submitted to the Louisiana Office of Women's Business Enterprise for certification as a woman-owned business under State law. The Louisiana Office of Women's Business Enterprise shall verify as necessary any information contained on the form. This verification may include but not be limited to: conversations with the business owner and/or employees and visits to the business location.

IV

DISAPPROVAL OF WOMEN-OWNED BUSINESSES

The Director of the Louisiana Office of Women's Business Enterprise shall either approve or disapprove businesses for certification. If a business is disapproved for certification as a woman-owned business, a letter will be sent to the named owner(s) of the business stating the reason(s) for disapproval. A copy of the disapproved form will remain on file at the Louisiana Office of Women's Business Enterprise and a second copy will be forwarded to the State Purchasing Office and retained there for their records.

V

APPEAL PROCEDURES

If a business owner is aggrieved by a disapproval, she has 15 days after receiving the disapproval letter to provide additional information, explanation, or clarification to the Louisiana Office of Women's Business Enterprise, P.O. Box 44095, Baton Rouge, LA 70804. The business owner may provide this information either through a letter to this office or may request a hearing with the Director of the Louisiana Office of Women's Business Enterprise. This information will be reviewed in conjunction with the original form submitted and a final determination will be made. The business owner will be notified in writing within 15 days of this final determination. Any business owner who is still aggrieved after the final determination of the director of the Louisiana Office of Women's Business Enterprise may request that the Commissioner of Administration review the record and the written determination. The request for this review shall be submitted in writing 15 days of receipt of the Director's final determination and shall contain detailed reasons for the objection to the final ruling.

Interested persons may comment on these Rules and regulations, in writing, through February 3, 1984. Comments may be addressed to Patsy Green Strider, Director, Louisiana Office of Women's Business Enterprise, Box 44095, Capital Annex, Room 409, Baton Rouge, LA, 70804.

Patsy Green Strider
Director

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

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.

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

There is no estimated effect on revenue collections of state or local governmental units.

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

The procedure for certifying a business as "small women-owned" will not generate benefits; however, the set-aside program for women-owned businesses is designed to benefit those businesses qualifying. This benefit is not quantifiable.

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

The certification procedure proposed herein should assure uniform participation in the set-aside program and therefore promote competition and employment opportunities for firms qualifying as "small women-owned" businesses.

Patsy G. Strider
Director

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Office of the Governor
Division of Administration**

Fiscal Policy and Procedure Memorandum No. 67
Uniform Policy for Travel in State-Owned Aircraft

In accordance with the authority vested in the Commissioner of Administration by Section 231 of Title 39 of the Revised Statutes of 1950 and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950-970 as amended, notice is hereby given of this intent to issue Policy and Procedure Memorandum No. 67, Travel in State-Owned Aircraft Policy, effective March 1, 1984. These regulations are both substantive and technical in nature, and are intended to specify the conditions under which aircraft owned and operated by the State of Louisiana may be utilized to transport State personnel; to identify personnel of State government who may utilize State-owned and operated aircraft; and to specify the rates to be charged for usage of State-owned and operated aircraft. These regulations apply to all State departments, boards, and commissions created by the Legislature or Executive Order, with the exceptions noted below, and operating from funds appropriated, dedicated, or self-sustaining; federal funds, or funds generated from any other source.

Legal Basis: L.R.S. 39:231: "The Commissioner, with the approval of the Governor, shall, by rule or regulation, prescribe the conditions under which each of the various forms of transportation may be used by State Officers and employees in the discharge of the duties of their respective offices and positions in the State service and the conditions under which allowances will be granted for traveling expenses."

I. Definitions: When used in these regulations, the following terms shall have meanings as set forth below:

A. State-owned aircraft: All aircraft owned and operated by any agency of State government. Unless otherwise indicated, this term shall be deemed synonymous to general transportation aircraft as defined below.

1. General transportation aircraft: Aircraft owned and operated by any State agency routinely for the general transportation of State Officers or State employees in the conduct of official State business.

2. Special purpose aircraft: Aircraft owned and operated by any State agency which has been (1) specially designed or modified to perform specific technical functions; or (2) specifically assigned to the performance of a specialized technical function, and which is being utilized in the performance of its designated special purpose.

When designated special purpose aircraft are being utilized for the general transportation of personnel, such aircraft shall be considered general transportation aircraft under this policy.

B. Classes of Travelers

1. State Officer

a. Statewide Elected Officials: Governor, Lieutenant Governor, Attorney General, Secretary of State, State Treasurer, Superintendent of Education, Commissioner of Agriculture, Commissioner of Elections, Commissioner of Insurance.

b. Duly elected members of the Louisiana Legislature.

c. Department Head as defined by Title 36 of the Louisiana Revised Statutes (Secretary, Deputy Secretary, Undersecretary, Assistant Secretary, and the equivalent positions in Higher Education and the Offices of Elected Officials). For the purposes of this policy, the Speaker of the House of Representatives and the President of the Senate shall be considered as being equivalent to Secretary of their respective chambers; no additional hierarchical levels of the chambers shall assume Department Head status for the Legislature without prior written approval of the Commissioner of Administration.

2. State employee: All employees below the level of State Officer.

3. Advisors and consultants who are called upon to contribute time and services to the State who are not otherwise required to be reimbursed through a contract for professional, personal, consulting services in accordance with R.S. 39:1481 et. seq.

4. Members of boards, commissions, and advisory councils required by federal or state legislation or regulation.

5. Sponsored travelers

a. Industrial inducement prospects when accompanied by a sponsoring State Officer or employee, when engaged in official State business.

b. Spouses of State Officers to the level of Secretary of Departments when accompanied by the sponsoring State Officer, and when engaged in official State business. Spouses may only be transported on State-owned and operated aircraft on a space-available, standby basis. The provisions of this part shall not apply to the spouse of the duly elected Governor of the State of Louisiana, when same is performing travel instead of or on behalf of the Governor, and thus is engaged in official business of the State.

6. Sponsoring State Traveler: The State Officer or employee who assumes responsibility for the travel of a sponsored traveler in State-owned and operated aircraft by physically accompanying that sponsored traveler.

7. Other persons performing official State business who have prior written approval for travel from the Commissioner of Administration, subject to the general provisions of air travel authorization provided in Sections III.A, IV.A, and V.A. of these Rules.

II. Usage of State-owned aircraft

A. Official State business: Any State Officer or State em-

ployee may utilize the aircraft owned and operated by the State for general transportation purposes in the conduct of official State business, in connection with the function of the department of the State Officer or employee, subject to the provisions of these Rules.

B. Personal usage: Aircraft owned and operated by the Office of Aviation and Public Transportation may be utilized for the personal transport of State Officers or employees on a space-available standby basis, subject to the following conditions:

1. Such travel shall be approved, in writing, by the appropriate department head on an individual trip basis prior to commencement of travel, and normal air travel authorization requirements shall be observed;

2. Such travel shall occur only on flights already scheduled by the OAPT to the desired destination of the requesting State Officer or employee;

3. Such travel shall occur only in the event that vacant seats are available on the desired flight;

4. Such travel shall not occur in the event that previously vacant seats become required for travel by other personnel on official State business; and

5. Payment for such travel shall be the personal responsibility of the State Officer or employee requesting the travel, at rates established in Section III.B.4 of these Rules. Charges for such travel shall in no way be the responsibility of the department of the State officer or employee.

C. Political usage: State-owned aircraft shall not be utilized to transport State Officers or State employees covered by these policies to any event, meeting, function or other occasion which is primarily political in nature, or for any other political purpose.

D. Any Statewide Elected Official who determines, under the authority of R.S. 39:231.B., that personal or political usage of State-owned and operated aircraft is necessary in performing the duties of his/her office and should, therefore, be conducted at public expense, is specifically exempted from the provisions of Section III.B.4.b, pertaining to personal responsibility for costs of such flights; Section II.B.5; and Section II.C of this policy. For the purposes of fee determination to the agency, flights of political nature scheduled by Statewide Elected Officials shall be billed in accordance with the schedule established for personal flights in Section III.B.4.b of this policy. All other provisions of this policy shall be applicable to travel in State-owned and operated aircraft by Statewide Elected Officials.

E. In order to effect these provisions of this policy, all passengers in State-owned aircraft shall provide specific information on the purpose of their travel at the time of reserving space and/or during check-in procedures. In the event that there is any question about the purpose of the flight for any particular passenger, it shall be assumed to be a personal usage request and shall be billed accordingly.

III. Policy for aircraft owned and operated by the Office of Aviation and Public Transportation (OAPT)

A. Authorization for Air Travel

1. Department heads shall be directly responsible for flights scheduled on OAPT aircraft by their organizations.

2. All air travel in aircraft owned and operated by OAPT must be authorized and approved in writing by the head of the department, board or commission from whose funds the traveler is paid, on forms designed and approved by the Division of Administration. A written record and file shall be maintained on all approved air travel authorizations. This authority shall not be delegated by the department head to any other persons within the department.

3. The department head may approve an authorization for routine air travel for an employee who must travel in the course of performing his/her duties. A routine air travel authorization must

be renewed each fiscal year, and must be submitted to the OAPT.

4. An authorization for routine air travel shall not cover travel out-of-state, travel to conferences and conventions, nor sponsored travel. All such air travel must receive prior, written approval from the department head on a case-by-case basis, and written justification for the request and approval must be maintained within the department's travel files.

5. Prior to departure, all passengers must have presented proper written authorization from the relevant department head to the OAPT. If necessary, passengers may present such authorization during check-in procedures.

Travelers for whom no authorization is on file shall not be transported in State-owned and operated aircraft, and the OAPT shall refuse to transport any traveler who fails to provide an air travel authorization form in accordance with this policy.

6. State Officers may be transported in State-owned and operated aircraft upon their own written authorization. However, travel authorization requirements of the General State Travel Regulations must be observed.

7. In no case shall any sponsored traveler be transported on any State-owned and operated aircraft when unaccompanied by the sponsoring traveler. The provisions of this part shall not apply to the spouse of the elected Governor of the State of Louisiana when same is acting instead of or on behalf of the Governor, and is therefore engaged in official business of the State.

8. All sponsored travel shall be in connection with official State business.

9. Each passenger to be transported in State-owned and operated aircraft shall be required to sign in for their flight prior to departure, identifying themselves by name, position and agency, as well as the purpose of travel and destination.

B. Prioritization of Passengers

1. Except for travel by the Governor of the State of Louisiana, all air travel shall be reserved and accommodated on a first-reserved, first-served basis.

2. Each agency is responsible for adequately determining its air travel needs and arranging sufficient space in aircraft owned and operated by the OAPT at least 48 hours prior to anticipated departure time.

3. Reservations for air travel made prior to the 48 hour period shall not be invalidated nor canceled by later reservations by any other party, except in the event of true emergency situations, natural disaster, or the air travel needs of the Governor.

4. All passengers in aircraft owned and operated by the OAPT shall be billed for air travel in accordance with the following fee schedule:

a. Official state business charges: Agencies shall be charged 40 cents per passenger seat per mile for each passenger seat reserved by that agency, with a minimum charge of \$100 per agency flight, plus a \$15 per hour per pilot per agency charge for ground waiting times.

b. Personal business charges: Passengers shall be charged 50 cents per seat per mile for each seat reserved, with a minimum charge of \$100 per passenger per flight, plus a \$25 per hour per pilot charge for ground waiting time. An advance deposit of \$100 must be received from all passengers reserving space for personal reasons prior to departure.

5. It is the responsibility of each agency to expeditiously handle any charges for air travel in connection with official state business provided in State-owned and operated aircraft. Agencies shall bear no responsibility for charges resulting from personal business flights of State Officers or employees. Failure by an agency or individual passenger to meet its payment obligations for flights shall result in the loss of flight privileges on OAPT aircraft.

6. Cancellations of reserved space shall be made at least 48 hours prior to anticipated departure time. Any later cancellations may result in a cancellation charge of \$50 being assessed against the agency/individual, unless sufficient justification for the late cancellation is provided to the Commissioner of Administration.

7. OAPT shall have full authority to arrange for shared flights, based upon the destinations and reservations of agencies, in order to achieve full utilization of its aircraft. Agencies requiring private flights shall be responsible for the costs of all seats upon the aircraft reserved, in accordance with the preceding schedule of fees.

8. In the event that sufficient space is not available on OAPT aircraft, and time is of the essence, OAPT shall be contacted to arrange alternate transportation, either via commercial air charter service or on other State-owned aircraft. In no case should any agency personnel secure commercial air charter service without the assistance of OAPT personnel, unless a specific written authorization for same has been provided by the Commissioner of Administration.

IV. Policy for aircraft owned and operated by other State agencies utilized for general transport.

A. Authorization for Air Travel

1. All general transport air travel in aircraft owned and operated by State agencies must be authorized and approved in writing by the head of the department, board or commission from whose funds the traveler is paid, on forms designed and approved by the Division of Administration. Additionally, all air travel must be authorized and approved in writing by the head of the agency operating the aircraft. A file shall be maintained on all approved air travel authorizations. These authorities shall not be delegated by the department or agency heads to any other person within the department.

2. The department head may approve an authorization for routine air travel for an employee who must travel in the course of performing his/her duties. This routine air travel authorization must be renewed each fiscal year, and must be maintained by the department in its files.

3. An authorization for routine air travel shall not cover travel out-of-state, travel to conferences and conventions nor sponsored travel. All such air travel must receive prior, written approval from the department head on a case-by-case individual basis.

4. Prior to departure, all passengers must have presented proper written authorization from the relevant department head to the head of the agency operating the aircraft.

5. Travelers for whom no authorization is received shall not be transported in State-owned and operated aircraft.

6. State Officers may be transported upon their own written authorization, subject to approval of the particular travel by the head of the agency operating the aircraft. State Officers must observe the travel authorization requirements of the General State Travel Regulations.

7. The provisions of Sections III.A.7 and III.A.8 of this policy relative to sponsored travelers shall apply to travel in non-OAPT owned and operated aircraft.

8. Each passenger to be transported in State-owned and operated aircraft shall be required to sign in for their flight prior to departure, identifying themselves by name, position and agency, as well as the purpose of travel and destination.

9. Each State agency owning and operating aircraft may devise procedures for identification and authorization of all passengers on its aircraft. Such procedures and policies shall be subject to the review and approval of the Commissioner of Administration.

B. Full utilization of State-owned aircraft: Each agency

owning and operating State-owned aircraft shall assist the OAPT as far as is feasible in providing services to State travelers.

C. All passengers in aircraft owned and operated by State agencies shall be billed for air travel in accordance with the following fee schedule:

a. Official state business charges: Agencies shall be charged 40 cents per passenger seat per mile for each passenger seat reserved by that agency, with a minimum charge of \$100 per agency flight, plus a \$15 per hour per pilot per agency charge for ground waiting times.

b. Personal business charges: Passengers shall be charged 50 cents per seat per mile for each seat reserved, with a minimum charge of \$100 per passenger per flight, plus a \$25 per hour per pilot charge for ground waiting time. An advance deposit of \$100 must be received from all passengers reserving space for personal reasons prior to departure.

V. Special Purpose Aircraft

A. Authorizations

1. All air travel in special purpose aircraft owned and operated by the State must be authorized and approved in writing by the head of the department, board or commission from whose funds the traveler is paid, on forms designed and approved by the Division of Administration. A file shall be maintained on all approved air travel authorizations.

2. Those state personnel who must regularly use special purpose aircraft for the special purpose for which the aircraft was designed/modified in the performance of their job duties may be authorized to do so via a routine air travel authorization approved by the appropriate department head. This routine air travel authorization must be renewed at least once each fiscal year and must be maintained by the department in its files.

3. Other state travelers who must utilize special purpose aircraft in the performance of their job duties for the special purpose for which the aircraft was designed/modified must receive prior written authorization from the appropriate department head on a case-by-case individual trip basis.

B. Restrictions on usage

1. Special purposes aircraft shall not be utilized for general transportation purposes without the prior, written approval of such usage by the head of the agency owning and operating the aircraft. Complete justification for such usage of these aircraft must be submitted and maintained by the agency owning and operating the aircraft.

2. Sponsored travelers shall not be transported in special purpose aircraft without prior written approval of such travel by the Commissioner of Administration. Full justification of usage of the special aircraft must be provided with any request for such approval, to include name(s) of sponsored traveler, name(s) of sponsor and agency, time and date of flight, purpose of flight and reason why alternate aircraft cannot be utilized.

3. Special purpose aircraft shall not be utilized for any transportation of State travelers which is personal or political in nature, nor shall they be utilized for conference or convention travel. Special purpose aircraft may be utilized for out-of-state travel only if such travel is conducted as an integral part of the special purpose for which the aircraft was designed/modified.

C. Official state business charges: Agencies shall be charged 40 cents per passenger seat per mile for each passenger seat reserved by that agency, with a minimum charge of \$100 per agency flight, plus a \$15 per hour per pilot per agency charge for ground waiting times.

VI. The Commissioner of Administration may waive in writing any provision of these regulations when the best interest of the State will be served. Such waiver shall be based upon adequate written documentation from the requesting agency. The request from the agency must be received by the Commissioner at least

seven working days prior to the anticipated date of the travel, and must contain full particulars on the specific exception requested, including the name(s) of affected traveler(s); date of travel; purpose of travel and an explanation of how the requested exception will serve the best interest of the State. Late or after-the-fact requests shall not be considered except under the most unusual of circumstances.

Interested persons may comment on the proposed Policy and Procedure Memorandum No. 67, in writing, at the following address: Wayne E. Grant, Assistant Commissioner, Division of Administration, Box 44095, Baton Rouge, LA 70804. He is the person responsible for responding to inquiries about the proposed policy.

E. L. Henry
Commissioner

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: PPM 67, Aircraft Policy**

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

1983/84 = \$ 472
1984/85 = 1,416
1985/86 = 1,416

These costs reflect additional operating expenses in connection with new air travel authorization forms. The first year is for four months; second and third years are annual costs.

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

1983/84 = \$11,633
1984/85 = 34,898
1985/86 = 34,898

These figures represent increased income to the Office of Aviation and Public Transportation due to recapturing actual costs of operating aircraft through change in user fees.

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

Increased costs of usage will require using State agencies to evaluate current travel patterns on State-owned aircraft, and at same time, will eliminate practice of free riding by agency personnel on already schedule flights. Some minimal additional revenue will accrue to State agencies owning and operating aircraft through imposition of fee schedule.

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

There is no estimated effect on competition and employment.

Wayne E. Grant
Assistant Commissioner

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

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

The Department of Health and Human Resources, Office of Family Security, proposes to implement the following Rule in the General Assistance Program:

PROPOSED RULE

Policies in the General Assistance Program which had allowed parish payments to be made for irregularly scheduled transportation shall be eliminated.

Interested persons may submit written comments at the following address: R.K. Banks, Assistant Secretary, Office of Family Security, Box 44065, Baton Rouge, LA 70804. He is the person responsible for responding to inquiries regarding this proposed Rule. A copy of this proposed Rule and its fiscal and economic impact statement is available for review in each parish in the local office of Family Security.

A public hearing on the proposed rule will be held Thursday February 2, 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.

Roger P. Guissinger
Secretary

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Elimination of irregular
transportation in
General Assistance Program**

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

There are no anticipated administrative costs to implement this proposed Rule. Implementation of the proposed Rule will result in an estimated savings in state funds of \$894 in 1983-84 and \$3,576 in 1984-85 and 1985-86.

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

There is no effect on revenue collections.

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

Adoption of this proposed Rule will affect eight cases monthly statewide, representing \$298 per month in savings.

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

There is no effect on competition and employment.

Jake Canova
Deputy Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

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

The Department of Health and Human Resources, Office of Family Security proposes to implement a Rule in the General Assistance Program which will allow only specific persons to be included in the GA grant certification.

PROPOSED RULE

In addition to the client, other persons shall be included in the GA certification in accordance with the following (18-801):

(1) The recipient's legal or nonlegal spouse when also eligible for GA in his or her own name, if under age 65 and living in the same household (provided not eligible for SSI or inclusion in

an AFDC certification).

(2) The GA Foster Child shall be included in the certification in addition to his foster parent or parents (provided not eligible for SSI or inclusion in an AFDC certification).

The following policy 18-801B, which previously allowed inclusion of other persons, shall be eliminated by this Rule:

WHO MAY BE INCLUDED

The following persons may be included in the GA certification:

(1) A person who is dependent on the client for support and is (a) under 65 and (b) not blind and (c) not eligible for inclusion in an SSI or AFDC certification and (d) incapacitated.

(2) A person who is required in the home to provide care for an ill member of the household and for this reason is unable to accept outside employment and who is (a) under 65 but at least 18 years old. If under 18 years old, the person has to be emancipated by marriage and (b) not eligible for GA in his own name or for inclusion in an SSI or AFDC certification and (c) without sufficient income of his own to meet his requirements.

Interested persons may submit written comments at the following address: R.K. Banks, Assistant Secretary, Office of Family Security, Box 44065, Baton Rouge, LA, 70804. He is the person responsible for responding to inquiries regarding this proposed Rule. A copy of this proposed Rule and its fiscal and economic impact statement is available for review in each parish in the local Office of Family Security.

A public hearing on the proposed Rule will be held Thursday February 2, 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.

Roger P. Guissinger
Secretary

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Inclusion of specific persons
in certification for General Assistance**

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

There are no anticipated administrative costs to implement this proposed Rule. Implementation of the proposed Rule will result in an estimated savings in state funds of \$558 in 1983-84 and \$2,232 in 1984-85 and 1985-86.

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

There is no effect on revenue collections.

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

Adoption of this proposed Rule will affect two certifications statewide, representing .06% of the GA caseload.

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

There is no effect on competition and employment.

Jake Canova
Deputy Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

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

The Department of Health and Human Resources, Office of Family Security, proposes to implement a Rule in the General Assistance Program which will limit the number of months a recipient may receive a GA check while visiting out of state.

PROPOSED RULE

The policy 18-623C relating to the GA recipient visiting out of state with intent to return to Louisiana will be changed to allow the recipient to receive GA checks for only three months when he is visiting out of state. Policy 18-623 C(1) and (2), providing for conditions under which the recipient remains out of state for more than three months, will be eliminated.

This change will not affect policy 18-624 which allows an out-of-state address for convenience for the client actually living in Louisiana but whose mailing address is out-of-state.

Interested persons may submit written comments at the following address: R. K. Banks, Assistant Secretary, Office of Family Security, Box 44065, Baton Rouge, LA 70804. He is the person responsible for responding to inquiries regarding this proposed Rule. A copy of this proposed Rule and its fiscal and economic impact statement is available for review in each parish in the local Office of Family Security.

Insert

A public hearing on the proposed Rule will be held Thursday, February 2, 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.

Roger P. Guissinger
Secretary

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Limit of GA Checks for Recipients out-of-state**

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

There are no anticipated administrative costs to implement this proposed rule.

Implementation of the proposed Rule will result in a savings of \$411 in 1983-84 and \$1,644 in 1984-85 and 1985-86.

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)

Upon implementation, one General Assistance case will be closed by this Rule, representing .03% of the statewide caseload.

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

There is no estimated effect on competition and employment.

Jake L. Canova
Deputy 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, purposes to amend the Title XIX Medical Assistance Program manual to incorporate Federal and State civil penalties for provider fraud and abuse. Act 877 of the 1982 Regular Session of the Louisiana Legislature and 45 CFR Part 101 as published in the *Federal Register*, of August 26, 1983, Vol. 48, No. 167, pages 38827-38842 authorize the imposition of such civil penalties.

Proposed Rule

Section 19-881, *Levels of Administrative Sanctions*, will include a new item 12 on page 3 of 19-881 to read as follows:

19-881 (A)(12) Impose civil penalties in the amount of interest payments and \$2,000 for each fraudulent claim submitted, in accordance with Act 877 of the 1982 Regular Session of the Louisiana Legislature.

Section 19-883, *Grounds for Sanctioning Providers*, will include additional wording in item F. as follows:

19-883(F) . . . or such provider has been determined by DHHR pursuant to an Administrative Procedure Act adjudication hearing to have wrongfully and fraudulently received payment for furnishing services or merchandise under the Medical Assistance Program by means of intentional fraud, intentional false statements, or intentional concealment of a material fact.

Interested persons may submit written comments at the following address: R.K. Banks, Assistant Secretary, Office of Family Security, Box 44065, Baton Rouge, LA 70804. He is the person responsible for responding to inquiries regarding this proposed Rule. A copy of this proposed Rule and fiscal and economic impact statement is available for review in each parish in the local Office of Family Security.

A public hearing on the proposed Rule will be held February 2, 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, or views or arguments orally or in writing at said hearing.

Roger P. Guissinger
Secretary

Fiscal and Economic Impact Statement For Administrative Rules

Rule Title: Med. Assistance Program Provider Fraud and Abuse

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

Implementation of this Rule will have no fiscal impact at this time. Since the imposition of civil penalties would normally follow the criminal conviction and imposition of criminal penalties, we are unable to estimate the instances in which the application of civil penalties would be pursued or the amount of assessments which would be imposed.

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-GOVERN- MENTAL GROUPS - (Summary)

Providers enrolled in the Medical Assistance Program who are determined to have committed fraud and abuse could

be required to pay civil penalties in the amount of \$2,000 plus interest on the amount of funds. Such providers could also be barred from participation.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOY- MENT - (Summary)

There will be no effect on competition and employment.

Jake Canova
Deputy Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, proposes to implement a Rule in the General Assistance Program regarding lawfully admitted aliens. This Rule will allow development of policy to accommodate the reporting of a sponsor's income and resources.

PROPOSED RULE

The lawfully admitted alien who applies for GA benefits shall report income and resources of his sponsor and the sponsor's legal spouse, if residing in the home, for a period of three years after his entry into the United States. A sponsor is defined as any person who executed an affidavit of support or similar agreement on behalf of an alien as a condition of the alien's entry into the United States. The income and resources of the sponsor shall be treated as follows:

1) Computing Countable Income

(a) Determine and verify the total earned and unearned income of the sponsor and spouse.

(b) Deduct from earned income the lessor of

(i) 20 percent of gross wages from employment and/or profit from self-employment.

OR

(ii) \$175.

(c) Deduct the appropriate GA flat grant payment amount for the number of persons in the sponsor's family.

(d) Deduct verified amounts paid by the sponsor or his spouse to individuals not living in the home who are claimed or could be claimed as dependents for Federal income tax purposes.

(e) Deduct verified child support and alimony payments made by the sponsor or his/her spouse.

The remaining income shall be budgeted in addition to any other income the alien may have.

2) Computing Countable Resources

The amount of resources of a sponsor and his spouse which shall be deemed to be the resources of the alien shall be determined in the following manner:

(a) Determine and verify the countable resources of the sponsor and spouse according to GA policy.

(b) Deduct \$1500 from total of (a) above.

The remaining resources value shall be determined to be that of the alien.

3) Determining Eligibility After 3 Years

After this three year period, the sponsor and sponsor's legal spouse are not responsible for the alien; therefore, the income and resources of the sponsor and the sponsor's legal spouse are not available to the alien and are not considered in determining resource eligibility.

Interested persons may submit written comments at the following address: R. K. Banks, Assistant Secretary, Office of

Family Security, Box 44065, Baton Rouge, LA 70804. He is the person responsible for responding to inquiries regarding this proposed Rule. A copy of this proposed Rule and its fiscal and economic impact statement is available for review in each parish in the local Office of Family Security.

A public hearing on the proposed Rule will be held Thursday, February 2, 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.

Roger P. Guissinger
Secretary

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Reporting Lawfully Admitted Alien
Sponsor's Income and Resources in
General Assistance Program**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
None are expected.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
No effect is expected.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
No costs or benefits are estimated.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
No effects on competition and employment are expected.

Jake L. Canova
Deputy 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 policy on arrangement of transportation service for applicants of Title XIX, Medical Assistance.

PROPOSED RULE

Attachment 3.1-A, Item 18(a), C. of the Title XIX State Plan, entitled Authorization of Title XIX Funds shall be amended to include a new section (iv) to read as follows:

(iv) In the case of an applicant for Title XIX, Medical Assistance, arrangements can be made with a certified Title XIX medical transportation provider to provide services if the transportation provider agrees to transport. The parish Office of Family Security shall not issue an authorization form for such transport until such time as the applicant becomes Title XIX eligible. If the Title XIX applicant does not become an eligible recipient, the transportation provider must understand, prior to transport, that no authorization will be issued and no payment made.

This policy change is necessary so that ambulance and non-ambulance medical transportation can be arranged while the

individual is still in application status and subsequently authorized if the individual becomes eligible for Title XIX. This policy change is particularly needed for long term care applicants, who due to their need for specialized care, may require access to other services such as those provided by a physician or a hospital.

This policy was implemented on an emergency basis effective January 1, 1984 and is published as an Emergency Rule in this issue of the *Louisiana Register*.

Interested persons may submit written comments at the following address: R. K. Banks, Assistant Secretary, Office of Family Security, Box 44065, Baton Rouge, LA 70804. He is the person responsible for responding to inquiries regarding this proposed Rule. A copy of this proposed Rule and fiscal and economic impact statement is available for review in each parish in the local Office of Family Security.

A public hearing on the proposed Rule will be held February 2, 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.

Roger P. Guissinger
Secretary

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Transportation Services for Applicants
of Title XIX**

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

	FY 83-84 (six months)	84-85	85-86
State	\$10,013	\$20,371	\$20,371
Federal	16,477	32,609	32,609
Total	\$26,490	\$52,980	\$52,980

Approximately 101 individuals are denied transportation each month because they are not certified for Title XIX. The current cost for a medical transportation service is \$43.72. If one transportation service is provided per individual prior to certification, the monthly cost would be \$4,415.

- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
Additional Title XIX federal funds in the amount \$16,477 for 1983-84 and \$32,609 for 1984-85 and 1985-86 will be collected as a result of implementation of this Rule change.

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

Title XIX applicants will benefit from this Rule as it will allow for ambulance and non-ambulance Medical transportation to providers such as physicians and hospitals. There would be no cost to this group.

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

There will be no effect on competition and employment.

Jake L. Canova
Deputy Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT
Department of Natural Resources
Office of Conservation
Injection and Mining Division

DOCKET NUMBER UIC 84-2

In accordance with the provisions of La. R.S. 49:951, et 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., Tuesday, January 31, 1984, in the Mineral Board 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 will consider the revision of Statewide Order No. 29-B, Section XV (Pollution Control), Paragraph 14 (Offsite Disposal of Drilling Mud and Salt Water Generated From Drilling and Production of Oil and Gas Wells). The revision is proposed to more adequately define the non-hazardous oilfield wastes that can be stored, treated, and/or disposed of by commercial facilities. Other revisions will be considered in order to more adequately regulate the operation of commercial facilities. Commercial facilities are presently permitted to only store, treat and/or dispose of salt water, waste mud or drilling fluids generated from the drilling and production of oil and/or 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 228, 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 4:30 p.m., Monday February 6, 1984, at the following address: Office of Conservation, Injection and Mining Division, Box 44275, Baton Rouge, LA 70804-4275, Re: Docket No. UIC 84-2.

Patrick H. Martin
Commissioner of Conservation

Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Statewide Order 29-B

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

There are no implementation costs (savings) to state or local governmental units.

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

The application fee increase (\$100 to \$500) for Commercial facility applicants will have the following effects on revenue collections for the Office of Conservation:

In FY 83-84, the Office of Conservation anticipates receiving five applications, which represents an increase of \$2,000.

In FY 84-85, the Office of Conservation anticipates receiving seven applications, which represents an increase of \$2,800.

In FY 85-86, the Office of Conservation anticipates receiving nine applications, which represents an increase of \$3,600.

- All of these monies are agency self-generated funds and will be deposited into the State General Fund.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)

The proposed Rule change will allow a wide range of nonhazardous oilfield waste to be disposed of in commercial Class II facilities. The estimated benefits (savings) to the oil and gas industry and the commercial disposers of nonhazardous oilfield wastes is estimated to be \$150,000 annually.

However, this Rule change may result in a decrease in the revenues of hazardous waste disposal facilities by approximately \$300,000 per year. The cost of disposal of certain types of nonhazardous oilfield waste at hazardous waste facilities is approximately twice the cost of disposing of the same material at nonhazardous oilfield waste facilities.

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

This Rule change could potentially result in competition in that commercial facilities that previously could not accept certain types of nonhazardous oilfield waste will now be allowed to accept such waste. In addition, there could be a slight increase in employment in the trucking industry and at Class II commercial facilities.

(At this time, Class II commercial facilities cannot accept certain types of nonhazardous oilfield waste.)

F.L. Spencer, Jr.
Assistant Commissioner

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT
Department of Natural Resources
Office of Environmental Affairs
Environmental Control Commission

Pursuant to the provisions of L.R.S. 30:1066(1) and 1084 A(3) and in accordance with L.R.S. 49:951, the Louisiana Environmental Control Commission (ECC) initiated rulemaking procedures on a proposed revision to the Louisiana Air Quality Regulations at its November 17, 1983 hearing.

Following the initiation of rulemaking procedures by the ECC in November, the proposed revision was forwarded to the Joint Natural Resources Committee for their consideration. Upon the Committee's approval of this revision, the Department will then consider final adoption.

The proposed revision to Section 17.14.1(g) clarifies the definition of "Excessive Concentration" in the Section 17.14 which concerns stack heights.

The person within the agency responsible for responding to inquiries about the proposed revisions is Ms. Terrie deLorimier, Air Quality Division, Box 44066, Baton Rouge, LA 70804-4066; telephone (504) 342-1206. All documents relating to the actions of this notice are available for inspection at the following locations from 8 a.m. until 4:30 p.m.

Office of Environmental Affairs, 3945 North I-10 Service Road, Metairie, LA

Office of Environmental Affairs, 8th floor, State Land and Natural Resources Building, 625 North Fourth Street, Baton Rouge, LA

Office of Environmental Affairs, 804 31st Street, Monroe, LA

State Office Building, 1525 Fairfield Avenue, Shreveport, LA

Office of Environmental Affairs, 1155 Ryan Street, Lake

Charles, LA
Office of Environmental Affairs, 100 Eppler Road, Lafayette, LA

Jim Porter
Assistant Secretary

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Revision to Section 17.14**

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

There will be no estimated additional implementation costs or savings to the agency because all expenses associated with the implementation of this Rule will be incurred with funds in the existing budget.

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

Being that the Air Quality Division is correcting an omission in an earlier revision, 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 to affected groups or non-governmental groups because the industry is aware of the omission and is already following the corrected version.

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

There will be no effect on competition and employment because these Rules reflect a technical change and do not require additional staff or funds to be implemented.

Jerry Hill
Undersecretary

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. 49:951 et seq., notice is hereby given that the Louisiana State 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 and April 20, 1983.

The Commission proposes to amend its Rules and Regulations regarding non-traditional tax-exempt bond issues as adopted on November 12, 1979 by the State Bond Commission and published in the *Louisiana Register* on November 20, 1979 by adding the following proposed Rule:

(13) "The Commission shall not grant preliminary approval of non-traditional bonds unless project beneficiaries certify that Louisiana manufacturers, contractors, sub-contractors and suppliers will be given an opportunity to bid on the project and further certify that preference and priority will be given to Louisiana manufacturers, contractors, sub-contractors, suppliers and labor.

Before final approval is granted, project beneficiaries must provide a certified list of names and business domiciles of manufacturers, contractors, sub-contractors and suppliers for the project and a statement as to whether Louisiana labor will be used. If

Louisiana manufacturers, contractors, sub-contractors, suppliers and labor will not be used for the project, beneficiaries must provide detailed explanation as to why they will not be used."

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 January 20, 1984 at the Office of the State Bond Commission, Third Floor, State Capitol Building, Baton Rouge, LA.

Interested persons may submit their views and opinions through February 1, 1984 to Thomas D. Burbank, Jr., Secretary and Director of the State Bond Commission, Third Floor, State Capitol Building, Box 44154, Baton Rouge, LA 70804. The State Bond Commission will hold a public hearing on February 2, 1984 at a time and place established in a notice posted 24 hours in advance.

The State 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 40.

At least eight working days prior to the meeting of the State 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 State 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 State Bond 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 State 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 30 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: Non-Traditional Bond Financing**

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)

The Rule should have a positive effect on State and local governmental units through increased payroll taxes, sales taxes, etc. since net effect of Rule should encourage additional use of local manufacturers, contractors, sub-contractors, suppliers and labor. The additional revenues generated cannot be estimated.

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

The impact will be minimal, if buyers presently solicit competitive bids (advertisement, etc. from contractors.) There would be additional costs, if buyers are not presently using competitive bids (advertisement, etc. to obtain a contractor.)

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

The intent of the Rule is to spur use of the local labor force, as well as provide additional opportunities for local (within State) manufacturers, contractors, sub-contractors, suppliers to participate in projects having received tax-exempt financing through the Bond Commission.

Thomas Burbank
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 December 13, 1983, and reviewed certain changes in state regulations proposed by the Louisiana Department of Natural Resources, Legal Division, Coastal Management Program, for which Notice of Intent was published in the October 20 *Louisiana Register* with the following results:

1) Proposed amendments to Coastal Management Program Rules governing stay orders.

Approved by a vote of 6-0.

Arthur W. Sour, Jr.
Chairman
House Committee on Natural Resources

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 December 13, 1983, and reviewed certain changes in state regulations proposed by the Louisiana Department of Natural Resources, Office of Environmental Affairs, Division of Water Pollution Control, with the following results:

1) Proposed 1984 Construction Grants Priority List.

Approved by a vote of 6-0.

Arthur W. Sour, Jr.
Chairman
House Committee on Natural Resources

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 December 13, 1983, and reviewed certain changes in state regulations proposed by the Louisiana Department of Natural Resources, Office of Environmental Affairs, Air Quality Division, for which notice of intent was published in the November 20 *Louisiana Register* with the following results:

1) Proposed revisions to the Louisiana Emission Standards for Hazardous Air Pollutants.

Approved by a vote of 6-0.

Arthur W. Sour, Jr.
Chairman
House Committee on Natural Resources

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 December 13, 1983, and reviewed certain changes in state regulations proposed by the Louisiana Department of Natural Resources, Office of Environmental Affairs, Air Quality Division, for which notice of intent was published in the November 20 *Louisiana Register* with the following results:

1) Proposed revisions to the Fee System of the Air Quality Control Program.

Approved by a vote of 6-0.

Arthur W. Sour, Jr.
Chairman
House Committee on Natural Resources

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 December 13, 1983, and reviewed certain changes in state regulations proposed by the Louisiana Department of Natural Resources, Office of Forestry, for which Notice of Intent was published in the October 20 *Louisiana Register* with the following results:

1) Proposed timber stumpage values for 1984 severance tax computation.

Approved by a vote of 6-0.

Arthur W. Sour, Jr.
Chairman
House Committee on Natural Resources

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 December 13, 1983, and reviewed certain changes in state regulations proposed by the Louisiana Department of Wildlife and Fisheries, for which Notice of Intent will be published in the *Louisiana Register* with the following results:

1) Proposed Rules and Regulations pertaining to oyster fisheries.

Approved by a vote of 6-0.

Arthur W. Sour, Jr.
Chairman
House Committee on Natural Resources

Potpourri

POTPOURRI

Department of Agriculture

Addition to the Supplement of the
Sweet Potato Weevil Quarantine and Regulation
Revised Effective December 20, 1983

In accordance with Section III (4) of the Louisiana Sweet Potato Weevil Quarantine and Regulation the following property together with all properties within a one-mile radius of each said properties, are hereby placed under quarantine and are considered to be a non sweet potato area of Louisiana:
Richland Parish

Archie L. Harrell, Sr., Section 18, T17N, R10E
The above addition will be effective on and after January 20, 1984, and will be revised effective November 30, 1984.

John W. Impson
Assistant Commissioner and State
Entomologist

POTPOURRI

Office of the Governor State Planning Office

In accordance with Executive Order EWE-77-7, the official population projections to be utilized in state and local planning shall be the ones contained in the publications *Population Projections to 2000 for Louisiana by Race, Sex, and Age and for Louisiana Parishes by Race and Sex* (Series I Report) and *Population Projections to 2000 for Louisiana and its Planning Districts, Metropolitan Areas, and Parishes by Race, Sex, and Age* (Series II Report) by Vincent Maruggi and Raul Fletes, University of New Orleans, June 1983; a joint publication of the University of New Orleans and the Louisiana State Planning Office.

Wallace L. Walker
Executive Director
State Planning Office

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 45 completed claims, amounting to \$58,336.33, were received during the month of December, 1983. During the same month, 31 claims, amounting to \$41,954.82 were paid. The following is a list of the paid claims:

Claim No. 82-754 Florena Billiot	Claim No. 83-1159 Randy Adams
Claim No. 83-893 Larry J. Dupre	Claim No. 83-863 William H. Harvey
Claim No. 83-935 Linton Duet	Claim No. 83-967 Allen Wiseman
Claim No. 83-1010 Ira Vincent	Claim No. 83-987 Arthur Plaisance
Claim No. 83-1073 L & R Toups, Inc.	Claim No. 83-1071 Barisich, Inc.
Claim No. 83-1119 Harvey Dufrene	Claim No. 83-891 Teddy Broussard
Claim No. 83-1002 Van Broussard	Claim No. 83-933 Louis Boullion
Claim No. 83-960 Larry Mooty	Claim No. 83-990 John J. Mialjevich
Claim No. 83-986 Alfred Martin	Claim No. 83-1062 Danny Segura
Claim No. 83-1064 Henry Fazende	Claim No. 83-1081 John J. Mialjevich
Claim No. 83-1185 Stanley Weiskopf	Claim No. 83-969 Joe Barbaree
Claim No. 82-755 Florena Billiot	Claim No. 83-950 Leon Harvey
Claim No. 83-928 Charles Guidry	Claim No. 83-983 Alfred Martin
Claim No. 83-943 Lady Rowena, Inc.	Claim No. 83-1057 Jerry P. Bourgois
Claim No. 83-1021 Howard Boat Co.	Claim No. 83-1083 Wilson Assavedo
Claim No. 83-1074 Lady Yola, Inc.	

PUBLIC HEARINGS

Public hearings to consider completed claims against the Fishermen's Gear Compensation Fund have been scheduled as follows:

Wednesday, February 1, 1984, at 10:30 a.m., in the L.S.U. Cooperative Extension Service Office, Greater Lafourche Port Commission Building, Highway 308, Galliano, LA:

Claim No. 83-1086

Van J. Boudreaux, of Golden Meadow, LA, while trawling on the vessel "Jaime Lyn", in Timbalier Bay Southwest of the Formation Islands, Lafourche Parish, encountered a submerged 3 inches x 40 foot pipe, on August 15, 1983, at approximately 9:30 a.m., causing loss of his try net and boards and damage to his trawl.

Amount of claim: \$384.

Claim No. 83-1122

James Cheramie and Douglas Blanchard, of Blanchard & Cheramie, Inc., Galliano, LA, while trawling on the vessel "Big Tattoo", in the Gulf of Mexico at approximate LORAN-C readings of 27,366.5 and 46,938.8, Vermilion Parish, encountered a submerged cluster of pilings, on August 24, 1983, at approximately 7 p.m., causing damage to one trawl and the loss of one trawl.

Amount of claim: \$1,105.40.
Claim No. 83-1190
Tommy A. Kiff, Galliano, LA, while trawling on the vessel "Mr. Wayne, Jr.", in Timbalier Bay near the Havoline Canal Channel, Lafourche Parish, encountered an unidentified submerged obstruction, on September 25, 1983, at approximately 12 a.m., causing damage to his trawl.
Amount of claim: \$219.30.
Claim No. 83-1199
Joseph Ernest Verdin, of Houma, LA, while trawling on the vessel "Capt. J.V.", in the Gulf of Mexico outside Eugene Island, east of the Morgan City Channel, Terrebonne Parish, encountered an unidentified submerged obstruction, on September 29, 1983, at approximately 4 p.m., causing damage to his boom and trawl.
Amount of claim: \$1,130.
Claim No. 83-1215
Steve A. Curole, of Cut Off, LA, while trawling on the vessel "Hit & Git", in Caminada Bay, north of the Highway 1 bridge, Jefferson Parish, encountered a submerged creosote post, on Sept. 22, 1983, at approximately 2 a.m., causing loss of his trawl.
Amount of claim: \$818.40.
Claim No. 83-1220
Lanny J. Rouse, of Galliano, LA, while trawling on the vessel "Good Times", in West Bay at LORAN-C readings of 28,824.8 and 46,802.1, Plaquemines Parish, encountered an unidentified submerged obstruction, on October 5, 1983, at approximately 5 p.m., causing loss of his 48 foot trawl.
Amount of claim: \$472.91.
Claim No. 83-1251
Thaddeus M. Pellegrin, Jr., of Chauvin, LA, while trawling on the vessel "LA Pistache", at Atchafalaya Bay west of Point Au Fer Shell Reef, St. Mary Parish, encountered an unidentified submerged obstruction, on October 12, 1983, at approximately 5:30 p.m., causing damage to his vessel.
Amount of claim: \$5,000.
Claim No. 83-1261
Donald Johnfroe, of Galliano, LA, while trawling on the vessel "Lady Miranda", in Bay Lizette southeast of the Southwest Louisiana Canal, Jefferson Parish, encountered an unidentified submerged obstruction, on October 21, 1983, at approximately 2:25 p.m., causing damage to his trawl.
Amount of claim: \$226.14.
Claim No. 83-1271
Autry Guidry, of Cut Off, LA, while trawling on the vessel "Joey & Judy", in Bay Des Illetes, 300 feet east of the channel and one mile north of the Bayou Andre Light, Jefferson Parish, encountered an unidentified submerged obstruction, on October 22, 1983, at approximately 9:30 a.m., causing damage to his 50 foot trawl.
Amount of claim: \$471.
Claim No. 83-1275
Anthony Galliano, of Galliano, LA, while trawling on the vessel "Lady Debra", in the Gulf of Mexico southeast of Cheniere au Tigre, Vermilion Parish, encountered an unidentified submerged obstruction, on September 18, 1983, at approximately 9 a.m., causing loss of his 40 foot trawl.
Amount of claim: \$544.63.
Claim No. 83-1282
Mervin Ledet, Jr., of Rudy Joe, Inc., Lockport, LA, while trawling on the vessel "Rudy Joe", in the Gulf of Mexico south of Quatre Bayou Pass at LORAN-C readings of 28,625.0 and 46,863.5, Plaquemines Parish, encountered a submerged boat on 10-26-83, at approximately 9 a.m., causing loss of his trawl.
Amount of claim: \$459.10.
Claim No. 83-1289

Farrel Charpentier, of Galliano, LA, while trawling on the vessel "Capt. Farrel", in South Pass, between Picayune Bayou and Port Eads, at LORAN-C readings of 28,958.5 and 46,780.2, Plaquemines Parish, encountered a submerged rope and cable, on 10-20-83, at approximately 6 a.m., causing damage to his vessel.
Amount of claim: \$932.30.
Claim No. 83-1290
Farrel Charpentier, of Galliano, LA, while trawling on the vessel "Capt. Farrel", in the Gulf of Mexico, east of Southwest Pass, at LORAN-C readings of 28,805.2 and 46,764.7, Plaquemines Parish, encountered an unidentified submerged obstruction, on 10-22-83, at approximately 9 a.m., causing loss of his 16 foot try net.
Amount of claim: \$140.
Claim No. 83-1350
Stephen Charpentier, of Galliano, LA, while trawling on the vessel "Capt. Stephen", in the Gulf of Mexico south of Belle Pass, at LORAN-C readings of 28,318.2 and 46,819.0, Lafourche Parish, encountered an unidentified submerged obstruction on 11-18-83, at approximately 9 p.m., causing loss of his 55 foot trawl and related gear.
Amount of claim: \$2,360.13.
Claim No. 83-1355
Linton Charpentier, of Galliano, LA, while trawling on the vessel, "Capt. Linton", in the Gulf of Mexico, west of Belle Pass, at LORAN-C readings of 28,238.5 and 46,822.0, Lafourche Parish, encountered an unidentified submerged obstruction on 11-16-83, at approximately 5 p.m., causing damage to his trawl.
Amount of claim: \$99.28.
Claim No. 83-1357
Douglas Blanchard, of Galliano, LA, while trawling on the vessel "Tee Doug", Vermilion Bay south of Dry Reef, Iberia Parish, encountered an unidentified submerged obstruction, on 9-2-83, at approximately 6 a.m., causing loss of his 50 foot trawl.
Amount of claim: \$694.50.
Thursday, February 2, 1984, at 11 a.m., in the L.S.U. Cooperative Extension Service Office, Cameron Parish Courthouse, Cameron, LA:
Claim No. 83-918
Floyd Lewis, of Cameron, LA, while trawling on the vessel "LA 760 - ZH", in the Gulf of Mexico between the Mermentau River and the Calcasieu Ship Channel at approximate LORAN-C readings of 26,758.8 and 46,979.8, Cameron Parish, encountered an unidentified submerged obstruction, on June 16, 1983, at approximately 10 a.m., causing loss of his trawl.
Amount of claim: \$550.
Claim No. 83-1015
Suong Holtz, of Cameron, LA, while trawling on the vessel "Miss Ashley", in the Gulf of Mexico east of Calcasieu Pass at approximate LORAN-C readings of 26,668.0 and 46,973.9, Cameron Parish, encountered an unidentified submerged obstruction on June 24, 1983, at approximately 2 p.m., causing loss of her 50 foot trawl and doors.
Amount of claim: \$1,425.
Claim No. 83-1065
Curtis Price, captain for Wayne Duhon, of Lake Arthur, LA, while trawling on the vessel "Capt. Jude", in the Gulf of Mexico between the Mermentau River and Calcasieu Pass at LORAN-C readings of 26,755.2 and 46,976.8, Cameron Parish, encountered submerged pilings on July 14, 1983, at approximately 10 p.m., causing loss of his vessel.
Amount of claim: \$5,000.
Claim No. 83-1092
Timothy Schouest, Sr., of New Iberia, LA, while trawling on the vessel "Master Timothy, Jr.", in Breton sound south of the

Mississippi River - Gulf Outlet, at LORAN-C readings of 29,008.9 and 46,919.0, Plaquemines Parish, encountered submerged pipes, on August 12, 1983, at approximately 10 p.m., causing loss of his 60 foot trawl.

Amount of claim: \$1,075.85.

Claim No. 83-1112

Curtis Price, captain for Wayne Duhon, of Lake Arthur, LA, while trawling on the vessel "Master Wayne", in Grand Lake on the west side of the lake, Cameron Parish, encountered a submerged 55 gallon drum, on an unknown date, at approximately 1 p.m., causing damage to his vessel.

Amount of claim: \$1,749.21.

Claim No. 83-1127

Alfred E. Racca, Jr., of Cameron, LA, while trawling on the vessel "Sea Horse", in the Gulf of Mexico southeast of Holly Beach at approximate LORAN-C readings of 26,623.0 and 46,980.1, Cameron Parish, encountered a submerged vessel, on August 31, 1983, at approximately 10:30 a.m., causing damage to his 39 foot trawl.

Amount of claim: \$769.

Claim No. 83-1205

Charles N. Landry, of Delcambre, LA, while trawling on the vessel "Tara a Love Hoke", in the Gulf of Mexico, west of Freshwater Bayou at approximate LORAN-C readings of 27,166.3 and 46,938.2, Vermilion Parish, encountered an unidentified submerged obstruction, on 9-28-83, at approximately 5:30 p.m., causing loss of his trawl and doors.

Amount of claim: \$1,885.30.

Claim No. 83-1266

Philip Cantrelle, of Lake Arthur, LA, boat captain for Allen Wiseman, while trawling on the vessel "Forty Love", in the Gulf of Mexico at approximate LORAN-C readings of 26,495.3 and 46,977.3, Cameron Parish, encountered an unidentified submerged obstruction, on 10-20-83, at approximately 7 a.m., causing loss of his 47 foot net, 5/16 inches x 60 foot tickle chain, and 150 foot lazy line.

Amount of claim: \$927.22.

Claim No. 83-1268

Wallace Styron, of Cameron, LA, while trawling on the vessel, "Gambler", in the Calcasieu Ship Channel, west of Monkey Island and ½ mile south of the Ferry, Cameron Parish, encountered an unidentified submerged obstruction on October 18, 1983, at approximately 5 p.m., causing loss of his trawl.

Amount of claim: \$885.

Claim No. 83-1284

Danny Segura, of Delcambre, LA, while trawling on the vessel "Mary Carolyn", in the Gulf of Mexico, south of Beach Prong, at approximate LORAN-C readings of 26,892.5 and 46,960.4, Cameron Parish, encountered a submerged pipeline, on 10-15-83, at approximately 8 a.m., causing loss of his trawl and doors.

Amount of claim: \$4,065.75.

Claim No. 83-1309

Jessie J. Dubois, of Jessie Dubois, Inc., Delcambre, LA, while trawling on the vessel "Mary Donna", in the Gulf of Mexico, one-a-half to two miles west of Southwest Pass, at approximate LORAN-C readings of 27,359.9 and 46,943.0, Vermilion Parish, encountered an unidentified submerged obstruction, on 11-26-83, at approximately 8 a.m., causing damage to his vessel.

Amount of claim: \$2,571.87.

Claim No. 83-1335

Philip A. Cantrelle, of Lake Arthur, LA, while trawling on the vessel "Forty Love", in the Gulf of Mexico at approximate LORAN-C readings of 26,944.2 and 46,955.6, Cameron Parish, encountered a piece of 2 inch or 2½ inch cable, which looked like an anchor cable, on 11-5-83, at approximately 6:45 a.m., causing

damage to and loss of his two trawls.

Amount of claim: \$1,092.34.

Claim No. 83-1337

Wallace Styron, of Cameron, LA, while trawling on the vessel "Gambler", near Holly Beach at approximate LORAN-C readings of 26,610.5 and 46,979.6, Cameron Parish, encountered an unidentified submerged obstruction, on 10-21-83, at approximately 9:45 a.m., causing loss of his 75 foot mongoose trawl.

Amount of claim: \$1,500.

Wednesday, February 15, 1984, at 10:30 a.m., in the Police Jury Office, 8201 West Judge Perez Drive in Chalmette, LA, to consider payment of the following claims against the fund:
Claim No. 83-1080

Edward Robin, Jr., of Robin's Seafood, Inc., St. Bernard, LA, while trawling on the vessel "Miss Everglades", in Breton Sound west of Beacon Number 20, Plaquemines Parish, encountered an unidentified submerged obstruction on 7-23-83, at approximately 3 p.m., causing loss of his two 50 foot trawls and doors.

Amount of claim: \$4,835.

Claim No. 83-1098

Dwayne N. Fails, of St. Bernard, LA, while trawling on the vessel "Nancy Lynn", in Breton Sound at LORAN-C readings of 29,031.0 and 46,951.0, St. Bernard Parish, encountered an unidentified submerged obstruction on 5-29-83, causing loss of his balloon trawl.

Amount of claim: \$530.

Claim No. 83-1099

Dwayne N. Fails, of St. Bernard, LA, while trawling on the vessel "Nancy Lynn", in Canal Pecal, north of the Mississippi River - Gulf Outlet, St. Bernard Parish, encountered a 10 foot section of pipe, on 7-9-83, causing damage to his vessel.

Amount of claim: \$2,131.08.

Claim No. 83-1100

Dwayne N. Fails, of St. Bernard, LA, while trawling on the vessel "Nancy Lynn", in Breton Sound, St. Bernard Parish, encountered a 15 - 20 foot section of pipe, on 7-27-83, causing damage to his vessel.

Amount of claim: \$835.65.

Claim No. 83-1104

Roy Robino, Violet, LA, while trawling on the vessel "Barbara Roy", in Morgan Harbor Pass, north of Point Paulina, at approximate LORAN-C readings of 29,113.0 and 46,978.5, St. Bernard Parish, encountered a submerged pipeline, on 8-23-83, at approximately 7:30 a.m., causing loss of his 40 foot and 52 foot trawls.

Amount of claim: \$1,550.

Claim No. 83-1117

Bruce Guerra, Sr., of St. Bernard, LA, while trawling on the vessel "Mr. Fabriciano", in Lake Borgne, west of Bayou St. Malo, at approximate LORAN-C readings of 28,931.0 and 46,997.1, St. Bernard Parish, encountered an unidentified submerged obstruction, on 8-22-83, at approximately 12 noon, causing loss of his trawl.

Amount of claim: \$673.29.

Claim No. 83-1134

Kenneth R. Adams, Jr., of New Orleans, LA, while trawling on the vessel "Lady Audrey", in Breton Sound, Plaquemines Parish, encountered an unidentified submerged obstruction, on 9-1-83, at approximately 9 a.m., causing loss of his 45 foot trawl and boards.

Amount of claim: \$1,585.

Claim No. 83-1135

Kenneth R. Adams, Jr., of New Orleans, LA, while trawling on the vessel "Lady Audrey", in Breton Sound, southeast of

Mississippi River - Gulf Outlet, at LORAN-C readings of 29,008.9 and 46,919.0, Plaquemines Parish, encountered submerged pipes, on August 12, 1983, at approximately 10 p.m., causing loss of his 60 foot trawl.

Amount of claim: \$1,075.85.

Claim No. 83-1112

Curtis Price, captain for Wayne Duhon, of Lake Arthur, LA, while trawling on the vessel "Master Wayne", in Grand Lake on the west side of the lake, Cameron Parish, encountered a submerged 55 gallon drum, on an unknown date, at approximately 1 p.m., causing damage to his vessel.

Amount of claim: \$1,749.21.

Claim No. 83-1127

Alfred E. Racca, Jr., of Cameron, LA, while trawling on the vessel "Sea Horse", in the Gulf of Mexico southeast of Holly Beach at approximate LORAN-C readings of 26,623.0 and 46,980.1, Cameron Parish, encountered a submerged vessel, on August 31, 1983, at approximately 10:30 a.m., causing damage to his 39 foot trawl.

Amount of claim: \$769.

Claim No. 83-1205

Charles N. Landry, of Delcambre, LA, while trawling on the vessel "Tara a Love Hoke", in the Gulf of Mexico, west of Freshwater Bayou at approximate LORAN-C readings of 27,166.3 and 46,938.2, Vermilion Parish, encountered an unidentified submerged obstruction, on 9-28-83, at approximately 5:30 p.m., causing loss of his trawl and doors.

Amount of claim: \$1,885.30.

Claim No. 83-1266

Philip Cantrelle, of Lake Arthur, LA, boat captain for Allen Wiseman, while trawling on the vessel "Forty Love", in the Gulf of Mexico at approximate LORAN-C readings of 26,495.3 and 46,977.3, Cameron Parish, encountered an unidentified submerged obstruction, on 10-20-83, at approximately 7 a.m., causing loss of his 47 foot net, 5/16 inches x 60 foot tickle chain, and 150 foot lazy line.

Amount of claim: \$927.22.

Claim No. 83-1268

Wallace Styron, of Cameron, LA, while trawling on the vessel, "Gambler", in the Calcasieu Ship Channel, west of Monkey Island and ½ mile south of the Ferry, Cameron Parish, encountered an unidentified submerged obstruction on October 18, 1983, at approximately 5 p.m., causing loss of his trawl.

Amount of claim: \$885.

Claim No. 83-1284

Danny Segura, of Delcambre, LA, while trawling on the vessel "Mary Carolyn", in the Gulf of Mexico, south of Beach Prong, at approximate LORAN-C readings of 26,892.5 and 46,960.4, Cameron Parish, encountered a submerged pipeline, on 10-15-83, at approximately 8 a.m., causing loss of his trawl and doors.

Amount of claim: \$4,065.75.

Claim No. 83-1309

Jessie J. Dubois, of Jessie Dubois, Inc., Delcambre, LA, while trawling on the vessel "Mary Donna", in the Gulf of Mexico, one-a-half to two miles west of Southwest Pass, at approximate LORAN-C readings of 27,359.9 and 46,943.0, Vermilion Parish, encountered an unidentified submerged obstruction, on 11-26-83, at approximately 8 a.m., causing damage to his vessel.

Amount of claim: \$2,571.87.

Claim No. 83-1335

Philip A. Cantrelle, of Lake Arthur, LA, while trawling on the vessel "Forty Love", in the Gulf of Mexico at approximate LORAN-C readings of 26,944.2 and 46,955.6, Cameron Parish, encountered a piece of 2 inch or 2½ inch cable, which looked like an anchor cable, on 11-5-83, at approximately 6:45 a.m., causing

damage to and loss of his two trawls.

Amount of claim: \$1,092.34.

Claim No. 83-1337

Wallace Styron, of Cameron, LA, while trawling on the vessel "Gambler", near Holly Beach at approximate LORAN-C readings of 26,610.5 and 46,979.6, Cameron Parish, encountered an unidentified submerged obstruction, on 10-21-83, at approximately 9:45 a.m., causing loss of his 75 foot mongoose trawl.

Amount of claim: \$1,500.

Wednesday, February 15, 1984, at 10:30 a.m., in the Police Jury Office, 8201 West Judge Perez Drive in Chalmette, LA, to consider payment of the following claims against the fund:
Claim No. 83-1080

Edward Robin, Jr., of Robin's Seafood, Inc., St. Bernard, LA, while trawling on the vessel "Miss Everglades", in Breton Sound west of Beacon Number 20, Plaquemines Parish, encountered an unidentified submerged obstruction on 7-23-83, at approximately 3 p.m., causing loss of his two 50 foot trawls and doors.

Amount of claim: \$4,835.

Claim No. 83-1098

Dwayne N. Fails, of St. Bernard, LA, while trawling on the vessel "Nancy Lynn", in Breton Sound at LORAN-C readings of 29,031.0 and 46,951.0, St. Bernard Parish, encountered an unidentified submerged obstruction on 5-29-83, causing loss of his balloon trawl.

Amount of claim: \$530.

Claim No. 83-1099

Dwayne N. Fails, of St. Bernard, LA, while trawling on the vessel "Nancy Lynn", in Canal Pecal, north of the Mississippi River - Gulf Outlet, St. Bernard Parish, encountered a 10 foot section of pipe, on 7-9-83, causing damage to his vessel.

Amount of claim: \$2,131.08.

Claim No. 83-1100

Dwayne N. Fails, of St. Bernard, LA, while trawling on the vessel "Nancy Lynn", in Breton Sound, St. Bernard Parish, encountered a 15 - 20 foot section of pipe, on 7-27-83, causing damage to his vessel.

Amount of claim: \$835.65.

Claim No. 83-1104

Roy Robino, Violet, LA, while trawling on the vessel "Barbara Roy", in Morgan Harbor Pass, north of Point Paulina, at approximate LORAN-C readings of 29,113.0 and 46,978.5, St. Bernard Parish, encountered a submerged pipeline, on 8-23-83, at approximately 7:30 a.m., causing loss of his 40 foot and 52 foot trawls.

Amount of claim: \$1,550.

Claim No. 83-1117

Bruce Guerra, Sr., of St. Bernard, LA, while trawling on the vessel "Mr. Fabriciano", in Lake Borgne, west of Bayou St. Malo, at approximate LORAN-C readings of 28,931.0 and 46,997.1, St. Bernard Parish, encountered an unidentified submerged obstruction, on 8-22-83, at approximately 12 noon, causing loss of his trawl.

Amount of claim: \$673.29.

Claim No. 83-1134

Kenneth R. Adams, Jr., of New Orleans, LA, while trawling on the vessel "Lady Audrey", in Breton Sound, Plaquemines Parish, encountered an unidentified submerged obstruction, on 9-1-83, at approximately 9 a.m., causing loss of his 45 foot trawl and boards.

Amount of claim: \$1,585.

Claim No. 83-1135

Kenneth R. Adams, Jr., of New Orleans, LA, while trawling on the vessel "Lady Audrey", in Breton Sound, southeast of

Mozambique Point, Plaquemines Parish, encountered a submerged section of drill pipe, on 8-10-83, at approximately 11 a.m., causing loss of his trawl.

Amount of claim: \$815.

Claim No. 83-1172 (Rescheduled)

Peter Gerica, of New Orleans, LA, while trawling on the vessel "Miss Lucy", in Lake Pontchartrain, northwest of South Point, at approximate LORAN-C readings of 28,826.3 and 47,052.5, Orleans Parish, encountered a submerged wooden and steel object, on September 15, 1983, at approximately 11 a.m., causing damage to his trawl.

Amount of claim: \$500.

Claim No. 83-1177 (Rescheduled)

Cliff Glockner, Jr., of Lacombe, LA, while trawling on the vessel "Wind Song", in Lake Pontchartrain, northwest of South Point, at approximate LORAN-C readings of 28,800.0 and 47,056.2, Orleans Parish, encountered a submerged metal object on September 14, 1983, at approximately 2:30 p.m., causing loss of his trawl.

Amount of claim: \$675.

Claim No. 83-1198

Joseph Assevado, of St. Bernard, LA, while trawling on the vessel "Miss Mona", in Breton Sound, east of Deadman Island, at approximate LORAN-C readings of 29,046.5 and 46,962.8, St. Bernard Parish, encountered a submerged section of drill pipe on September 23, 1983, at approximately 5 p.m., causing loss of his trawl, tickler chain, and lazy line.

Amount of claim: \$875.

Claim No. 83-1214

Warren Delacroix, of Metairie, LA, while trawling on the vessel "Goldfinger", in Lake Pontchartrain, two miles east of the Causeway turnaround, Orleans Parish, encountered a submerged concrete slab, on September 15, 1983, at approximately 4:30 p.m., causing loss of his trawl.

Amount of claim: \$781.

Claim No. 83-1274

August M. Bertoniere, Metairie, LA, while trawling on the vessel "Pontchartrain Princess", in Lake Pontchartrain, east of the causeway, at approximate LORAN-C readings of 28,706.5 and 47,057.6, St. Tammany Parish, encountered an unidentified submerged obstruction, on October 21, 1983, at approximately 11 a.m., causing loss of his 50 foot trawl.

Amount of claim: \$732.50.

Thursday, February 16, 1984, at 10:30 a.m., in the Lafitte City Hall, Lafitte, LA:

Claim No. 83-949 (Rescheduled)

Clarence Guidry, of Lafitte, LA, while trawling on the vessel "Capt. Rosco", in the Gulf of Mexico, north of North Pass, at LORAN-C readings of 29,110.6 and 46,835.1, Plaquemines Parish, encountered a submerged section of pipe, on June 14, 1983, at approximately 3 p.m., causing damage to his trawl.

Amount of claim: \$323.30.

Claim No. 83-974 (Rescheduled)

Lester C. Arcement, of Lafitte, LA, while trawling on the vessel "Charlie's Angles", in the Gulf of Mexico, east of North Pass at LORAN-C readings of 29,134.0 and 46,828.9, Plaquemines Parish, encountered an unidentified submerged obstruction on June 26, 1983, at approximately 8 a.m., causing damage to his 65 foot trawl.

Amount of claim: \$710.02.

Claim No. 83-1203

Clarence Guidry, of Lafitte, LA, while trawling on the vessel "Capt. Rosco", in the Gulf of Mexico, west of Southeast Pass at LORAN-C readings of 29,035.6 and 46,792.0, Plaquemines Parish, encountered an unidentified submerged obstruction, on September 19, 1983, at approximately 6 p.m.,

causing damage to his trawl.

Amount of claim: \$422.70.

Claim No. 83-1222

Leon J. Harvey, Sr., of The Guiding Light, Inc., Lafitte, LA, while trawling on the vessel "Guiding Light", in the Gulf of Mexico south of Quatre Bayou Pass, at LORAN-C readings of 28,624.4 and 46,863.3, Plaquemines Parish, encountered an unidentified submerged obstruction, on September 6, 1983, at approximately 6:30 p.m., causing damage to his trawl.

Amount of claim: \$60.

Claim No. 83-1228

Jerry P. Bourgeois, of Westwego, LA, while trawling on the vessel "Tiger Man", in The Barataria Waterway north of Bayou Fifi and Grand Isle, Jefferson Parish, encountered submerged wire cable, on September 20, 1983, at approximately 10 a.m., causing damage to his vessel.

Amount of claim: \$5,000.

Claim No. 83-1230

August E. Despaux, Jr., of Barataria, LA, while trawling on the vessel "Theresa Anne", in the Gulf of Mexico, south of Bay La Mer, Plaquemines Parish, encountered an unidentified submerged obstruction, on October 7, 1983, at approximately 10 a.m., causing damage to his vessel.

Amount of claim: \$1,065.75.

Claim No. 83-1265

Clarence Guidry, of Lafitte, LA, while trawling on the vessel "Capt. Rosco", in the Gulf of Mexico, east of Northeast Pass, at LORAN-C readings of 29,103.4 and 46,806.4, Plaquemines Parish, encountered an unidentified submerged obstruction, on October 21, 1983, causing damage to his 65 foot trawl and 18 foot try net.

Amount of claim: \$516.50.

Claim No. 83-1270

James L. Terrio, Sr., of Lafitte, LA, while trawling on the vessel "My Girl Shirl", in the Barataria Waterway, south of Bayou Beauregard, Jefferson Parish, encountered an unidentified submerged obstruction, on October 11, 1983, at approximately 3 p.m., causing damage to his vessel.

Amount of claim: \$2,600.56.

Any written objections to these claims must be received by the close of business on January 31, 1984. Any person may submit evidence or make objections in person at the hearings. Written comments must be mailed to Frank P. Simoneaux, Secretary, Department of Natural Resources, Box 44124, Capitol Station, Baton Rouge, LA 70804.

Frank P. Simoneaux
Secretary

POTPOURRI

Department of the Treasury State Employees' Retirement System

The Board of Trustees of the Louisiana State Employees' Retirement System holds its monthly meetings on the second Wednesday of each month at 9 a.m. at La Capitol Federal Credit Union, 660 Laurel Street, Baton Rouge, LA (unless notification is given for a change in date, time or location for such meetings).

Vernon L. Strickland
Director

The following chart shows where in the *Louisiana Register* a particular page cited in the index falls:

1984

1 — 67 Jan.

**CUMULATIVE INDEX
(Volume 10, Number 1)**

Agriculture Department:

State Entomologist:

Burrowing nematodes, 46N

Sweet potato weevil quarantine, 64P

Aircraft, use of (see Governor's Office, Division of Administration)

Bond Commission (see Commerce Department)

Budget reductions (see Executive Order DCT 83-26)

Civil Service Department:

Civil Service Commission:

Leave, probationary period, 47N

Commerce Department:

Certified Shorthand Reporters, Board of Examiners of:

Fees, 49N

Contractors Licensing Board of:

License renewal fee, 49N

Financial Institutions, Office of:

Agreement corporations, 4R

Thrift club memberships, 50N

Corrections Department:

Secretary, Office of:

Amend regulation 30-14, 4R

Amend regulation 30-19, 50N

Education Department:

Elementary and Secondary Education, Board of:

Authorized equipment, 7R

Computer science, 3ER, 51N

Employee resignations, 7R

Guidance counselors, 7R

High school credit for college, 7R

Special education, 7R

Speech, language, hearing specialist, 51N

Support Services funds, 51N

Teacher certificates, 7R

Executive Orders:

DCT 83-27—Extend report date for Task Force on Environmental Health, 1

DCT 83-28—Amend and supplement DCT 83-26, budget reductions, 1

DCT 83-29—Commuting fee for users of state vehicles, 1

DCT 83-30—Concerning Department of Environmental Quality and merger of Departments of Corrections and Public Safety, 2

Food Stamps (see Health and Human Resources Department, Office of Family Security)

Governor's Office:

Division of Administration:

Louisiana Office of Women's Business Enterprise, 53N

PPM 67, Travel in State-owned aircraft, 54N

State Planning Office:

Population projections, 64P

Health and Human Resources Department:

Family Security, Office of:

Earned income tax credits, 7R

Food stamps:

Standard utility allowances, 9R

Fraud and abuse, MAC program, 59N

GA program:

Alien sponsor's income, 59N

Inclusion of specific persons for certification, 58N

Irregular transportation elimination, 57N

Limit of checks for out-of-state recipients, 58N

Isosorbide Dinitrate, reinstatement of, 8R

Nursing home beds, payment for, 8R

Prorated benefits for individuals, 8R

Transportation, limit reimbursement for non-emergency, 8R

Transportation, Title XIX applicants, 3ER, 60N

Health Services and Environmental Quality:

Staggered registration regulations, 9R

Water vending machines, 10R

Secretary, Office of:

Dietitians, standards for registration of, 11R

Natural Resources Department:

Conservations, Office of:

Order 29-B, non-hazardous oilfield waste, 61N

Environmental Affairs, Office of:

Air Quality Control Program, fee system, 63CR

Construction Grants Priority List, 1984, 63CR

Emission Standards, air pollutants, 63CR

Section 17.14, "excessive concentrations", 61N

Fishermen's Gear Compensation Fund, 64P

Forestry, Office of:

Timber stumpage values, 63CR

Legal Division:

Coastal Management Program, stay orders, 63CR

Secretary, Office of:

Stay orders, applications for, 7R

Revenue and Taxation Department:

Tax Commission:

Guidelines for value of property, 14R

State vehicles, commuting fee for, (see Executive Order DCT 83-29)

Transportation and Development Department:

Materials Laboratory:

Petroleum fuels, sale of, 46R

Treasury Department:

Bond Commission:

Non-traditional bond financing, 4ER, 62N

State Employees Group Benefits Program, Board of Trustees:

Exclude temporary appointments, 46R

State Employees Retirement System, Board of Trustees:

Monthly meeting, 67P

Wildlife and Fisheries Department:

Wildlife and Fisheries Commission:

Oyster fishing regulations, 64CR

CR—Committee Report

E—Errata EO—Executive Order ER—Emergency Rule

L—Legislation N—Notice of Intent P—Potpourri

PPM—Policy and Procedure Memorandum R—Rule