

CONTENTS

I. EXECUTIVE ORDERS

EWE 85-49—Amends EWE 85-30 relative to Governor’s Study Commission on Ad Valorem Taxation	935
EWE 85-50—Grants private activity bond allocations	935
EWE 85-51—Grants private activity bond allocations	935
EWE 85-52—Requires local governing authorities to report financial aid	936
EWE 85-53—Grants private activity bond allocations	936
EWE 85-54—Grants private activity bond allocations	937
EWE 85-55—Grants private activity bond allocations	937
EWE 85-56—Reestablishes the Academic Advisory Board to CODOFIL	938
EWE 85-57—Creates the Louisiana Historical Records Advisory Commission	938
EWE 85-58—Creates the Red River Valley Area Council	938
EWE 85-59—Grants private activity bond allocations	939
EWE 85-60—Establishes the Governor’s Louisiana Housing Commission	940
EWE 85-61—Grants private activity bond allocations	940
EWE 85-62—Grants private activity bond allocations	941

II. EMERGENCY RULES

Agriculture Department:	
Office of Agricultural and Environmental Sciences—Apiary quarantine, honey bee tracheal mites	941
Health and Human Resources Department:	
Office of Family Security—MAP - Personal care needs allowance for Medicaid recipients in Skilled ICF facilities	942
MAP - Service limitations for inpatient hospital services	942

III. RULES

Agriculture Department:	
Office of Agricultural and Environmental Sciences—Advisory Commission on Pesticides - Amends LAC 7:13139, Restrictions on Application of Certain Pesticides	942
Advisory Commission on Pesticides - Adopts LAC 7:13112, Chart of Tolerances; Amends LAC 7:13127, Certification of Agricultural Consultants; Adopts LAC 7:13119, Examinations of Applicators, Salespersons and Agricultural Consultants; Amends LAC 7:13147, Regulations Governing Bulk Pesticides	943
Feed Commission - Amends LAC 7:10703, Label Format; Amends LAC 7:10721, Fees; Amends LAC 7:10723, Protein Value; Amends LAC 7:10745, Registration Refused or Cancelled	943
Commerce Department:	
Office of Commerce and Industry—Finance Division - Industrial assistance	944
Education Department:	
Board of Elementary and Secondary Education—Bulletin 741 - Credit for secondary students attending vo-tech summer school	945
Proprietary School Commission—Cancellation and refund policy	945
Governor’s Office:	
Division of Administration—Facility Planning and Control Department - Procurement of rented or leased space	946
Office of Elderly Affairs—Annual financial reporting, auditing	946
Health and Human Resources Department:	
Board of Embalmers and Funeral Directors—Internship	946
Office of Family Security—Emergency Repatriation Program	946
MAP - ADHC Program suspended	947
MAP - Reimbursement methodology for inpatient hospital services: transplant	947
Office of Preventive and Public Health Services—Family Planning Program	947
Revenue and Taxation Department:	
Sales Tax Section—Computer software subject to general sales tax	949
Transportation and Development Department:	
Board of Registration for Professional Engineers and Land Surveyors—LAC 19-3:9.3 and 19-3:12.1.2	949
Office of Public Works—Water well standards	950
Treasury Department:	
Board of Trustees of the State Employees Group Benefits Program—Health Maintenance Organizations	979
Bond Commission—Vacancy guidelines for multifamily housing developments	981
Wildlife and Fisheries Department:	
Wildlife and Fisheries Commission—Ban netting on Lake Bisteneau	981
Net ban in part of Lacassine Bayou	982

IV. NOTICES OF INTENT

Civil Service Department:	
Board of Ethics for Elected Officials—Personal Financial Disclosure Form	982
Civil Service Commission—Hearing to consider proposed changes in classification and pay plan	982
Commerce Department:	
Board of Certified Public Accountants—LAC 11-9 amendments	983
Culture, Recreation and Tourism Department:	
Division of Black Culture—Grant guidelines	983

This public document was published at a total cost of \$8,755.04. 1,475 copies of this public document were published in this monthly printing at a cost of \$3,983.96. The total cost of all printings of this document including reprints is \$8,755.04. This document was published by Moran Colorgraphic, 5425 Florida Blvd., Baton Rouge, LA 70806, as a service to the state agencies in keeping them cognizant of the new rules and regulations under the authority of R.S. 49:950-970. This material was printed in accordance with standards for printing by state agencies established pursuant to R.S. 43:31. Printing of this material was purchased in accordance with the provisions of Title 43 of the Louisiana Revised Statutes.

Education Department:	
Board of Elementary and Secondary Education—Bulletin 741 amendment	984
Suspension and expulsion of Vocational Technical students	986
Textbook adoption time frame	987
Textbook publishers	988
World Geography Curriculum Guidelines	988
Environmental Quality Department:	
Office of Solid and Hazardous Waste—Hazardous waste amendments	988
Underground storage tank regulations	989
Governor's Office	
Division of Administration—Repeals Policy and Procedure Memoranda	990
Office of Telecommunications Management	990
Health and Human Resources Department:	
Board of Examiners for Nursing Home Administrators—Amends Rules 11, 18 and 19	991
Board of Examiners for Sanitarians—Bylaws and regulations	991
Board of Examiners for Hearing Aid Dealers—Bylaws	993
Office of Family Security—AFDC and RCA Programs - Monthly reporting	995
Food Stamp Program - Monthly reporting in food stamps	996
MAP - Delete prior authorization for surgical procedures	997
Pharmacy Program - LMAC, Addition of drugs	998
Support Enforcement Program - Collections notice	1008
Support Enforcement Program - Release of payment history to consumer reporting agencies	1008
Support Enforcement Program - Spousal support	1009
Support Enforcement Program - State tax refunds	1009
Office of Management and Finance—Division of Policy, Planning and Evaluation - Section 1122 Definitions; Expenditures	1010
Division of Policy, Planning and Evaluation - Evidence of obligation/expiration of approval	1010
Office of Preventive and Public Health Services—Birth rosters	1010
Central Registry of Congenital Anomalies and Spinal Cord Dysfunctions	1011
Commodity Supplemental Food Program - Uniform procedures for fair hearings	1012
Declaratory orders and rulings	1013
Drinking Water Program	1014
Fluoridation Program	1015
Food and Drug Control Unit—Product registration, fees, penalties	1015
Handicapped Children's Services	1017
High Blood Pressure Control Program	1017
Home Care Services Program	1018
Maternal and Child Health Services	1018
Plans review	1019
Supplemental Security Income/Disabled Children's Program	1020
Tuberculosis Control Program	1020
Vaccine preventable diseases	1021
Venereal Disease Control Program	1021
Vital Records Registry - Marriage records	1022
Vital Records Registry - Program guidelines	1022
Vital Records Registry - Proofs	1024
Water Quality Program	1025
Natural Resources Department:	
Office of Forestry—Indian Creek Recreation Area fees	1026
Office of the Secretary—Fishermen's Gear Compensation Fund fee notice	1026
Public Safety and Corrections Department:	
Corrections Services—Adult offender furlough	1026
Escorted inmates absent from confines of institution	1027
Escorted inmates absent from parish jail or multi-parish prison	1027
Escorted trips of state inmates in absence from community rehabilitation centers	1027
Medical furloughs	1028
Revenue and Taxation Department:	
Sales Tax Section—Reporting format for local sales and use tax	1028
Transportation and Development Department:	
Board of Registration for Professional Engineers and Land Surveyors—Bylaws	1029
Wildlife and Fisheries Department:	
Wildlife and Fisheries Commission—Commercial fishing season in Lake Bruin	1029

V. LOUISIANA ADMINISTRATIVE CODE UPDATE

July - September changes to LAC	1030
---------------------------------------	------

VI. POTPOURRI

Agriculture Department:	
Office of Agricultural and Environmental Sciences—Notice of Honey Bee Trachael Mite quarantine	1030
Health and Human Resources Department:	
Cancer and Lung Trust Fund Board—Deadline for accepting proposals	1030
Office of Family Security—Changes in rulemaking previously published	1031
Natural Resources Department:	
Fishermen's Gear Compensation Fund—Claims	1031
Office of Conservation—Injection and Mining Division - Docket Number UIC 85-30 hearing	1037

VII. ERRATA

Health and Human Resources Department:	
Office of Management and Finance—Division of Policy, Planning and Evaluation—Changes in rule published in LR 11:772	1037

Executive Orders

EXECUTIVE ORDER EWE 85-49

Executive Order Number EWE 85-30, relative to the Governor's Study Commission on Ad Valorem Taxation, is hereby amended to include as a member of the commission one representative of the Louisiana Sheriff's Association. The member shall be appointed and shall serve as specified in Section 2(e) of said order.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this 6th day of September, 1985.

Edwin Edwards
Governor of Louisiana

ATTEST BY
THE GOVERNOR
Jim Brown
Secretary of State

must be delivered to the initial purchasers thereof on or before 60 days from the date hereof, unless an application for a 30-day extension under Section 5.8 of Executive Order Number EWE 84-32, as amended, is timely received by the State Bond Commission staff.

SECTION 4: Pursuant to Section 103(N)(12) of the Internal Revenue Code of 1954, as amended, the undersigned certifies, under penalty of perjury, that the allocations granted hereby were not made in consideration of any bribe, gift, gratuity, or direct or indirect contribution to any political campaign.

SECTION 5: All references herein to the singular shall include the plural and all plural references shall include the singular.

SECTION 6: This executive order shall be effective upon signature of the governor.

IN WITNESS WHEREOF, I have hereunder 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 11th day of September, 1985.

Edwin Edwards
Governor of Louisiana

ATTEST BY
THE GOVERNOR
Jim Brown
Secretary of State

EXECUTIVE ORDER EWE 85-50

WHEREAS, Section 621 of the Tax Reform Act of 1984 (the "Tax Reform Act") restricts the total principal amount of private activity bonds the interest on which is exempt from federal income taxation under Section 103 of the Internal Revenue Code of 1954, as amended (the "bonds"), which may be issued by any state of the United States during each calendar year; and

WHEREAS, the aggregate principal amount of bonds which may be issued in the State of Louisiana (the "state") during the calendar year 1985 is restricted by the Tax Reform Act to \$150 per person, based on the most recently published estimate of population obtained from the U.S. Department of Commerce - Bureau of Census, prior to January 1, 1985 (the "ceiling"); and

WHEREAS, Executive Order Number EWE 84-32 dated October 5, 1984, as amended, provides that the governor of the State of Louisiana is responsible for granting allocations from the ceiling for certain issues of bonds; and

WHEREAS, the governor of the State of Louisiana desires to grant allocations for the hereinafter described bonds;

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

SECTION 1: The bond issues described in this Section is hereby granted an allocation from the ceiling in the amount shown below.

AMOUNT OF ALLOCATIONS	NAME OF ISSUER	NAME OF PROJECT
\$10,000,000	La. Public Facilities Authority Revenue Bonds	T & N Holding Co., Inc. Project
\$ 4,450,000	La. Public Facilities Authority Revenue Bonds	La. Chemical Polymers, Inc. Project

SECTION 2: The allocations granted hereunder are to be used only for the bond issues described in Section 1 and for the general purpose set forth in the "Application for Allocation of a Portion of the State of Louisiana's IDB Ceiling" submitted in connection with the bonds described in Section 1.

SECTION 3: The bonds granted an allocation hereunder

EXECUTIVE ORDER EWE 85-51

WHEREAS, Section 621 of the Tax Reform Act of 1984 (the "Tax Reform Act") restricts the total principal amount of private activity bonds the interest on which is exempt from federal income taxation under Section 103 of the Internal Revenue Code of 1954, as amended (the "bonds"), which may be issued by any state of the United States during each calendar year; and

WHEREAS, the aggregate principal amount of bonds which may be issued in the State of Louisiana (the "state") during the calendar year 1985 is restricted by the Tax Reform Act to \$150 per person, based on the most recently published estimate of population obtained from the U.S. Department of Commerce - Bureau of Census, prior to January 1, 1985 (the "ceiling"); and

WHEREAS, Executive Order Number EWE 84-32 dated October 5, 1984, as amended, provides that the governor of the State of Louisiana is responsible for granting allocations from the ceiling for certain issues of bonds; and

WHEREAS, the governor of the State of Louisiana desires to grant allocations for the hereinafter described bonds;

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

SECTION 1: The bond issues described in this Section is hereby granted an allocation from the ceiling in the amount shown below.

AMOUNT OF ALLOCATIONS	NAME OF ISSUER	NAME OF PROJECT
\$3,500,000	La. Public Facilities Authority Revenue Bonds	The Specialty Papers Company Project
\$ 400,000	La. Public Facilities Authority Revenue Bonds	Pine Hollow Partnership Project
\$2,710,000	La. Public Facilities Authority Revenue Bonds	Spring & Travis Development Project
\$5,500,000	La. Public Facilities Authority Revenue Bonds	NL Industries, Inc. Project

SECTION 2: The allocations granted hereunder are to be used only for the bond issues described in Section 1 and for the general purpose set forth in the "Application for Allocation of a Portion of the State of Louisiana's IDB Ceiling" submitted in connection with the bonds described in Section 1.

SECTION 3: The bonds granted an allocation hereunder must be delivered to the initial purchasers thereof on or before 60 days from the date hereof, unless an application for a 30-day extension under Section 5.8 of Executive Order Number EWE 84-32, as amended, is timely received by the State Bond Commission staff.

SECTION 4: Pursuant to Section 103(N)(12) of the Internal Revenue Code of 1954, as amended, the undersigned certifies, under penalty of perjury, that the allocations granted hereby were not made in consideration of any bribe, gift, gratuity, or direct or indirect contribution to any political campaign.

SECTION 5: All references herein to the singular shall include the plural and all plural references shall include the singular.

SECTION 6: This executive order shall be effective upon signature of the governor.

IN WITNESS WHEREOF, I have hereunder 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 11th day of September, 1985.

Edwin Edwards
Governor of Louisiana

ATTEST BY
THE GOVERNOR
Jim Brown
Secretary of State

EXECUTIVE ORDER EWE 85-52

WHEREAS, local governing authorities are the recipients of financial aid from numerous state and federal agencies; and

WHEREAS, there is currently no single source for identifying the recipients of these grants in aid, the amounts received, or the origin of the funds; and

WHEREAS, federal funds for many programs administered by local governing authorities are being reduced or eliminated in the face of a growing federal deficit; and

WHEREAS, it is critical that state officials in the executive and legislative branches who are responsible for formulating fiscal policy have at their disposal uniform and timely data regarding grant-in-aid to local governing authorities;

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

SECTION 1. All agencies, boards and commissions in the executive branch of government shall submit a report to the Division of Administration biannually 30 days after December 31 and June 30 of the fiscal year for which the report is made, specifying the amounts of funds budgeted for distribution to local authorities and the amounts actually disbursed.

SECTION 2. The commissioner of administration shall promulgate procedures, forms and definitions to provide for the orderly assembly and transmission of the information required by this executive order.

SECTION 3. The commissioner of administration shall upon receipt of the reports required in Section 1 forward a copy of each report to the President of the Senate and the Speaker of the House of Representatives.

SECTION 4. This executive order shall be effective upon the signature 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 13th day of September A.D., 1985.

Edwin Edwards
Governor of Louisiana

ATTEST BY
THE GOVERNOR
Jim Brown
Secretary of State

EXECUTIVE ORDER EWE 85-53

WHEREAS, Section 621 of the Tax Reform Act of 1984 (the "Tax Reform Act") restricts the total principal amount of private activity bonds the interest on which is exempt from federal income taxation under Section 103 of the Internal Revenue Code of 1954, as amended (the "bonds"), which may be issued by any state of the United States during each calendar year; and

WHEREAS, the aggregate principal amount of bonds which may be issued in the State of Louisiana (the "state") during the calendar year 1985 is restricted by the Tax Reform Act to \$150 per person, based on the most recently published estimate of population obtained from the U.S. Department of Commerce - Bureau of Census, prior to January 1, 1985 (the "ceiling"); and

WHEREAS, Executive Order Number EWE 84-32 dated October 5, 1984, as amended, provides that the governor of the State of Louisiana is responsible for granting allocations from the ceiling for certain issues of bonds; and

WHEREAS, the governor of the State of Louisiana desires to grant allocations for the hereinafter described bonds;

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

SECTION 1: The bond issues described in this Section is hereby granted an allocation from the ceiling in the amount shown below.

AMOUNT OF ALLOCATIONS	NAME OF ISSUER	NAME OF PROJECT
\$8,500,000	La. Public Facilities Authority Industrial Revenue Bonds	East Jefferson Parking Garage Limited Partnership Project
\$8,300,000	La. Public Facilities Authority Industrial Revenue Bonds	East Jefferson Medical Office Bldg. Limited Partnership Project

SECTION 2: The allocations granted hereunder are to be used only for the bond issues described in Section 1 and for the general purpose set forth in the "Application for Allocation of a Portion of the State of Louisiana's IDB Ceiling" submitted in connection with the bonds described in Section 1.

SECTION 3: The bonds granted an allocation hereunder must be delivered to the initial purchasers thereof on or before 60 days from the date hereof, unless an application for a 30-day extension under Section 5.8 of Executive Order Number EWE 84-32, as amended, is timely received by the State Bond Commission staff.

SECTION 4: Pursuant to Section 103(N)(12) of the Internal Revenue Code of 1954, as amended, the undersigned certifies, under penalty of perjury, that the allocations granted hereby were not made in consideration of any bribe, gift, gratuity, or direct or indirect contribution to any political campaign.

SECTION 5: All references herein to the singular shall include the plural and all plural references shall include the singular.

SECTION 6: This executive order shall be effective upon signature of the governor.

IN WITNESS WHEREOF, I have hereunder set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge on this 13th day of September, 1985.

Edwin Edwards
Governor of Louisiana

ATTEST BY
THE GOVERNOR
Jim Brown
Secretary of State

IN WITNESS WHEREOF, I have hereunder set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge on this 13th day of September, 1985.

Edwin Edwards
Governor of Louisiana

ATTEST BY
THE GOVERNOR
Jim Brown
Secretary of State

EXECUTIVE ORDER EWE 85-54

WHEREAS, Section 621 of the Tax Reform Act of 1984 (the "Tax Reform Act") restricts the total principal amount of private activity bonds the interest on which is exempt from federal income taxation under Section 103 of the Internal Revenue Code of 1954, as amended (the "bonds"), which may be issued by any state of the United States during each calendar year; and

WHEREAS, the aggregate principal amount of bonds which may be issued in the State of Louisiana (the "state") during the calendar year 1985 is restricted by the Tax Reform Act to \$150 per person, based on the most recently published estimate of population obtained from the U.S. Department of Commerce - Bureau of Census, prior to January 1, 1985 (the "ceiling"); and

WHEREAS, Executive Order Number EWE 84-32 dated October 5, 1984, as amended, provides that the governor of the State of Louisiana is responsible for granting allocations from the ceiling for certain issues of bonds; and

WHEREAS, the governor of the State of Louisiana desires to grant allocations for the hereinafter described bonds;

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

SECTION 1: The bond issues described in this Section is hereby granted an allocation from the ceiling in the amount shown below.

AMOUNT OF ALLOCATIONS	NAME OF ISSUER	NAME OF PROJECT
\$750,000	La. Public Facilities Authority Industrial	JMT Properties, Inc. Project

SECTION 2: The allocations granted hereunder are to be used only for the bond issues described in Section 1 and for the general purpose set forth in the "Application for Allocation of a Portion of the State of Louisiana's IDB Ceiling" submitted in connection with the bonds described in Section 1.

SECTION 3: The bonds granted an allocation hereunder must be delivered to the initial purchasers thereof on or before 60 days from the date hereof, unless an application for a 30-day extension under Section 5.8 of Executive Order Number EWE 84-32, as amended, is timely received by the State Bond Commission staff.

SECTION 4: Pursuant to Section 103(N)(12) of the Internal Revenue Code of 1954, as amended, the undersigned certifies, under penalty of perjury, that the allocations granted hereby were not made in consideration of any bribe, gift, gratuity, or direct or indirect contribution to any political campaign.

SECTION 5: All references herein to the singular shall include the plural and all plural references shall include the singular.

SECTION 6: This executive order shall be effective upon signature of the governor.

EXECUTIVE ORDER EWE 85-55

WHEREAS, Section 621 of the Tax Reform Act of 1984 (the "Tax Reform Act") restricts the total principal amount of private activity bonds the interest on which is exempt from federal income taxation under Section 103 of the Internal Revenue Code of 1954, as amended (the "bonds"), which may be issued by any state of the United States during each calendar year; and

WHEREAS, the aggregate principal amount of bonds which may be issued in the State of Louisiana (the "state") during the calendar year 1985 is restricted by the Tax Reform Act to \$150 per person, based on the most recently published estimate of population obtained from the U.S. Department of Commerce - Bureau of Census, prior to January 1, 1985 (the "ceiling"); and

WHEREAS, Executive Order Number EWE 84-32 dated October 5, 1984, as amended, provides that the governor of the State of Louisiana is responsible for granting allocations from the ceiling for certain issues of bonds; and

WHEREAS, the governor of the State of Louisiana desires to grant allocations for the hereinafter described bonds;

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

SECTION 1: The bond issues described in this Section is hereby granted an allocation from the ceiling in the amount shown below.

AMOUNT OF ALLOCATIONS	NAME OF ISSUER	NAME OF PROJECT
\$4,000,000	La. Public Facilities Authority Industrial	Houma Psychiatric Hospital, Inc. Project

SECTION 2: The allocations granted hereunder are to be used only for the bond issues described in Section 1 and for the general purpose set forth in the "Application for Allocation of a Portion of the State of Louisiana's IDB Ceiling" submitted in connection with the bonds described in Section 1.

SECTION 3: The bonds granted an allocation hereunder must be delivered to the initial purchasers thereof on or before 60 days from the date hereof, unless an application for a 30-day extension under Section 5.8 of Executive Order Number EWE 84-32, as amended, is timely received by the State Bond Commission staff.

SECTION 4: Pursuant to Section 103(N)(12) of the Internal Revenue Code of 1954, as amended, the undersigned certifies, under penalty of perjury, that the allocations granted hereby were not made in consideration of any bribe, gift, gratuity, or direct or indirect contribution to any political campaign.

SECTION 5: All references herein to the singular shall include the plural and all plural references shall include the singular.

SECTION 6: This executive order shall be effective upon signature of the governor.

IN WITNESS WHEREOF, I have hereunder 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 16th day of September, 1985.

Edwin Edwards
Governor of Louisiana

ATTEST BY
THE GOVERNOR
Jim Brown
Secretary of State

EXECUTIVE ORDER EWE 85-56

WHEREAS, since its inception, the Council for the Development of French in Louisiana (CODOFIL) has promoted French studies and French teacher training among all colleges and universities of this state; and

WHEREAS, an Academic Advisory Board to CODOFIL made up of the heads of all foreign language departments or designee was established to advise CODOFIL in this and other appropriate matters; and

WHEREAS, the Academic Advisory Board to CODOFIL has served well in this capacity and has met as needed to organize the CODOFIL study abroad programs and select the state legislature CODOFIL scholarship recipients; and

WHEREAS, the CODOFIL Study Abroad Program is still expanding and is now offered in higher education institutions of France, Belgium and Quebec;

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

SECTION 1: The Academic Advisory Board to CODOFIL is hereby reestablished.

SECTION 2: The Executive Committee of CODOFIL shall appoint one person from each college and university of the state to serve a term of two years on the board. Each member so appointed shall be associated with a French academic program within the college or university with which he is affiliated.

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 23rd day of September, 1985.

Edwin Edwards
Governor of Louisiana

ATTEST BY
THE GOVERNOR
Jim Brown
Secretary of State

EXECUTIVE ORDER EWE 85-57

WHEREAS, the National Historical Publications and Records Commission was created to cooperate with and encourage appropriate federal, state, and local agencies and private and non-governmental institutions, societies, and individuals in collecting, preserving, editing, and publishing the papers of outstanding citizens of the United States and other documents as may be important for an understanding and appreciation of the history of the United States; and

WHEREAS, the preservation, collection, and publication of important historical papers and documents is best achieved through the coordinated efforts of an advisory commission;

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

SECTION 1: There is hereby created in the office of the

secretary of state, Department of State, the Louisiana Historical Records Advisory Commission, to be composed of nine members, each of whom shall be appointed by the governor to serve at his pleasure. The state archivist and director of the archives, records management, and history division of the Department of State, shall be an ex officio member of the commission.

SECTION 2: The commission shall be composed in the following manner:

1. A majority of the members of the commission shall be persons having recognized professional qualifications, experience, and institutional affiliations in the administration of historical records, or in fields of research which make extensive use of such records.

2. The remaining members of the commission shall be representatives of organizations such as historical and genealogical associations which possess known interests in the administration and use of historical records.

3. To the extent possible, the members of the commission shall be representative of the public and private archival and research institutions and organizations of this state.

SECTION 3: The commission shall be chaired by the state archivist, who shall serve as Historical Records Coordinator of the Commission.

SECTION 4: The commission shall serve as an advisory body for historical records planning activities and for projects developed and carried out under the programs of this state. The commission may perform the following duties, including, but not limited to:

1. Sponsor surveys of the condition and needs of historical records in this state, and publish the results of the surveys.

2. Solicit or develop plans for historical records projects to be carried out in this state by institutions or by the commission with financing by the National Historical Publications and Records Commission.

3. Review historical records projects proposed by state institutions and make recommendations thereon to the national commission.

4. Develop, revise annually and submit to the national commission recommended state plans for historical records projects following priorities prescribed by the national commission.

5. Review through reports and otherwise, the operation and progress of approved historical records projects in the state which are financed by the national commission.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this 24th day of September, 1985.

Edwin Edwards
Governor of Louisiana

ATTEST BY
THE GOVERNOR
Jim Brown
Secretary of State

EXECUTIVE ORDER EWE 85-58

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

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

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

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

SECTION 1: The Red River Valley Area Council is hereby created in the office of the governor.

SECTION 2: The council shall be composed of all citizens of the Red River Valley and state and federal agency representatives who actively participate in the committees of the council. The governor shall appoint a chairman of the council who shall serve at the pleasure of the governor.

SECTION 3: The council shall be governed by an executive committee, composed of the following members:

1. The chairman of the council.
2. The chairman of the five Red River Valley Area Council committees, one of whom shall serve as co-chairman.
3. The chairman of the Federal Red River Valley Task Force, who shall serve as the council federal co-chairman.
4. Two representatives of federal agencies, who shall be appointed by the chairman of the Federal Red River Valley Task Force.
5. The assistant secretary of the office of public works, Department of Transportation and Development.
6. The secretary of the Department of Urban and Community Affairs, or her designee.
7. The secretary of the Department of Labor, or his designee.
8. The secretary of the Department of Natural Resources, or his designee.
9. The secretary of the Department of Commerce, or his designee.
10. One member of the Senate who represents the Red River Valley, who shall be appointed by the president of the Senate.
11. One member of the House of Representatives who represents the Red River Valley, who shall be appointed by the speaker of the House.
12. One representative of the National Association of the Advancement of Colored People.
13. One official of a Community Action Agency from the Red River Valley area, to be appointed by the chairman of the Louisiana Association of Community Action Agencies.
14. One representative of an AFL-CIO local having members in the Red River Valley, to be appointed by the state president of the AFL-CIO.
15. One representative of a Chamber of Commerce in the Red River Valley, to be appointed by the president of the Louisiana Association of Business and Industry.
16. One representative of the Minority Business Council of Central Louisiana, to be appointed by the president thereof.
17. One representative of the Red River Valley Association, to be appointed by the chairman thereof.

SECTION 4: The council shall advise the Governor's Rural Development Council and other federal, state, and local officials of appropriate responses to development projects in the Red River Valley. The council further shall propose means of:

1. Insuring that residents of the Red River Valley have an opportunity to secure jobs created by Red River Valley development projects.
2. Meeting the increased demand for public facilities and services created by growth in the Red River Valley.
3. Attracting additional economic development in the Red River Valley.
4. Facilitating the participation of small and minority businesses in the Red River Valley in the Federal construction projects.
5. Obtaining maximum assistance from the federal gov-

ernment to achieve objectives of the President's Small Community and Rural Development Policy.

SECTION 5: The council shall organize committees on community development, economic development, employment and training, energy resource development, and small and minority business development. The governor shall appoint the chairman of each such committee, who shall serve at the pleasure of the governor.

SECTION 6: The council shall meet at least twice a year and at other times at the call of the chairman.

SECTION 7: The council shall make an annual report of its activities to the governor and to the legislature.

SECTION 8: The chairman of the council, acting on behalf of the council and after consultation with the executive committee, is authorized to appoint such professional and clerical staff as may be necessary for the discharge of the duties of the council and is further authorized to contract for, receive, accept and expend any funds made available from public or private sources to carry out the purposes of this order.

SECTION 9: This order shall remain in effect until amended, rescinded, or terminated by operation of law.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this the 25th day of September, 1985.

Edwin Edwards
Governor of Louisiana

ATTEST BY
THE GOVERNOR
Jim Brown
Secretary of State

EXECUTIVE ORDER EWE 85-59

WHEREAS, Section 621 of the Tax Reform Act of 1984 (the "Tax Reform Act") restricts the total principal amount of private activity bonds the interest on which is exempt from federal income taxation under Section 103 of the Internal Revenue Code of 1954, as amended (the "bonds"), which may be issued by any state of the United States during each calendar year; and

WHEREAS, the aggregate principal amount of bonds which may be issued in the State of Louisiana (the "state") during the calendar year 1985 is restricted by the Tax Reform Act to \$150 per person, based on the most recently published estimate of population obtained from the U.S. Department of Commerce - Bureau of Census, prior to January 1, 1985 (the "ceiling"); and

WHEREAS, Executive Order Number EWE 84-32 dated October 5, 1984, as amended, provides that the governor of the State of Louisiana is responsible for granting allocations from the ceiling for certain issues of bonds; and

WHEREAS, the governor of the State of Louisiana desires to grant allocations for the hereinafter described bonds;

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

SECTION 1: The bond issues described in this Section is hereby granted an allocation from the ceiling in the amount shown below.

AMOUNT OF ALLOCATIONS	NAME OF ISSUER	NAME OF PROJECT
\$510,000	La. Public Facilities Authority Industrial	French Quarters Partnership Project

SECTION 2: The allocations granted hereunder are to be used only for the bond issues described in Section 1 and for the general purpose set forth in the "Application for Allocation of a

Portion of the State of Louisiana's IDB Ceiling" submitted in connection with the bonds described in Section 1.

SECTION 3: The bonds granted an allocation hereunder must be delivered to the initial purchasers thereof on or before 60 days from the date hereof, unless an application for a 30-day extension under Section 5.8 of Executive Order Number EWE 84-32, as amended, is timely received by the State Bond Commission staff.

SECTION 4: Pursuant to Section 103(N)(12) of the Internal Revenue Code of 1954, as amended, the undersigned certifies, under penalty of perjury, that the allocations granted hereby were not made in consideration of any bribe, gift, gratuity, or direct or indirect contribution to any political campaign.

SECTION 5: All references herein to the singular shall include the plural and all plural references shall include the singular.

SECTION 6: This executive order shall be effective upon signature of the governor.

IN WITNESS WHEREOF, I have hereunder 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 26th day of September, 1985.

Edwin Edwards
Governor of Louisiana

ATTEST BY
THE GOVERNOR
Jim Brown
Secretary of State

EXECUTIVE ORDER EWE 85-60

WHEREAS, the State of Louisiana is committed to insure the availability of adequate affordable housing for all its citizens, especially the needy; and

WHEREAS, state entities and the private sector must work jointly to produce a sufficient quantity of adequate housing in the proper location to satisfy state housing needs; and

WHEREAS, the federal government has chosen to play a less active role in housing development, leaving more responsibilities to the state:

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

SECTION 1: The Governor's Louisiana Housing Commission is hereby established in the office of the secretary of the Department of Urban and Community Affairs.

SECTION 2: The commission shall be composed of 25 members, each of whom shall be appointed by the governor from a list of nominations submitted by the secretary of the Department of Urban and Community Affairs. Each person so nominated shall be a resident of this state. The secretary of the Department of Urban and Community Affairs shall serve as an ex-officio member of the commission.

SECTION 3: The governor shall appoint the chairman of the commission.

SECTION 4: Each member shall serve at the pleasure of the governor.

SECTION 5: The duties of the commission are to:

1. Seek means of providing adequate and affordable housing to the citizens of this state, especially the needy.

2. Effect coordination between state and federal officials and private citizens, groups, and businesses associated with housing development, marketing, and use.

SECTION 6: The commission shall receive such staff support as may be authorized by the secretary of the Department of Urban and Community Affairs.

SECTION 7: This order shall remain in effect until modified, amended or rescinded by the governor, or until terminated by operation of law.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the city of Baton Rouge, on this 27th day of September, 1985.

Edwin Edwards
Governor of Louisiana

ATTEST BY
THE GOVERNOR
Jim Brown
Secretary of State

EXECUTIVE ORDER EWE 85-61

WHEREAS, Section 621 of the Tax Reform Act of 1984 (the "Tax Reform Act") restricts the total principal amount of private activity bonds the interest on which is exempt from federal income taxation under Section 103 of the Internal Revenue Code of 1954, as amended (the "bonds"), which may be issued by any state of the United States during each calendar year; and

WHEREAS, the aggregate principal amount of bonds which may be issued in the State of Louisiana (the "state") during the calendar year 1985 is restricted by the Tax Reform Act of \$150 per person, based on most recently published estimate of population obtained from the U.S. Department of Commerce - Bureau of Census, prior to January 1, 1985 (the "ceiling"); and

WHEREAS, Executive Order Number EWE 84-32 dated October 5, 1984, as amended, provides that the governor of the State of Louisiana is responsible for granting allocations from the ceiling for certain issues of bonds; and

WHEREAS, the governor of the State of Louisiana desires to grant allocations for the hereinafter described bonds;

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

SECTION 1: The bond issues described in this section is hereby granted an allocation from the ceiling in the amount shown below.

AMOUNT OF ALLOCATIONS	NAME OF ISSUER	NAME OF PROJECT
\$20,000,000	La. Offshore Terminal Authority Deepwater Port Revenue Bonds	LOOP, INC. Project

SECTION 2: The allocations granted hereunder are to be used only for the bond issues described in Section 1 and for the general purpose set forth in the "Application for Allocation of a Portion of the State of Louisiana's IDB Ceiling" submitted in connection with the bonds described in Section 1.

SECTION 3: The bonds granted an allocation hereunder must be delivered to the initial purchasers thereof on or before 60 days from the date hereof, unless an application for a 30-day extension under Section 5.8 of Executive Order Number EWE 84-32, as amended, is timely received by the State Bond Commission staff.

SECTION 4: Pursuant to Section 103(N)(12) of the Internal Revenue Code of 1954, as amended, the undersigned certifies, under penalty of perjury, that the allocations granted hereby were not made in consideration of any bribe, gift, gratuity, or direct or indirect contribution to any political campaign.

SECTION 5: All references herein to the singular shall include the plural and all plural references shall include the singular.

SECTION 6: This executive order shall be effective upon signature of the governor.

IN WITNESS WHEREOF, I have hereunder 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 2nd day of October, 1985.

Edwin Edwards
Governor of Louisiana

ATTEST BY
THE GOVERNOR
Jim Brown
Secretary of State

EXECUTIVE ORDER EWE 85-62

WHEREAS, Section 621 of the Tax Reform Act of 1984 (the "Tax Reform Act") restricts the total principal amount of private activity bonds the interest on which is exempt from federal income taxation under Section 103 of the Internal Revenue Code of 1954, as amended (the "bonds"), which may be issued by any state of the United States during each calendar year; and

WHEREAS, the aggregate principal amount of bonds which may be issued in the State of Louisiana (the "state") during the calendar year 1985 is restricted by the Tax Reform Act to \$150 per person, based on the most recently published estimate of population obtained from the U.S. Department of Commerce - Bureau of Census, prior to January 1, 1985 (the "ceiling"); and

WHEREAS, Executive Order Number EWE 84-32 dated October 5, 1984, as amended, provides that the governor of the State of Louisiana is responsible for granting allocations from the ceiling for certain issues of bonds; and

WHEREAS, the governor of the State of Louisiana desires to grant allocations for the hereinafter described bonds;

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

SECTION 1. The bond issues described in this section is hereby granted an allocation from the ceiling in the amount shown below.

AMOUNT OF ALLOCATIONS	NAME OF ISSUER	NAME OF PROJECT
\$106,968.48	La. Agricultural Finance Authority Agricultural Revenue Bonds	Ed Patrick
\$ 62,500.00	La. Agricultural Finance Authority Agricultural Revenue Bonds	Doucet Grain, Inc.
\$800,000.00	La. Agricultural Finance Authority Agricultural Revenue Bonds	Rapides-Grant Gin, Inc.
\$228,000.00	La. Agricultural Finance Authority Agricultural Revenue Bonds	Charles D. and Candice L. Richardson
\$112,182.00	La. Agricultural Finance Authority Agricultural Revenue Bonds	Hall's Brake, Inc.
\$ 25,875.00	La. Agricultural Finance Authority Agricultural Revenue Bonds	Donald Dawson
\$ 52,924.00	La. Agricultural Finance Authority Agricultural Revenue Bonds	James R. McAndrew

\$139,725.00	La. Agricultural Finance Authority Agricultural Revenue Bonds	Willie T. Sensley
\$ 92,826.00	La. Agricultural Finance Authority Agricultural Revenue Bonds	James E. Pouncey, Jr.
\$150,000.00	La. Agricultural Finance Authority Agricultural Revenue Bonds	Mansfield Cold Storage
\$422,300.00	La. Agricultural Finance Authority Agricultural Revenue Bonds	Ag-Warehouse, Inc.
\$400,000.00	La. Agricultural Finance Authority Agricultural Revenue Bonds	T. Cvitanovich Seafood, Inc.

SECTION 2: The allocations granted hereunder are to be used only for the bond issues described in Section 1 and for the general purpose set forth in the "Application for Allocation of a Portion of the State of Louisiana's IDB Ceiling" submitted in connection with the bonds described in Section 1.

SECTION 3: The bonds granted an allocation hereunder must be delivered to the initial purchases thereof on or before 60 days from the date hereof, unless an application for a 30-day extension under Section 5.8 of Executive Order EWE 84-32, as amended, is timely received by the State Bond Commission staff.

SECTION 4: Pursuant to Section 103(N)(12) of the Internal Revenue Code of 1954, as amended, the undersigned certifies, under penalty of perjury, that the allocations granted hereby were not made in consideration of any bribe, gift, gratuity, or direct or indirect contribution to any political campaign.

SECTION 5: All references herein to the singular shall include the plural and all plural references shall include the singular.

SECTION 6: This executive order shall be effective upon signature of the governor.

IN WITNESS WHEREOF, I have hereunder 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 8th day of October, 1985.

Edwin Edwards
Governor of Louisiana

ATTEST BY
THE GOVERNOR
Jim Brown
Secretary of State

Emergency Rules

DECLARATION OF EMERGENCY

**Department of Agriculture
Office of Agricultural and Environmental Sciences
Apiary Law**

In accordance with the emergency provisions of the Administrative Procedure Act (R.S. 49:953 (B)) and the authority of the state entomologist under the provisions of R.S. 3:2304, notice

is hereby given that the state entomologist for the Department of Agriculture has confirmed the presence of the highly contagious honey bee tracheal mite in the State of Louisiana and has established a quarantine to prevent the spread of the mite.

Extensive sampling and testing have confirmed the mite's presence in a certain geographically restricted area. Effective September 23, 1985, the state entomologist imposed a quarantine against any and all movement of restricted material, except by special permit, within or out of the following area in order to protect the apiary industry:

That portion of Iberia Parish in T 12 S, R 7 E, lying west of Highway 344 and north of Highway 86.

That portion of Iberia Parish in T 12 S, R 6 E, lying east of Highway 31 and north of Highway 86, connected by Highway 182.

That portion of Iberia Parish in T 11 S, R 6 E, east of Highway 31 and south of Highway 347, bounded by a line following Highway 31 to the parish line, following parish line in a northeasterly direction to Highway 347, then following Highway 347 southeastward to the intersection with Highway 86.

That portion of Iberia Parish in T 11 S, R 7 E, lying south of an imaginary line from the intersection of Highway 347 and Highway 86, to a point where Highway 344 crosses the T 11 S-T 12 S dividing line, the starting point.

Restricted articles include colonies of bees, nuclei, comb or combless packages of bees, queens, used or secondhand beekeeping fixtures or equipment, and anything that has been used in operating an apiary.

Under the authority of R.S. 3:2304, the state entomologist, his agents, and employees shall inspect the above-mentioned restricted articles for the purpose of ascertaining if any bees are infected with honey bee tracheal mites and may require the destruction of any bees or beekeeping fixtures or equipment that may be infected.

The declaration of emergency for the Acarine Mite which was adopted on August 12, 1985 is hereby repealed in its entirety.

Bob Odom
Commissioner

John W. Impson
State Entomologist

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 provisions of the Administrative Procedure Act, R.S. 49:953B, to adopt the following rule in the Medical Assistance Program.

SUMMARY

The Personal Care Needs Allowance for Medicaid Recipients in Skilled and ICF Facilities was reduced effective August 1, 1985, to \$25 by emergency rulemaking necessary to insure the availability of funds to provide medically necessary services throughout the fiscal year. This emergency rule modifies the emergency published in the *Louisiana Register*, Volume 11, Number 8 dated August 20, 1985, as requested by the Legislative Budget Committee, by increasing the Personal Care Needs Allowance from \$25 to \$35.

Adoption of this emergency rule will restore Optional State Supplementation payments of up to \$10 per month beginning October 1, 1985, as allowed by 42CFR 435.725; .733; and .832.

EMERGENCY RULEMAKING RULE

Effective October 1, 1985, the Personal Care Needs Allow-

ance for Medicaid recipients in skilled and intermediate care facilities will be \$35 for individuals and \$70 for couples.

REGULATORY EXCEPTION

Implementation of this rule is dependent on the approval of the Health Care Financing Administration (HCFA). Disapproval of the change by HCFA will automatically cancel the provision of this rule and current policy will remain in effect.

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

DECLARATION OF EMERGENCY

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, has exercised the emergency provision of the Administrative Procedure Act, R.S. 49:953B, to rescind an emergency rule and reinstate prior policy in the Medical Assistance Program.

Summary

In order to maintain levels of services in other departmental programs within budgetary constraints, emergency rulemaking was invoked August 1, 1985, to eliminate the provision which permitted extension of hospital days beyond the limit of 15 days per calendar year per recipient when certain criteria were met. This change was subject to the review of the Joint Legislative Committee on Budget. In accordance with the committee's decision, the department is rescinding its earlier emergency rule.

The Medical Assistance Program shall, simultaneously, with the rescission of the above rule, reinstate policy concerning extension of hospital days as it existed prior to August 1, 1985. This policy is found in the Title XIX State Plan at Attachment 3.1A, Item 1, pages 2-4 and is in accordance with 42 CFR 440.230.

Rule

Effective September 20, 1985, the Medical Assistance Program hereby rescinds the emergency rule adopted August 1, 1985, which eliminated the provision for additional hospital days beyond the 15-day limit per calendar year per recipient, as published in the August 20, 1985, *Louisiana Register* (Volume 11, Number 8, page 755).

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

Rules

RULE

Department of Agriculture Office of Agricultural and Environmental Sciences Advisory Commission on Pesticides

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950 et seq.) and R.S. 3:3213, the Department of Agriculture, Advisory Commission on Pesticides, has adopted the amendments detailed below in accordance with the notice of intent which was published in the *Louisiana Register* on April 20, 1985.

LAC 7:13139(A) should be amended as follows:

A. The commission hereby declares that, in addition to all other pesticides classified by EPA as restricted use pesticides, the

pesticides listed in LAC 7:13139(B) are classified as restricted use pesticides within the state of Louisiana, except:

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

LAC 7:13139(G) should be amended as follows:

G. No commercial applicator may make application of the following pesticides when the wind speed is at 10 miles per hour or above:

- | | |
|--|----------|
| 1. 3:4-Dichloropropionanilide | Propanil |
| 2. 1:1-Dimethyl-4, 4'-Bipyridinium (cation) dichloride | Paraquat |

Bob Odom
Commissioner

RULE

Department of Agriculture Office of Agricultural and Environmental Sciences Advisory Commission on Pesticides

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950 et seq.) and R.S. 3:2303, the Department of Agriculture, Advisory Commission on Pesticides, has adopted the amendments detailed below in accordance with the notice of intent published in the *Louisiana Register* on June 20, 1985.

Adopt LAC 7:13112:

§13112. Chart of tolerances

Content of active ingredients on all pesticides should be at the level of guarantee. However, determination of compliance based on assay of a single sample shall be made as follows:

A. A single sample whose assay deviates below the stated guarantee shall be considered in compliance except as noted in (B), below, if its active ingredients are found to be within the following ranges:

Active Ingredient % Guaranteed	Allowable Deviation Below Guarantee
Up to 1.00%	15% of Guarantee
1.01% - 19.99%	0.1 plus 5% of Guarantee
20.00% - 49.99%	0.5 plus 3% of Guarantee
50.00% - 100.00%	1.0 plus 2% of Guarantee

B. A single sample whose assay deviates below the stated guarantee beyond the above limits may not be considered "deficient" if special sampling problems such as those associated with fertilizer-pesticide mixtures and granular formulations or if problems associated with accuracy, specificity or reproductibility of the method of analysis can reasonably be expected to have contributed to the lower assay.

C. A single sample whose assay ranges above the stated guarantee shall be judged individually. However, an assay ranging above the stated guarantee shall not be considered violative if:

- 1. No illegal residue can be expected to result when product is used according to label directions.
 - 2. No significant increase in hazard to man or the environment can be expected to result when product is used according to label directions.
 - 3. Stability of the formulation or ingredients thereof require overformulation to insure that assay over a period stated on the label shall not fall below the minimum provided in (A), above.
- Amend LAC 7:13127(D)(2)(Category 4):

§13127. Certification of agricultural consultants

* * *

D. Certification of agricultural consultants

* * *

2. Applicants for certification as agricultural consultants shall elect to be examined in one or more of the following categories:

* * *

Category 4. Soil management

a. Agricultural field soil management

Knowledgeable in symptoms of soil and/or tissue nutrient problems; sampling techniques for soil and/or tissue analysis; interpretation of laboratory results; and recommendations for soil and/or tissue amendments.

b. Agricultural soil, water and tissue laboratory analysis

Knowledgeable of all diagnostic procedures pertaining to analysis of soil, water and/or tissue samples.

c. Agricultural soil reclamation

Knowledgeable of techniques, methods, etc. for restoring or attempting to restore soil productivity as a result of physical and/or chemical disturbance or natural causes such as severe erosion or contaminated soils.

d. Agricultural water management

Knowledgeable of irrigation scheduling practices and techniques for various enterprises requiring water on a regular or intermittent basis.

Adopt LAC 7:13119(H):

§13119. Examinations of applicators, salespersons and agricultural consultants

* * *

H. All applicants for private applicators' certification must be at least 16 years of age or emancipated minor. All applicants for salesperson certification must be at least 18 years of age or emancipated minor.

Amend LAC 7:13147(A) and LAC 7:13147(B):

§13147. Regulations governing bulk pesticides

A. Definitions

* * *

Bulk repackaging means the transfer of bulk quantities of a registered pesticide from on bulk container to another bulk container in an unaltered state in preparation for sale to another person.

B. No person shall install or operate facilities engaged in bulk distribution of restricted use pesticides to owner-operators or private applicators in this state unless such person has made written notification of such activity by completing the form prescribed by the commissioner. In addition, manufacturers are prohibited from selling bulk pesticides to dealers that do not have proper facilities.

Bob Odom
Commissioner

RULE

Department of Agriculture Office of Agricultural and Environmental Sciences Feed Commission

In accordance with the Administrative Procedure Act (R.S. 49:950 et seq.) and R.S. 3:1892, the Department of Agriculture, Feed Commission, has adopted the amendments detailed below pursuant to the notice of intent published in the *Louisiana Register* on August 20, 1985.

LAC 7:10703(A)(4)(h)(i) should be amended to read as follows:

- i. Guarantees for minerals are not required when there are

no specific label claims and when the commercial feed contains less than six and one-half percent of the total of calcium, phosphorus, sodium and chloride. Except that all commercial feeds for dairy use sold in bulk shall be accompanied by a label stating the content of these minerals.

LAC 7:10721(F) should be amended to read as follows:

F. In the case of a commercial feed which is distributed in this state only in packages of 10 pounds or less, an annual fee of \$100 shall be paid in lieu of the inspection fee provided in Subsection D of this Section.

LAC 7:10723 should be amended to include Subsection C:

C. Penalties shall be assessed as provided for in R.S. 3:1900. If an official sample shows that feed ingredients bought by a feed manufacturer is deficient, any penalties from this deficiency shall be paid by the supplier of the ingredients to the manufacturer that bought the ingredients.

LAC 7:10745(A)(2) should be amended to read as follows:

2. The processed animals waste product contains any pathogenic organisms, drug residues, pesticide residues, harmful parasites or other toxic or deleterious substance above levels permitted by state regulations, Federal Food, Drug and Cosmetic Act, Section 406, 408, 409 and 706, or which could be harmful to animals, or which could result in residue in the tissue or by-products of animals above levels determined to be harmful.

Bob Odom
Commissioner

RULE

Department of Commerce Office of Commerce and Industry Finance Division

The Louisiana Board of Commerce and Industry adopts the following rules regarding industrial assistance as authorized by R.S. 4301-4306.

RULE 1. Use of Louisiana Contractors, Labor and Supplies

The Board of Commerce and Industry requires manufacturers and their contractors to give preference and priority to Louisiana manufacturers and in the absence of Louisiana manufacturers, to Louisiana suppliers, engineers, contractors and labor, except where not reasonably possible to do so without added expense or substantial inconvenience or sacrifice in operational efficiency. In considering applications for tax exemption, special attention will be given to those applicants agreeing to use, purchase and contract for machinery, supplies and equipment manufactured in Louisiana, or, in the absence of Louisiana manufacturers, sold by Louisiana residents, and to the use of Louisiana residents, and to the use of Louisiana engineers, contractors and labor in the construction and operation of proposed tax exempt facilities. It is a legal and moral obligation of the manufacturers receiving exemptions to favor Louisiana manufacturers, suppliers, contractors and labor, all other factors being equal.

RULE 2. Qualifications

To qualify for the exemption, the applicant must be a manufacturer with Louisiana manufacturing plants which are currently in operation. The applicant must be able to demonstrate to the Board's satisfaction that with the aid of the exemption they will remain a viable company that will continue to grow and prosper in Louisiana. The applicant will not be eligible for this program if the manufacturing establishment has been assessed two or more criminal penalties, pursuant to R.S. 30:1073, (environmental violations) within 24 months preceding the application.

RULE 3. How to Apply

The application for the exemption shall be filed on the pre-

scribed forms and be addressed to: Office of Secretary, Department of Commerce, % Finance Division, Office of Commerce and Industry, Box 94185, Baton Rouge, Louisiana 70804-9185.

At the time the application is filed with the Department of Commerce, a notice of the application and the amount and type of exemption requested shall be transmitted by the manufacturer to each member of the legislature and to the assessor and governing authority of each political subdivision wherein said manufacturing establishment is located.

RULE 4. Additional Information May Be Required

In addition to the information contained in the application, the applicant shall make available any additional information and records the Secretary of Commerce or the Board of Commerce and Industry may request.

RULE 5. Public Hearings

The Industrial Assistance Review Committee of the Board of Commerce and Industry shall conduct public hearings on any application for exemption. The Secretary of Commerce shall present his recommendations to the Committee. After due consideration to all facts and testimony, the Industrial Assistance Review Committee shall make its recommendations to the full Board of Commerce and Industry at its next regular meeting.

RULE 6. Requirements for Exemption

The Secretary of Commerce, the Board of Commerce and Industry, the Governor and the Joint Legislative Committee of the Budget may consider any and all factors which are relevant to the continued operations of the applicant. These should include, but not be limited, to the following:

(a) The benefits to the State in terms of continued employment opportunities, payroll, expenditures for goods and services, contributions to the revenue base of the state and local governments and the creation of new and additional permanent jobs.

(b) Competitive conditions existing in other states or in foreign nations.

(c) The economic viability of the applicant and the effect of any tax exemption on economic viability.

(d) The effects on applicants of the temporary supply and demand conditions.

(e) The effects of casualties and/or natural disasters.

(f) The effects of United States and foreign trade policies.

(g) The effect of federal laws and regulations bearing on the economic viability of the applicant within the State.

(h) The competitive effect of like or similar exemptions granted to other applicants.

(i) The record of civil violations of the applicant pursuant to R.S. 30:1073 (environmental violations).

RULE 7. Approval of the Joint Legislative Committee of the Budget and the Governor

The Board of Commerce and Industry, after acting on the application, shall forward its recommendations together with all supporting documents and the recommendations of the Department of Commerce to the Governor and the Joint Legislative Committee of the Budget, the assessor of the parish in which the plant is located, each member of the legislature, and the governing authority of each political subdivision as required by the statute. Whenever the Governor and the Joint Legislative Committee of the Budget finds that a manufacturing establishment satisfies the requirements of the law, they shall advise the Board of Commerce and Industry that it may, subject to any restrictions imposed by the Governor or the Joint Legislative Committee of the Budget, enter into a contract with such establishment exempting it from taxation.

RULE 8. Taxes to be Exempt

Unless the Board of Commerce and Industry recommends, and unless the Joint Legislative Committee of the Budget

approves otherwise, the tax to be exempt will be used in the following order:

- (1) The corporation franchise tax.
- (2) Sales and use taxes imposed by the state on any goods, services, material and supplies necessary for or used in manufacturing or production of a product or consumed by the applicant.
- (3) Sales and use taxes imposed by the State on machinery and equipment to be used by the applicant, or materials and building supplies, whether purchased directly or through a contractor, to be used in the repair, reconstruction, modification or construction of plant and facilities.
- (4) The corporation income tax.
- (5) Any other taxes imposed directly by the state on the applicant.

RULE 9. Limits to Amount of Tax Exemption

The total amount of tax exemptions that can be granted to any single applicant cannot exceed five percent of the available amount for tax exemptions under this program for any fiscal year except when upon further recommendation of the board and approval of the Joint Legislative Committee of the Budget and the Governor it can be clearly demonstrated that an additional amount, not to exceed five percent of the available amount, can materially improve the viability and stability of the applicant's operation in Louisiana. There will also be a maximum amount of tax exempted during any year of each contract.

RULE 10. Contract Subject to Annual Audit and Review

The contractee will be subject to an annual audit by the Finance Division of the Office of Commerce and Industry. The contract will be reviewed annually by both the Board of Commerce and Industry and the Joint Legislative Committee of the Budget. Should the audit or review uncover a violation of the contract, the Board of Commerce and Industry with the approval of the Governor and the Joint Legislative Committee of the Budget, shall give notice, thereof, in writing, and unless the violation is corrected within 90 days, any remaining portion of the exemption from taxation granted under any contract entered into under this statute may be cancelled. The contract may also be cancelled if the contractee can no longer demonstrate a need for the exemption.

RULE 11. Renewing the Contract

The initial contract can be entered into for any period not exceeding five years. Each contract may be renewed for periods of up to five years providing that the contractee can show that it is in the best interest of the State of Louisiana to extend the contract. The renewal must be recommended by the Department of Commerce, the Board of Commerce and Industry and approved by the Joint Legislative Committee of the budget and the Governor.

Robert Paul Adams
Director

RULE

Board of Elementary and Secondary Education

Notice is hereby given that the Board of Elementary and Secondary Education, pursuant to Notice of Intent published on July 20, 1985 and under the authority contained in Louisiana State Constitution (1974), Article VIII, Section 3; Act 455 of the Regular Session; approved the following amendment to Bulletin 741 relative to secondary students attending a postsecondary vocational technical school summer program:
Rule 3.01.51.x

"Secondary students may attend a postsecondary vocational-technical school summer program and receive one unit of credit or more provided the appropriate number of clock hours of instructions and course requirements are satisfied. Further, the ap-

propriate number of clock hours offered is to be consistent with the existing requirements of Bulletin 741, i.e. 180 hours for one Carnegie unit, 270 hours for one and one-half Carnegie units." This applies to postsecondary vocational-technical school summer programs only.

James V. Soileau
Executive Director

RULE

Department of Education Proprietary School Commission

Louisiana Proprietary School Commission Minimum Cancellation and Refund Policy

Refund policy: The institution must have a definite, equitable, and established refund policy which must be published in the catalog and uniformly administered to all students. The following applies as a minimal policy for all students in all institutions.

(a) *Notice:* Refunds must be made regardless of whether the student provides written notification. The date of withdrawal for refund purposes is the last date of recorded attendance.

(b) *Three-business-day cancellation:* All monies paid by a student shall be refunded if requested within three business days after signing an enrollment agreement and making an initial payment.

(c) *Cancellation after the three-business-day cancellation period but prior to commencement of classes by the student:* If tuition is collected in advance and if the student does not begin classes, not more than \$150 registration fee shall be retained by the institution. Appropriate refunds for the student who does not begin classes shall be made within 30 days of the start of the quarter, term, or semester.

(d) The maximum charge for registration fee is \$150.

(e) *Withdrawal after commencement of classes by the student:*

(1) For institutions that obligate the student financially for tuition only for a period of time less than 300 clock hours, the following refund will be acceptable:

after a student has completed less than 15 percent of the course, the institution shall refund at least 80 percent of the tuition, less the registration fee, thereafter,

after a student has completed less than one-fourth of the course, the institution shall refund at least 70 percent of tuition, less the registration fee, thereafter,

after the student has completed one-fourth but less than one-half of the course, the institution shall refund at least 45 percent of tuition, less the registration fee, thereafter,

after the student has completed one-half or more of the course, the institution may retain 100 percent of tuition.

(2) For institutions that obligate the student financially for tuition for a period longer than a standard quarter or semester and up to one calendar year, in cases of withdrawal after commencement of classes by the student, the following refund policy for the stated tuition during the period of financial obligation will be acceptable:

during the first week of classes, the institution shall refund at least 90 percent of tuition, less the registration fee, thereafter,

during the next three weeks of classes, the institution shall refund at least 75 percent of tuition, less the registration fee, thereafter,

during the first 25 percent of the course, the institution shall refund at least 55 percent of the tuition, less the registration fee, thereafter,

during the second 25 percent of the course, the institution

shall refund at least 30 percent of tuition, less the registration fee, thereafter,

the institutional policy may commit the student to the entire obligation.

(3) For institutions with programs longer than 12 months and which financially obligate the student for any period beyond 12 months, in addition to the refund practice as stated in (c) (2) above, the institution shall refund 100 percent of any tuition collected for the obligation to pay beyond the 12 months and shall release the student of the obligation to pay beyond the 12 months if the student withdraws during the prior 12-month period.

Units of credit earned are not the criterion in implementing this policy; rather, it is the amount of time attended. Any unused portion of the book fee will be refunded.

(4) Any correspondence regarding cancellation and settlement between the student and the institution, banks, collection agencies, lawyers, or any third persons representing the institution must clearly acknowledge the existence of the cancellation and refund policy.

(5) If promissory notes or contracts for tuition are sold or discounted to third parties, the institution must comply with the cancellation and refund policy outlined in this section. Holders in due course are to be notified of the policies of the institution.

(6) Business practices used by the institution must reflect sound ethical procedures.

(7) For courses consisting of a combination of home study lessons and resident training, not more than \$150 will be retained by the school for those students who fail to enter resident training, unless the school submits affirmative evidence acceptable to the proprietary school commission disclosing the home study lessons are of such quality and content as to reasonably assure that the students will achieve the stated objective without the resident training portion of the course.

Andrew H. Gaspercz
Executive Secretary

RULE

Office of the Governor Division of Administration Office of Facility Planning and Control

The commissioner of administration has revised the regulations and procedures for the procurement of rented or leased space by state agencies. The revision is to Part VI, Section C of the current rules.

PART VI: Resolution of Controversies

SECTION C: Appeal

If an aggrieved party is not satisfied with the rendered decision, then that party may appeal said decision in writing to the commissioner of administration within seven days of the decision. The protesting party should fully explain the basis of his appeal. The commissioner then must render a decision in writing within 14 days of receipt of the appeal. The commissioner's decision is final and an aggrieved party may bring judicial action within two weeks from receipt of said decision.

Joseph P. Gossen
Assistant Director

RULE

Office of the Governor Office of Elderly Affairs

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, notice is hereby given that the Governor's Office

of Elderly Affairs (GOEA) has amended the GOEA Policy Manual, effective October 20, 1985. The purpose of the amendment is to revise Subsection VI of Section 800, entitled "Annual Financial Reporting" to reflect the changes in Subsection IX, entitled "Policy on Audits," which became effective September 20, 1985. An emergency rule, effective September 20, 1985, was adopted by the GOEA to enact this revision and the revision of Subsection IX simultaneously.

Final Rule

Under Section 800 - Fiscal Requirements, Subsection VI - Annual Financial Reporting, change Chapter 3: Disposition of Reports, to read as follows:

"A copy of the completed audit report and the management letter, if any, shall be filed with the Governor's Office of Elderly Affairs and with the legislative auditor within 150 days of the close of the audit period. Failure to file a copy of an audit report with the Governor's Office of Elderly Affairs may result in delay or suspension of funding."

Sandra C. Adams
Director

RULE

Department of Health and Human Resources Board of Embalmers and Funeral Directors

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950 et seq.) the Louisiana State Board of Embalmers and Funeral Directors in accordance with the authority granted under R.S. 37:840 and pursuant to the notice of intent published July 20, 1985 adopted the following amendments to rules and regulations on September 23, 1985:

Rule 3—Internship

Section 5. The secretary, upon notification by the applicant, will inform the licensed person responsible for the training of the intern of the rules and regulations concerning the internship and that he will be responsible to the board for the application and enforcement of these rules and regulations.

Credit for funeral director and/or embalmer internship shall not be allowed to any person while he is in military service or while enrolled as a full-time student in a mortuary college or a university (part-time students pursuing 11 hours or less are acceptable). Half of the embalmer/funeral director hours worked must be during the hours of 7 a.m. and 7 p.m. The other half may be served any hours of the day or night.

Lloyd E. Eagan
Secretary

RULE

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, will implement the State Plan for the Emergency Repatriation Program.

RULE

Effective November 1, 1985, Louisiana will implement the State Plan in order to allow for the activation of the Emergency Repatriation Program in the event that an emergency occurs in a foreign country which would require the immediate evacuation of American citizens and their dependents from overseas areas to the

continental United States. A copy of this rule is available for review in each local Office of Family Security.

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

RULE

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, is adopting the following rule in the Medical Assistance Program.

Summary

Effective November 1, 1985, the Office of Family Security will discontinue funding for adult day health care services. This action is necessary because Title XIX funding has not been approved by the Health Care Financing Administration and the Department is not authorized to continue the program with 100 percent state funding.

Final Rulemaking

FINAL RULE

Services provided under adult day health care are suspended until funding under Title XIX is approved by the Health Care Financing Administration and matching state funds become available.

Regulatory Exception

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

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

RULE

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, is adopting the following rule in the Medical Assistance Program.

Summary

Current program policy provides for transplant surgeries to be reimbursed under Medicaid if prior approval is obtained. Historically, recipients in need of transplants have had to obtain these services from out-of-state hospitals which were generally reimbursed a percentage of billed charges. Several in-state hospitals now have the capability of performing transplant surgeries. However, the current reimbursement methodology for inpatient hospital services which sets a limitation on cost per discharge precludes adequate reimbursement for these costly but life-saving surgeries. As current policy provides for a "carve out" from this limitation of certain other exceptional medical services (i.e. neonatal and pediatric intensive care and burn unit services), transplant surgeries could be "carve out" also the reimbursed costs. This action will permit the agency to provide adequate reimbursement to in-state hospitals performing transplant surgeries. Thus, the health and welfare of Medicaid eligible recipients in need of transplant surgeries shall not be imperiled by the nonavailability of these services from in-state hospitals who would be unwilling to accept Medicaid recipients because of the inadequate reimbursement provided by the current reimbursement methodology. Emergency

rulemaking was invoked to implement this policy effective July 1, 1985. The emergency rule was published in the July 20, 1985, issue of the *Louisiana Register*. This change in the reimbursement methodology became effective for hospital admissions on or after July 1, 1985.

Rulemaking

FINAL RULE

Costs for transplant surgeries under the Medical Assistance Program's reimbursement methodology shall be excluded from the cost per discharge limitation and shall be reimbursed allowable costs as defined by Medicare (Title XVIII) principles of reimbursement. The costs excluded include the cost for accommodations, nursing services, and ancillaries for Medicaid recipients undergoing transplant surgeries.

Regulatory Exception

Implementation of this rule is subject to approval by the Health Care Financing Administration (HCFA) as required for all Title XIX policy changes. Disapproval of this proposal by HCFA will automatically cancel the provisions of this rule and current policy shall remain in effect.

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

RULE

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

In compliance with the Louisiana Administrative Procedure Act, the Department of Health and Human Resources (DHHR), Office of Preventive and Public Health Services (OPPHS), Family Planning Program is hereby adopting the following uniform rules and regulations for persons receiving family planning services in all of its units and service sites providing services under its auspices either directly or by contract. Fees will be based on cost and adjusted according to the ability of the recipient to pay.

A. Principles of Operation

The aim of Louisiana's OPPHS, Family Planning Program is to operate an effective family planning program. This program shall provide family planning information and services which promote the dignity and integrity of the family, shall foster an environment which enhances the ability of the family to develop the potential of each child, and shall improve community health.

1. Services of the program are available to individuals and families seeking voluntary fertility and contraceptive services.

2. No coercion or compulsion shall be employed to induce persons to use family planning services.

3. Use of the family planning services shall not be a prerequisite to the receipt of the benefits of or participation in any other activity funded by parish, state or federal tax revenue.

4. Services shall be made available in such a manner as to protect the dignity of the individual.

5. Family Planning records shall be classified as confidential medical information.

6. Advice and assistance shall be available to each participant on a variety of family planning methods and techniques sufficient to insure freedom of choice.

7. Services shall be made available without the impositions of any duration-of-residence or referral requirements.

8. Abortions shall not be provided as a method of family planning.

9. The program shall provide an opportunity for participation by persons broadly representative of all significant elements of the population to be served, and by others in the community knowledgeable about such needs, in the development,

implementation, and evaluation of the projects and for the approval of educational and informational materials.

10. Medical services provided related to family planning shall include physician's consultation, examination, prescription, and continuing supervision; laboratory examination; contraceptive supplies; and necessary referral to other medical facilities when medically indicated.

11. The Family Planning Program also provides social services related to family planning. These services include: counseling, referral to and from other social and medical services agencies, and such ancillary services as are necessary to facilitate clinic attendance.

12. Instruction in the effective usage of contraceptive devices and practices shall be provided.

13. A broad range of medically approved methods of family planning including natural family planning methods shall be available.

14. Diagnostic and referral services for infertility shall be available.

15. Referral arrangements with other providers of health care services, with local health and welfare departments, hospitals, and voluntary agencies, and health services projects supported by other Federal programs shall be available.

16. Informational and educational programs designed to achieve community understanding of the objectives of the program, to inform the community of the availability of services, and to promote continuing participation in the project by persons to whom family planning services may be beneficial shall be provided.

B. Eligibility Requirements

Any person needing and requesting the services provided by the program is eligible. These include women capable of child-bearing and those persons seeking infertility services. Men are eligible for available family planning services.

All persons are eligible to the extent of the program's financial support. Priority shall be given to members of low income families.

C. Fee Policy

All persons seen for family planning services at an OPPHS health unit or at a site providing family planning services by contract with OPPHS shall be assessed a fee for each chargeable service. Chargeable services are those defined as chargeable under The Louisiana Medicaid Program, regardless of the source of payment.

All patients whose gross family income is above 100 percent poverty as determined by the U.S. Community Services Administration as indicated on the fee adjustment schedule shall pay a fee for each service provided. Fees and adjustments to fees are to be established by the fee clerk at the time the patient is registered for service.

Patients shall be charged a fee for each service, regardless of which service is provided, in the same manner in which Medicaid is charged. No fee shall be charged for failed or cancelled appointments.

Minors seen *without* the consent and knowledge of parents or legal guardians will be considered as separate family units and will be charged according to the minor's own income whether the source is allowance or earnings.

D. Fee Adjustment Schedule

The fee adjustment schedule is designed to provide for proportional payment for each service based on the family's ability to pay. Three variable figures are utilized in calculating the schedule; (1) United States Community Services Administration Poverty Guidelines as found in 45 CFR 1060.2; (2) family size; (3) cost of service provided. The client shall provide a statement of gross family income and family size.

Persons whose income adjusted for family size is at or below 100 percent poverty as is defined by the United States Community Services Administration Poverty Guidelines shall not be responsible for payment of services. Persons whose gross family income is at or above 200 percent poverty as is defined by the United States Community Services Administration Poverty Guidelines shall be charged the full cost of services provided. Between these two levels, fees shall be adjusted in accordance with the formula included in the "Schedule of Charges" as found in Table 1.

E. Changes in Fees

The patient shall be instructed to notify the fee clerk of any change which may later occur in income, employment, or family composition which might result in a change in the adjusted fee. The fee clerk shall conduct a periodic check with each patient to determine any change in factors including cost changes, which would cause a change in the fee or adjusted fee. The fee clerk shall adjust the fee in accordance with the fee adjustment schedule.

No fee may be waived or reduced beyond the fee adjustment scale without the express approval of the authorized representative who shall document the reason for change in the patient's chart. When waiver or reduction is made, the authorized representative shall sign and date such authorization in the case record and in addition shall note and initial the adjusted fee on the ledger card.

Examples of acceptable justifications for waiving or reducing a fee include: (1) excessive expense due to other medical cost, (2) family hardships resulting in unusual and unexpected expenses.

F. Failure to Pay Fees

No person shall be denied service because of inability to pay as determined by the criteria stated above.

G. Failure to Provide Information

Any person who is potentially eligible for medical assistance benefits from any federal or state program who refuses to apply for and follow through with application for said benefits shall be presumed to be able to pay the maximum cost of services rendered and shall be billed accordingly.

H. Insurance

An insurance company that the responsible party alleges has issued a policy or contract covering the charges for treatment and services rendered shall be billed the full cost of services rendered. Billings shall be made directly to the insurer by the health unit after securing execution of the forms necessary, including an assignment of benefits to the health unit by the responsible person. The responsible party shall be billed in accordance with the applicable fee schedule up to the amount of charges not covered and paid by insurance. If the responsible person refuses to execute the forms necessary to assign the benefits under the policy alleged by her to cover the charges of services rendered and the forms necessary to file an insurance claim in accordance with the policy, that responsible party shall be billed according to the charges outlined in the class assigned her based on her income and family size as provided in Table 1.

I. Collection Procedure

At the end of the clinic visit, patients shall be asked to pay. When patients do not pay at the time of visit outstanding receivable accounts shall be handed a "1st Notice of Payment Due"; at the end of 60 days, a "2nd Notice of Payment Due" shall be sent out.

No services other than contraceptive method related emergency services shall be provided a client who has not paid on an outstanding account between clinic visits unless the client pays on the account prior to receiving services on the day that services are sought.

TABLE 1

FEE ADJUSTMENT SCHEDULE

% Poverty Income Family Size	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII
	< 100% No Charge	100%* 9% of Charge	110% 18% of Charge	120% 27% of Charge	130% 36% of Charge	140% 45% of Charge	150% 54% of Charge	160% 63% of Charge	170% 72% of Charge	180% 81% of Charge	190% 90% of Charge	200% 100% of Charge
1.		\$ 5,250	\$ 5,775	\$ 6,300	\$ 6,825	\$ 7,350	\$ 7,875	\$ 8,400	\$ 8,925	\$ 9,450	\$ 9,975	\$10,500
2.		7,050	7,755	8,460	9,165	9,870	10,575	11,280	11,985	12,690	13,395	14,100
3.		8,850	9,735	10,620	11,505	12,390	13,275	14,160	15,045	15,930	16,815	17,700
4.		10,650	11,715	12,780	13,845	14,910	15,975	17,040	18,105	19,170	20,235	21,300
5.		12,450	13,695	14,940	16,185	17,430	18,675	19,920	21,165	22,410	23,655	24,900
6.		14,250	15,675	17,100	18,525	19,950	21,375	22,800	24,225	25,650	27,075	28,500
7.		16,050	17,655	19,260	20,865	22,470	24,075	25,680	27,285	28,890	30,495	32,100
8.		17,850	19,635	21,420	23,205	24,990	26,775	28,560	30,345	32,130	33,915	35,700
9.		19,650	21,615	23,580	25,545	27,510	29,475	31,440	33,405	35,370	37,335	39,300
10.		21,450	23,595	25,740	27,885	30,030	32,175	34,320	36,465	38,610	40,755	42,900
11.		23,250	25,575	27,900	30,225	32,550	34,875	37,200	39,525	41,850	44,175	46,500
12.		25,050	27,555	30,060	32,565	35,070	37,575	40,080	42,585	45,090	47,595	50,100
13.		26,850	29,535	32,220	34,905	37,590	40,275	42,960	45,645	48,330	51,015	53,700
14.		28,650	31,515	34,380	37,245	40,110	42,975	45,840	48,705	51,570	54,435	57,300
15.		30,450	33,495	36,540	39,585	42,630	45,675	48,720	51,765	54,810	57,855	60,900
16.		32,250	35,475	38,700	41,925	45,150	48,375	51,600	54,825	58,050	61,275	64,500
17.		34,050	37,455	40,860	44,265	47,670	51,075	54,480	57,885	61,290	64,695	68,100

NOTE: Income shown under group is minimum income for that group
re. 4/85

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

RULE

**Department of Revenue and Taxation
Sales Tax Section**

Article 47:301 (16). Tangible Personal Property

With the exception of certain provisions of R.S. 47:301 (14) relating to the furnishing of services, the question of whether an item constitutes tangible personal property is of utmost importance in determining whether its sale, use, storage, consumption, rental, or lease is subject to tax under the provisions of this Chapter. Under pertinent provisions of the Louisiana Civil Code, tangible personal property must be construed to be tangible movable property. Thus, if property is movable and meets the definition of tangible personal property contained in this Section, it is tangible personal property. R.S. 47:301 (16) defines tangible personal property to be any property which may be seen, weighed, measured, felt, or touched, or is in any manner perceptible to the senses. Stocks, bonds, notes, or other obligations or securities have been specifically excluded from the definition of tangible personal property.

Computer software which is "canned" or which has been prewritten for use by more than one customer will be treated as tangible personal property when it is contained on a tangible medium, including but not limited to tapes, discs, or punched cards. This will include software which was originally custom-designed or written for one specific customer but which is now available to others.

Software which has been custom-designed for exclusive use of one particular person shall be considered to be intangible property. "Canned" or prewritten software which has to be changed to fit the needs of a particular customer will be considered to be custom only to the extent of the changes that are made. When the selling price of software which has been custom-designed for the exclusive use of a particular person is separately set out on a dealer invoice, and when such property does not constitute an inseparable part of hardware or other tangible personal property, the software shall not be subject to the sales tax. Central programs or

basic operational programs which are sold as an inseparable part of computer hardware will continue to be subject to the tax.

Tapes, discs, punched cards, or other media on which software is contained, are considered to be tangible personal property. When these media contain "canned" or prewritten software, which is subject to sales tax, the total sales price of the media and software shall be subject to the sales tax. When these media contain custom-designed software, there shall be no sales tax on the sale of the media, but the vendor will incur a use tax liability on his cost price of the medium. Computer video games and computer video or audio learning aids are considered to be prewritten or "canned" software; and the entire selling price of these items, including the media on which they are contained, shall be subject to a sales tax.

The nature of the property may change from movable to immovable or from immovable to movable so that its character at the moment of a transaction or activity must be established, in order to determine taxability of that transaction or activity. As an example, a movable piece of machinery may be attached to a building in such manner that it cannot be removed without doing damage to the machinery or to the building. In this case, the character of the property will have changed from movable to immovable. If, however, the machinery is attached in such a way that it may be removed from the building without doing damage to either it or the building, its character upon being separated reverts to movable property. This distinction is of particular importance in determining whether repairs to property are taxable. If equipment or machinery removed from real property has been damaged, the item constitutes tangible personal property and repairs made thereto are taxable.

Shirley McNamara
Secretary

RULE

**Department of Transportation and Development
Board of Registration for Professional
Engineers and Land Surveyors**

In accordance with the notice of intent published in the August, 1985 *Louisiana Register*, the Board of Registration for Professional Engineers and Land Surveyors hereby adopts the

following additions, deletions, and revisions to Louisiana Administrative Code 19-3:

9.3 [Delete last two sentences]

Application to take this examination may be made prior to the anticipated date of eligibility for registration, but no sooner than one year prior to the date. Earlier applications will be returned.

12.1.2.1 [New]

REGISTRANTS shall comply fully with LAC 19-3:10

RULES GOVERNING THE USE OF THE SEALS
(37:696).

12.1.2.2 [NEW]

Except as permitted by LAC 19-3:10.7, REGISTRANTS shall not seal the work of or take the professional responsibility for any documents related to engineering or land surveying not performed by the REGISTRANT or under REGISTRANT'S complete direction and control.

By order of the Louisiana State Board of Registration for Professional Engineers and Land Surveyors.

Paul L. Landry, P. E.
Executive Secretary

RULES

Transportation and Development Office of Public Works

Chapter I

Rules, Regulations and Procedures For Registering Water Wells and Holes

The Louisiana Department of Transportation and Development, Office of Public Works revised the rules, regulations and standards for water well registration, construction, plugging and abandonment, installation of control devices on free flowing wells and licensing of water well contractors and other drillers under the authority given in R.S. 38:2091 through 38:3098.8.

The Louisiana Department of Transportation and Development, Office of Public Works, hereafter referred to as "department", is responsible for registering water wells and holes in Louisiana.

The rules, regulations and procedures, stated herein, will become effective on November 1, 1985 and supercede the rules, regulations and procedures in effect since July 1, 1975.

SECTION 1.1.0.0.

Purpose

The purpose of the rules, regulations and procedures for registering water wells and holes, stated herein, is to ensure that water wells and holes are properly constructed; to collect, catalog and store water well construction and drilling data; and to gather data on water resources of the state. The data obtained from the registration forms are stored on computer files and are readily available for use by hydrologists, engineers, geologists, drillers and others who are involved in the administration, development, protection, and the wise use of the ground water resources of the state.

SECTION 1.2.0.0.

Registration of Water Wells and Holes

Completed on or After November 1, 1985

A) The contractor who drills or constructs a well or hole on or after November 1, 1985 shall be responsible for registering that well or hole by submitting to the Department a completed Water Well Registration Form within 30 calendar days after completing such well or hole. Registration requirements shall apply to all water wells, regardless of yield or use, including but not limited to, public supply, domestic, irrigation/agriculture, power generation, rig-supply, observation, dewatering, monitoring, and heat

pump supply wells, as well as test holes, abandoned pilot holes, and heat pump holes. For glossary of terms, refer to Appendix I.

SECTION 1.2.1.0.

Exemption from Registration. The following wells and holes shall be exempt from registration requirements:

- Wells producing saline water in connection with oil or gas production
- Driven wells or wells dug by use of hand auger
- Geotechnical boreholes

SECTION 1.2.2.0.

Water Well Registration Long Form (DOTD-GW-1). Water Well Registration Long Form (DOTD-GW-1) shall be used to register the following types of wells and holes:

- Community public supply wells
- Non-community public supply wells
- Industrial wells
- Irrigation/agricultural wells
- Power generation wells
- Observation wells
- Dewatering wells
- Test holes

A sample copy of the long form and instructions for completing the form are included in Appendix II.

SECTION 1.2.3.0.

Water Well Registration Short Form (DOTD-GW-1S). Water Well Registration Short Form (DOTD-GW-1S) shall be used to register the following types of wells and holes:

- Domestic wells
- Rig-supply wells
- Monitoring wells
- Heat pump supply wells
- Heat pump holes (closed loop system)
- Abandoned pilot holes

A sample copy of the short form and instructions for completing the form are included in Appendix III.

SECTION 1.2.4.0.

Submission of Water Well Registration Forms.

A) The contractor who drills a well or hole shall complete and submit to the Department the original copy of the Water Well Registration Form within 30 calendar days after each well or hole has been completed. The owner's copy shall be sent to the owner immediately after completion of the work and the contractor shall retain the contractor's copy for his files.

For registration purposes only, the department considers a well or hole completed when it is accepted by the owner or when the contractor has moved his equipment from the site, whichever comes first. Acceptance by the owner or removal of equipment from the site by the contractor does not imply, in any way, acceptance or approval by the State of Louisiana. The department, after inspection of the site and records, can cause the owner and/or the contractor to do whatever additional work is necessary to bring the well or hole up to standards stated in Chapter II. The expense for the additional work shall be borne by the owner/or the contractor, as the case may be.

B) For the purpose of registering heat pump holes only, one form (DOTD-GW-1S) per project (site) will suffice. Under item marked "remarks", materials and method used to seal the holes shall be indicated. Description of cuttings, required by Item 12, should be the typical formations encountered at the site.

C) Registration forms may be submitted to the Department on a monthly basis as long as the 30-day limitation is not exceeded. Forms that are illegible, have incomplete items, lack a sketch or directions to the well, or have not been signed and dated will be rejected by the Department and will be returned to the contractor for correction and resubmittal. It is the responsibility of the

contractor to see to it that the submitted registration forms are actually received by the department.

D) Each registration form shall be personally signed and dated by the contractor who is responsible for drilling the well or hole. For convenience of the contractor, affidavits filed by the contractor to authorize office personnel to sign forms on his behalf will be accepted by the department.

E) Upon receipt of the registration forms, the Department will review and process each form, including field inspection, if necessary, and will assign an identification number to each well after which the well is considered registered. The well data will then be entered into the computerized data file and, upon request, the owner and/or the contractor will be informed of the fact of registration and of the assigned identification number.

SECTION 1.2.5.0.

Copies of Available Data Which Shall be Attached to Registration Forms. The water well contractor who is responsible for drilling a public supply, industrial or power generation water well or test hole, shall attach to the registration form copies of the following items (if available) for transmittal to the department:

- Electrical log or other borehole geophysical log
- Mechanical analysis of the drill cuttings
- Chemical analysis of the water
- Aquifer test results

SECTION 1.2.6.0.

Registration of Reworked Water Wells.

A) Registered wells that are reworked (e.g., removing and replacing the screen; redeveloping the well) need not be registered a second time unless the screen setting is altered or a liner is installed inside the original casing. If the registered well, after reworking, obtains water from an aquifer different from that reported on the original registration form, another registration form shall be submitted by the contractor within 30 calendar days after completion of the work.

B) If an unregistered well is reworked, deepened or changed in any manner or if screen setting is altered, the proper registration form (either DOTD-GW-1 or DOTD-GW-1S) shall be submitted to the department by the contractor no later than 30 calendar days after the work has been completed.

SECTION 1.2.7.0.

Registration of Sub-Contracted Water Wells. When a water well contractor agrees to construct a water well for a customer but subcontracts the work to another water well contractor, the following registration procedure shall govern:

The sub-contractor who drills the well shall keep an accurate record of the pertinent data to be used in completing the registration form; however, the name and license number of the original contractor must be shown on the upper right-hand corner of the registration form, and it is the original contractor who is responsible for signing and transmitting the form to the department in accordance with the procedures outlined in Section 1.2.0.0. The sub-contractor may write his or his company's name and license number at the space designated for "remarks".

SECTION 1.2.8.0.

Registration of Rig-Supply Water Wells. In order to register a rig-supply water well, each registration form must be accompanied by a copy of the "registered" permit plat reflecting the section, township, range and the distances from the section lines to the location of the well (oil, gas, injection, etc.). The plat will be used by the department to determine the latitude and longitude of the well which will then become the identification number for that rig-supply water well. The water well contractor who drilled the water well shall obtain a copy of the plat from the company in charge of the drilling of the oil or gas well (lessee) or from the operator of the oil or gas drilling rig and shall attach it to the registra-

tion form for transmittal to the department. Alternatively, the water well contractor may send the registration form to the lessee with appropriate instructions for them to attach the plat to the registration form and transmit it to the Department.

The lessee or the operator shall furnish the water well contractor with the required plat in a timely manner so that the 30-day limitation for water well registration is not exceeded.

SECTION 1.2.9.0.

Registration of Monitoring Wells. Although construction of monitoring wells for facilities regulated by the Department of Environmental Quality (DEQ) requires approval from that Department prior to construction, they shall be registered with the Department of Transportation and Development, like all other water wells, as part of the state's effort to catalog well sites and to collect and provide data on the geohydrological system. In order to register a monitoring well, the drilling contractor, in addition to completing all items on Water Well Registration Short Form (DOTD-GW-1S), must also complete the spaces provided for the latitude and longitude of the well location, as well as the section, township and range. The latitude and longitude of the well, which can be determined from the appropriate quadrangle map, is used as the identification number (column 12 to 26) for that monitoring well. Column 26 is used to indicate number of registered wells located within the same latitude and longitude (within 100 feet).

SECTION 1.3.0.0.

Registration of Water Wells

Completed Prior to November 1, 1985

Because many water wells have already been inventoried by the department, the procedures for registering wells completed prior to November 1, 1985 are dependent on whether or not the wells have been inventoried and their records are available to the Department.

SECTION 1.3.1.0.

Registration of Inventoried Water Wells Completed Prior to November 1, 1985 Whose Records Are Available to the Department. The department will obtain from available data a listing, by owner, of wells and pertinent data. A copy of the list will either be sent to the owner for checking and updating, or will be checked and updated by a representative of the Department with assistance from the owner.

A) If the list is sent to the owner for checking and updating, the owner shall be responsible for updating the list by indicating the current status of each registered well, by adding wells not on the list, and by indicating wells that have been abandoned. The owner shall then certify the list as current and correct and shall return the list to the Department within 30 calendar days after receiving the list. When the corrected and certified list is received by the Department, the wells added to the list by the owner shall be inventoried and registered by a representative of the department.

B) If, in the opinion of the Department, a visit or telephone contact by a representative of the Department is preferable and more convenient to the owner than sending a list of wells, a field visit or telephone contact will be made by a representative of the Department. After the data are verified and the well locations are checked, any well not on the list will be inventoried and registered by the representative of the department.

Upon request, the owner will be sent an updated listing of registered wells for which he is responsible.

SECTION 1.3.2.0.

Registration of Water Wells Completed Prior to November 1, 1985 Which Have Not Been Inventoried and Whose Records Are Not Available to the Department.

A) All wells used to supply a public water system, regardless of yield, and all other water wells capable of producing more than 50,000 gallons per day, which were constructed on or after

July 1, 1975, shall be registered by the owner by completing a water well registration long form (DOTD GW-1) for each well and sending them to the Department for verification and registration within 90 calendar days after the effective date of these regulations.

B) The owner may register any uninventoried water well, not covered under item A, by completing an appropriate registration form and sending it to the Department for verification and registration.

C) The department's representative may contact the owner to obtain well data and check and verify the location of wells that have not been inventoried and whose records are not on file with the Department. After receiving the pertinent data and locating the wells, the Department will register the wells accordingly.

The owner shall make available any needed data for registering uninventoried wells and shall permit access to the well sites. Upon request, the owner will be informed of the fact of registration and of the assigned identification number.

SECTION 1.4.0.0.

Use of Information Obtained from Registration Forms

Information obtained from registration forms will be available to all persons upon request. The well data will be coded and entered into the Department's computerized data file and will be integrated with water well data systems operated by other governmental agencies and research groups, as needed. Copies of the registration forms or computerized listings of the registered wells should fulfill the need of water districts, commissions or other state agencies; thus eliminating the need for a second set of registration forms.

SECTION 1.5.0.0.

Enforcement Actions

Provisions addressing enforcement of this Chapter appear in Louisiana Revised Statute 38:3096, as follows:

A) Whoever knowingly and willingly violates a provision of this chapter, or a rule, regulation or order of the director or a board hereunder, shall be subject to a civil penalty of not more than \$1,000 a day for each day of violation and for each act of violation if a penalty for the violation is not otherwise provided in this chapter.

(1) The place of suit to recover this penalty shall be selected by the director or board, as may be appropriate, in the district court of the parish in which any one of the defendants resides, or in the district court of the parish where the violation took place.

(2) Suit shall be at the direction of the director or board, as may be appropriate, and shall be instituted and conducted in his or its name by the Attorney General or by the District Attorney of the district under the direction of the Attorney General.

B) Whoever knowingly and willfully aids or abets a person in the violation of a provision of this chapter, or in any rule, regulation or order made hereunder shall be subject to the same penalties provided herein for the principal violator.

SECTION 1.5.1.0.

Falsification of Documents. Falsification of documents to evade regulations, as well as penalties for said falsifications, appears in Louisiana Revised Statute 38:3095 as follows:

A) No person shall, for the purpose of evading this chapter or any rule, regulation or order made thereunder:

(1) Make, or cause to be made, any false entry or statement of fact in any report required to be made by this chapter, or by any rule, regulation or order made hereunder; or

(2) Make, or cause to be made, any false entry in an account, record or memorandum kept by any person in connection with the provisions of this chapter or of any rule, regulations or order made thereunder; or

(3) Remove out of the jurisdiction of the state or destroy or mutilate, alter, or by any other means, falsify any book, record, or of the paper pertaining to the matters regulated by this chapter, or by any rule, regulation or order made thereunder.

B) Whoever violates this section shall be *fin*ed not more than \$5,000 or imprisoned not more than six *months* or both.

The penalty provision for falsification of documents required under the provisions of this chapter are therefore criminal in nature and will be enforced through the district attorney having jurisdiction where said violation occurs. It should also be noted that utilization of the United States Mail in the falsification of documents constitutes a violation of Title 18 of the United States Code (Mail Fraud), and such violations will be referred to the appropriate United States Attorney.

SECTION 1.5.2.0.

Appeals. An alleged violator may appeal any order of the Department by requesting a hearing. The hearing request must be made to the Department, in writing, within 30 calendar days of the original order and must be sent by "Certified Mail—Return Receipt Requested". After receiving the request, the Department will arrange a hearing to determine what other remedial action will serve to effect compliance with the rules and regulations.

Chapter II

Rules, Regulations and Standards for Water Well Construction

As announced in the October 1985 issue of the LOUISIANA REGISTER, the Rules, Regulations and Standards for constructing Water Wells and Holes were prepared by the Louisiana Department of Transportation and Development, Office of Public Works, hereafter referred to as the "Department", in accordance with R.S. 38:3091 through 38:3098.8. The Rules, Regulations and Standards stated herein become effective on November 1, 1985 and supercede the Rules, Regulations and Standards for Water Well Construction which had been in effect since December 20, 1975.

SECTION 2.1.0.0.

Purpose

The purpose of the Rules, Regulations, and Standards stated herein is to minimize the chances of contaminating the state's ground water resources via improperly constructed water wells and holes and to minimize health and safety hazards associated with construction of wells and holes. The Rules, Regulations and Standards shall apply to all water wells and holes, including but not limited to, public supply, domestic, irrigation/agriculture, industrial, power generation, rig-supply, observation, dewatering, monitoring, and heat pump supply, as well as pilot holes, test holes, geotechnical boreholes and heat pump holes (closed loop system). For glossary of terms refer to Appendix I.

SECTION 2.2.0.0.

General Rules and Regulations

SECTION 2.2.1.0.

Approval of Plans and Specifications for Public Water Supply Systems.

A) Louisiana Revised Statute 38:3094, paragraph (3) of subsection A, authorizes the Department to:

"Establish regulations governing standards for the construction of *all water wells* drilled after the effective date of this Act . . ."

Louisiana Revised Statute 40:4, paragraph (8) of subsection A of Section 4 (Sanitary Code) states:

"In order to protect the public against disease from water supplied for drinking, culinary, and abutinary purposes, the State Health Officer shall prepare and promulgate all rules and regulations necessary to insure that *water supplied to the public by public water supplies* is obtained from safe and sanitary sources and

that such sources are properly protected; is treated, stored and conveyed in a safe and sanitary manner; and is safe and potable for human use . . .”

In accordance with these legislative directives, the Rules, Regulations and Standards governing construction of public supply water wells were prepared by the Department in close cooperation with the Louisiana Department of Health and Human Resources, Office of Preventive and Public Health Services, and they are intended to eliminate duplication of efforts and requirements by the two agencies, thereby minimizing cost and optimizing operating efficiencies.

B) Chapter XII of the State Sanitary Code requires that no public water supply shall be constructed, operated or modified without review and approval of the State Health Officer. Detailed plans and specifications shall be submitted in duplicate to the Department of Health and Human Resources, Office of Preventive and Public Health Services, Box 60630, New Orleans, LA 70160, by the person having responsible charge for a municipally owned water supply or by the owner of a privately owned public water supply for review and approval before construction, modification, or operation of such system has commenced.

C) The water well contractor shall construct the well in accordance with the applicable provisions of this chapter and shall submit a Water Well Registration Long Form (DOTD-GW-1) to the Department within 30 calendar days after completing the well, as required by Section 1.2.0.0. of the Rules, Regulations and Procedures for Registering Water Wells and Holes.

D) All questions relating to the quality of water, as it pertains to its effect on human health, shall be referred by the owner, engineer or water well contractor to the following: Department of Health and Human Resources, Office of Preventive and Public Health Services, Box 60630, New Orleans, LA 70160; Phone: (504) 568-5100.

SECTION 2.2.2.0.

Licensing Requirements. The following wells and holes shall be drilled or constructed by a licensed contractor (driller) who is duly licensed by the Department in accordance with the Rules and Regulations stated in Chapter V:

- All water wells, regardless of use or type
- Monitoring wells
- Heat pump wells and holes
- Geotechnical boreholes
- Test holes and pilot holes

Additionally, reworking of water wells, as well as plugging and abandoning wells and holes, excluding oil and gas wells, shall also be undertaken by a licensed contractor.

SECTION 2.2.3.0.

Registration Requirements. Every water well or hole drilled in the State of Louisiana shall be registered with the Department in accordance with the requirements of Chapter I.

SECTION 2.2.4.0.

Variance Requests. Requests to vary from the Rules, Regulations and Standards for Constructing Water Wells and Holes shall be addressed to the Department as follows: Department of Transportation and Development, ATTN: Chief, Water Resources Section, Box 94245, Baton Rouge, LA 70804-9245; Phone: (504) 379-1434.

The request must demonstrate that compliance is impractical and must outline a satisfactory alternative. The Department may prescribe, in writing, alternate requirements that are equivalent to the regulations and standards stated herein relating to the protection of aquifer and prevention of ground water contamination.

Requests to vary from the provisions of the State Sanitary Code relating to the sanitary features of the public supply water

systems, and for questions related to the quality of water as it pertains to human health, shall be addressed to the following: Department of Health and Human Resources, Office of Preventive and Public Health Services, Box 60630, New Orleans, LA 70160; Phone (504) 568-5100.

SECTION 2.2.5.0.

Minimum Distance Requirements for Locating a Water Well. Provided that all other applicable rules and regulations are complied with, the minimum distance requirements for locating a water well shall be in accordance with the following sections:

SECTION 2.2.5.1.

Location in Relation to Possible Sources of Contamination. The horizontal distance between any water well and any possible sources of contamination shall be as great as possible but in no case less than the following minimum distances:

POSSIBLE SOURCES OF CONTAMINATION	MINIMUM DISTANCE (in feet)
Septic Tanks	50
Storm or Sanitary Sewer	50 ¹
Cesspools, outdoor privies, oxidation ponds, subsurface absorption fields, pits, etc.	100 ²
Sanitary landfills, feed lots, manure piles, solid-waste dumps and similar installations	100
Another water well	25 ³
Drainage canal, ditch or stream	50 ⁴

¹ This distance may be reduced to 30 feet if the sewer is of cast iron with leaded joints or Schedule 40 plastic pipe with water-tight joints.

² For domestic water wells, this distance may be reduced to fifty (50) feet.

³ This minimum distance requirement does not take into consideration the effects of interference from pumping nearby wells in the same aquifer.

⁴ Horizontally measured from the water edge to the well at the highest water level which may have occurred in a ten-year period.

SECTION 2.2.5.2.

Location in Relation to Levees.

A) Wells shall not be drilled within 250 feet of the levees (R.S. 38:225, Subsection 6). The Department interprets this statute to mean that the well or wells shall be at least 250 feet from the land side toe of the levee.

B) When wells are to be drilled within 1,500 feet of any state or federal flood control levee or structure, the owner or driller must first obtain permission from the appropriate levee board. The Corps of Engineers requires that drilling commence and casing be set and cemented in place to a specified depth while the stage of the Mississippi River is below + 11.0 feet National Geodetic Vertical Datum (NGVD) on the Carrollton Gage, New Orleans, Louisiana, unless a waiver to this restriction is granted. Requests to vary from their requirements must be sent to the appropriate levee board and the Corps of Engineers. For specific information concerning river stages and drilling wells near levees, the owner, engineer or water well contractor should contact the following: U.S. Army, Corps of Engineers, New Orleans District, Box 60267, New Orleans, LA 70160; Phone: (504) 862-2204; U.S. Army, Corps of Engineers, Vicksburg District, Box 60, Vicksburg, MS 39180-0060; Phone: (601) 634-5000.

SECTION 2.2.5.3.

Location in Relation to Flood Water. Locations subject to

flooding should be avoided, if possible. If a reasonable alternate site does not exist, the well may be constructed in flood-prone areas provided the top of the casing is at least two feet above the highest flood level which may have occurred in a ten-year period but in no case less than two feet above the ground surface.

Well piping shall be constructed with a check valve or other appropriate apparatus to prevent introduction of surface water into the casing in the event of damage to the external piping or pressure tanks.

All rig-supply water wells must be properly capped between the time the well is completed and the time the well is put into water production at the site. The cap shall be watertight and securely attached to prevent easy entry by other than the owner and to prevent the introduction of flood waters or contaminants into the well.

Flood information may be obtained from the Department, the U.S. Geological Survey or the administering agency of the Federal Insurance Program (i.e., municipality, police jury, regional planning authorities, or the Department of Urban and Community Affairs).

SECTION 2.2.5.4.

Location in Relation to Buildings. A well shall be located far enough from a building to allow reworking or rehabilitation with a drilling rig. A well shall not be located below ground surface, such as in pits and basements, and shall not be located within the foundation of a building, except a building constructed solely to house pumping and water system equipment.

SECTION 2.3.0.0.

Drilling and Construction

A) Geologic conditions in Louisiana permit the use of two methods of drilling: the rotary method and reverse circulation method. Regardless of the method used, every precaution should be taken to prevent ground water contamination during drilling operations.

B) Water used in drilling operations shall be potable or chlorinated to prevent contamination of water-bearing formations.

C) When drilling a hole the contractor shall:

- Record the hole diameter and any changes in size of hole,
- Record (driller's log) the depth and thickness of the formations penetrated,
- Record any unusual occurrences, such as loss of circulation, cave-ins, etc., and
- Collect representative samples (drill cuttings) from each potential aquifer.

D) The contractor shall properly maintain all materials, tools, and drilling equipment and shall take all measures necessary to minimize health and safety hazards and to prevent movement of surface water and contaminants into the drilled hole or well.

E) An approved portable toilet shall be located at the drilling site if other restroom facilities are not available.

F) The mud pit shall be so constructed and maintained as to minimize the contamination of the drilling mud.

G) During a temporary shutdown for more than 24 hours, safeguards shall be taken to prevent possible contamination and damage. The well or hole shall be covered or capped to prevent entry by other than the contractor; it shall be clearly marked, and shall not be a safety hazard.

SECTION 2.3.1.0.

Alignment and Plumbness. The hole shall be drilled reasonably straight and plumb in order to:

- Avoid encroachment on neighboring property,
- Prevent intersection with other wells and holes,
- Prevent damage to screen while being set,
- Prevent damage to pumping equipment, and

- Allow for lowering the pump to the desired depth.

The contractor shall exercise reasonable care to ensure that the hole and the well are reasonably straight and plumb. Testing for plumbness and alignment are described in Section 8 and Appendix C of the current "American Water Works Association Standards for Water Wells" (AWWA A-100), as well as in Article 51 of the United States Environmental Protection Agency's "Manual of Water Well Construction Practices".

SECTION 2.3.2.0.

Drilling of Test Holes and Pilot Holes. A test hole is usually drilled to the base of the fresh water or to the bottom of the sand to be tested. Test holes are drilled primarily to:

- Determine the exact depth and thickness of the fresh-water bearing sands (aquifers),
- Collect drill cuttings for determining screen slot openings and the best location for the screen, and
- Collect quality and quantity of water data that can be used to design the well and select a pump and motor.

During the drilling operation, the contractor shall take the necessary precautions to prevent the contamination of any aquifer and the exchange of waters between aquifers.

When the drilling of a pilot hole or a test hole is temporarily suspended and the rig moves away from the drilling site, the hole shall be considered an abandoned hole unless drilling operations are resumed within 30 calendar days of the initial date of suspension of drilling or an extension, in writing, is granted by the Department. During the "shut down" period, a mud column of sufficient weight and height shall be maintained in the hole at all times to prevent seepage of surface water and foreign materials into any aquifer and to prevent inter-aquifer movement of water. Additionally, the hole shall be capped and the immediate area shall be conspicuously marked to protect and warn the public. The cap shall be sufficiently strong and anchored to prevent easy and unintentional entry.

If the drilled test hole is deeper than the interval to be tested, the contractor shall use cement-bentonite slurry to set a plug extending from the bottom of the hole upward to a depth within 20 feet of the bottom of the proposed screen setting or to the top of clay or shale layer underlying the sand to be tested. A sufficient period of time shall be allotted for the cement to set before development begins. If sands were not penetrated below the bottom of the sand to be screened, heavy drilling mud or bentonite slurry may be used in lieu of cement-bentonite slurry to plug the bottom of the hole.

If another aquifer at a shallower depth is to be tested, the contractor shall use cement-bentonite slurry to set a plug extending upward from the top of the plug, previously placed in the bottom of the hole, to within 20 feet of the depth where the bottom of the test screen is to be set in the shallower aquifer, or to the top of the clay or shale layer underlying the shallower sand to be tested.

Abandoned pilot holes and test holes shall be plugged in accordance with requirements of Sections 3.6.4.1. and 3.6.4.2., respectively.

SECTION 2.3.3.0.

Drilling of Heat Pump Holes (Closed Loop-System).

A) Heat pump holes shall be constructed in accordance with the pertinent provisions of this chapter in order to protect fresh-water aquifers from surface contamination and to prevent movement of water of objectionable quality from one aquifer to another.

B) Piping, casing or tubing materials shall conform to the applicable ASTM standards for polyvinyl chloride (PVC), polyethylene (PE), or polybutylene (PB) plastics and shall be installed and joined according to manufacturer's recommendations.

C) If used, antifreeze compounds shall be non-toxic and

approved for use by the U.S. Environmental Protection Agency.

D) The entire depth of the closed loop heat pump holes shall be sealed in accordance with requirements of Section 3.6.4.4. within 30 calendar days after completion of drilling operations.

E) Service manifold should be protected from external forces as recommended by the manufacturer, designer and/or local building codes.

SECTION 2.3.4.0.

Drilling of Monitoring Wells.

A) Monitoring wells shall be constructed in accordance with the pertinent provisions of this chapter in order to protect fresh-water aquifers from surface contamination and to prevent movement of water of objectionable quality from one aquifer to another.

B) To prevent the introduction of extraneous compounds into the formation water, the use of drilling mud in the monitoring wells is discouraged.

C) Monitoring wells shall be cased and the casing shall be strong enough to resist the forces imposed during and after installation, including reaction upon the casing by natural or foreign constituents or contamination.

D) The entire annular space of the monitoring wells shall be sealed with cement-bentonite slurry, unless specified otherwise by the Department of Environmental Quality (DEQ). Prior to cementing, flushing of the annular space with water will be necessary when obstructions are present or suspected. Coarse ground bentonite or bentonite pellets shall be placed between the sand pack and the cement-bentonite slurry. The ground surface around the well shall be covered with a concrete slab at least four inches thick, extending at least two and one-half feet from the well in all directions. The surface of the slab shall be sloped to drain away from the well.

E) Monitoring wells shall be covered with a protective cover or cap.

F) Abandoned monitoring wells shall be plugged in accordance with requirements of Section 3.6.2.0.

NOTE: CONSTRUCTION OF MONITORING WELLS FOR FACILITIES REGULATED BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) REQUIRES APPROVAL FROM THAT DEPARTMENT PRIOR TO CONSTRUCTION.

SECTION 2.3.5.0.

Drilling of Geotechnical Boreholes.

A) Boreholes shall be drilled in accordance with pertinent provisions of this chapter in order to protect the fresh-water aquifers from surface contamination and to prevent movement of water of objectionable quality from one aquifer to another.

B) Geotechnical boreholes shall be plugged in accordance with requirements of Section 3.6.4.3. within 30 calendar days after the termination of drilling and sampling operations.

NOTE: DRILLING OF GEOTECHNICAL BOREHOLES FOR FACILITIES REGULATED BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) REQUIRE SPECIAL CONSIDERATION BY THAT DEPARTMENT.

SECTION 2.3.6.0.

Reworking of Water Wells

A) Rehabilitation or modification of water wells shall be accomplished in accordance with the provisions of this chapter of the Rules, Regulations and Standards for Water Well Drilling in order to protect the fresh-water aquifers from contamination.

The following operations shall be considered as reworking water wells and shall require a water well contractor's license.

- Removing and replacing screen
- Replacing gravel pack around screen
- Placing a new screen within the old screen

- Placing a liner pipe within the old casing

- Redeveloping a well by surging, acidizing, jetting, etc.

When a well is reworked or the sanitary seal is removed, the drop pipe, jet line or column pipe, pump/motor, etc. shall be cleaned and the well shall be disinfected in accordance with Chapter XII of the State Sanitary Code.

SECTION 2.4.0.0.

Casing

An appropriate casing shall be installed in every water well to prevent the wall of the hole from collapsing, to house the pump, and to convey the water to the surface.

SECTION 2.4.1.0.

General Criteria. The selection of casing is dependent upon a number of factors that shall be considered when designing and installing a well. Following are some of the factors:

A) The casing shall be strong enough to resist the forces imposed during installation and other forces that can be expected after installation.

B) The casing shall be of adequate diameter to accommodate the pump and convey the required quantity of water.

C) Joints of metal casing shall have threaded couplings or be welded to ensure water tightness for the entire length of the casing.

D) The casing shall be reasonably plumb and straight. The plumbness and alignment of the casing shall be checked in accordance with accepted practices (See Section 2.3.1.0.)

E) The casing shall be installed so as to seal off water-bearing formations that contain undesirable water and to prevent water from the surface and other aquifers from entering the well.

SECTION 2.4.2.0.

Materials. The casing materials commonly used in Louisiana are metal and plastic. Concrete, clay tile, wood, fiberglass, and other synthetic casings have been used in the past in some areas for specific applications.

SECTION 2.4.2.1.

Metal Casing. Steel is the material most frequently used for well casing in drilled wells. The three principal classifications of steel used for water well casing are as follows:

A) Standard and Line Pipe. This material shall meet one of the following standard specifications, including the latest revision thereof:

1. API Spec. 5A, "Specifications for Casing, Tubing and Drill Pipe."

2. API Spec. 5L, "Specifications for Line Pipe."

3. API Spec. 5LX, "Specifications for High-Test Line Pipe."

4. ASTM A53, "Specifications for Pipe, Steel, Black and Hot Dipped, Zinc-Coated, Welded and Seamless Steel Pipe."

5. ASTM A120, "Standard Specifications for Pipe, Steel, Black and Hot Dipped Zinc-Coated (Galvanized) Welded and Seamless Steel Pipe for Ordinary Uses."

6. ASTM A134, "Standard Specifications for Pipe Steel, Fusion (Arc) - Welded Steel Pipe (Sizes NPS 16 and over)."

7. ASTM A135, "Standard Specifications for Electric-Resistant Steel Pipe."

8. ASTM A139, "Standard Specifications for Electric-Fusion (Arc) - Welded Steel Pipe (Sizes 4 inches and over)"

9. ASTM A211, "Standard Specifications for Spiral-Welded Steel or Iron Pipe."

10. AWWA C201, "AWWA Standard for Fabricated Electrically Welded Steel Pipe."

11. AWWA C202, "Tentative Standard for Mill Type Steel Water Pipe."

12. Underwriters Laboratories Standard 888.

B) Structural Steel. This material shall meet one of the fol-

lowing specifications of the American Society for Testing and Material, including latest revision thereof:

1. ASTM A36, "Standard Specification for Structural Steel."
2. ASTM A242, "Standard Specification for High-Strength Low-Alloy Structural Steel."
3. ASTM 570-79, "Standard Specifications for Hot-Rolled Carbon Steel Sheet and Strip, Structural Quality."
4. ASTM A283, "Standard Specifications for Low and Intermediate Tensile Strength Carbon Steel Plates, Shapes and Bars."
5. ASTM A441, "Standard Specification for High-Strength Low-Alloy Structural Manganese Vanadium Steel."

(Abbreviations used are: API - American Petroleum Institute; ASTM - American Society for Testing and Materials; AWWA - American Water Works Association.)

C) High Strength Carbon Steel. At present, there is no standard specification concerning this material; however, products are marked whose chemical and physical properties are similar. The material shall contain mill markings which will identify the manufacturer and specify that the material is well casing steel that complies with the chemical and physical properties as published by the manufacturer.

SECTION 2.4.2.2.

Plastic Casing. Thermoplastic well casing pipe may be used for well construction if it complies with the requirements and restrictions of this section.

A) Pipe and Material Specifications:

1. The thermoplastic well casing pipe and couplings shall be new polyvinyl chloride (PVC) material produced in accordance with the current AWWA Standard A-100 and ASTM F-480 standard, except that the impact standards of the current ASTM D-2241 may be substituted.

2. PVC material shall be designated as PVC 1120 or PVC 1220 and shall include an ultra-violet degradation inhibitor in its formulation.

3. Solvent cement shall conform to the current ASTM D-2564 standard.

4. Pipe may be joined by threaded joints, integral bell pipe or one piece couplings. Solvent-weld tapered bell and spigot joints shall meet current ASTM specification D-2672.

B) Casing Wall Thickness and Diameters:

1. The pipe shall have a standard dimension ratio (SDR) of 26, 21, or 17, and shall be equivalent to at least Schedule 40 or 80, depending upon use, construction techniques, depths and strength requirements.

2. Casing collapse pressures recommended by the manufacturer shall not be exceeded in any phase of well construction. Due consideration shall be given to extreme conditions that may result from the use of high density cement grouts, high pressure cement grouting and high temperature from the heat of hydration in cement grouts.

3. Where threaded joints are used, wall thickness shall not be less than the equivalent of Schedule 80.

C) Marking and Approval:

1. The well casing pipe and couplings shall be marked in accordance with the current ASTM F-480 standard.

2. The well casing pipe, couplings, cement, primer and other compounds shall be evaluated and approved for use as a well casing in potable water supplies by the National Sanitation Foundation (NSF) Testing Laboratories, Inc, Box 1468, Ann Arbor, Michigan 48106.

3. The pipe shall be marked with the nominal size standard dimension ratio or schedule, type of material, either the designation "PVC 1120" or "PVC 1220", the wording "well casing",

designation "ASTM F-480", manufacturers name or trademark, and the NSF-WC designation.

D) Storage:

1. The pipe and couplings shall be stored in a manner to minimize exposure to ultraviolet radiation.

2. The pipe shall be stored in a manner to prevent deformation, sagging or bending.

E) Assembly and Installation:

1. Joining techniques, including procedures for cutting, joint cleaning and priming, application of solvent cement, assembly and hardening time for solvent cement joints, shall be in accordance with the manufacturer's recommendations, and/or ASTM Standard D2855.

2. The well casing shall not be subjected to excessive forces and it may not be driven, pushed or forced into the formation.

3. PVC casing may be used to any depth, provided that allowable head differential (AHD) and hydraulic collapse pressure resistance (HCPR) are not exceeded. The well casing diameter and SDR or schedule shall be selected based on Appendix "L" of AWWA Standard A-100 and/or the manufacturer's recommendations for collapse pressure under extreme conditions.

4. PVC casing shall not be allowed to support the weight of the pump/motor (excluding submersible and single-pipe jet pump) and its related piping. The pump/motor, etc. shall be supported on a concrete base provided therefor.

5. Exposed PVC casings shall be protected from ultra-violet degradation by appropriate coatings as recommended by the manufacturer.

SECTION 2.4.3.0.

Height of Casing. Well casing shall project at least one foot above ground level, pump-house floor, or the top of concrete slab. For wells in areas subject to flooding, refer to Section 2.2.5.3. The ground surface or concrete slab around the well shall be sloped to drain away from the well in all directions.

SECTION 2.5.0.0.

Screen

Every water well shall be provided with an appropriate screen. It shall be the responsibility of the driller to determine the type of screen required, screen material, slot openings, entrance velocity, screen length and setting, and whether or not the well is to be gravel packed.

SECTION 2.5.1.0.

Type of Screen. The type of screen used is governed by cost, the contractor's experience with handling a specific type of screen, water quality, length of screen required, proposed well yield, and the required structural strength of the screen. The screen selected shall be strong enough to withstand external pressures and vertical load due to the weight of drill stem used to set the screen and the casing above the screen, if set in one continuous string.

SECTION 2.5.2.0.

Screen Material. The type of screen material is generally dependent upon cost and the quality of water to be pumped. If the water contains a relatively high concentration of carbon dioxide, dissolved solids or hydrogen sulfide, corrosion-resistant materials should be used in the construction of the screen. The screen should be made entirely of the same material, and the lap or extension pipe (for not less than five feet) above the screen and blank pipe, if used, should be made of the same material as the screen. The likelihood of corrosion and encrustation can also be decreased by maintaining the entrance velocity within acceptable limits, 0.1 foot per second or less (See Section 2.5.4.0.).

Among metal alloys available with varying degrees of corrosion resistance are the stainless steels which combine nickel and chromium with steel and the various copper-based alloys. Manufacturers can be expected to provide advice on the type of metal

or metal alloys that should be used if supplied with the results of a water analysis. Non-metal screens made of polyvinyl chloride (PCV) have been used as an alternative when corrosive conditions exist.

In contrast to "corrosive waters", encrusting waters are usually alkaline, have excessive carbonate hardness and contain iron and/or manganese. Encrustation, which reduces the open area of the screen and the specific capacity of the well, is the deposition of undesirable material about the screen openings. Efficient well development, which will decrease excessive head losses or pressure differentials across the face of the screen, will minimize the precipitation of encrusting minerals.

SECTION 2.5.3.0.

Screen Slot Openings. The selection of the screen openings, which shall be based on the results of mechanical analysis of the formation samples collected during drilling, is dependent upon the percentage of material that will be allowed to pass through the openings in the development process. Generally, the percentage of material that will be permitted to pass through the screen openings is related to the intended use of the water. Although proper screen selection and well development should eliminate the pumping of sand during normal operations, cyclic pumping and increased pumping rates sometimes cause a well to yield some sand. Sand pumping by wells used to supply public and domestic water systems cannot be tolerated, whereas some sand in water used for irrigation is generally acceptable. Other factors involved in the selection of the slot openings are the uniformity of the material, the uniformity coefficient, the type of overlying sediments and the desired entrance velocity (See Section 2.5.4.0.).

Properly designed slot openings should allow the water to flow freely from the formation into the pump area while preventing clogging and sanding.

SECTION 2.5.4.0.

Entrance Velocity. To minimize the potential for encrustation, corrosion and "sanding", the entrance velocity should not exceed 0.1 foot per second. The entrance velocity is calculated by dividing the yield expressed in cubic feet per second (gallons per minute divided by 448.8 equals cubic feet per second) by the total area of the screen openings in square feet. The total area of the screen openings is the area of the openings provided per foot of screen multiplied by the length of screen in feet. Most manufacturers provide tables listing the open area for screen diameter and slot openings.

SECTION 2.5.5.0.

Screen Length. The length of the screen is influenced by cost, aquifer thickness, desired well yield and the estimated pumping level. The screen length should represent a compromise between cost and well efficiency. Well yield is more effectively increased by increasing the length of the screen than by proportionally increasing the diameter.

SECTION 2.5.6.0.

Screen Setting. Installation of the screen should be based upon an evaluation of all data collected during drilling and a detailed interpretation of the driller's and geophysical logs, if available. Care should be exercised to avoid damaging any part of the screen and to ensure that the setting is correct.

SECTION 2.5.7.0.

Gravel Pack. If the interval to be screened consists of a fine uniform sand or consists of thin alternating layers of fine, medium and coarse sand, it may be desirable to gravel pack the screen. The objectives of gravel packing are to increase the permeability of the material in the zone immediately surrounding the screen, to minimize the chances of sand pumping, to reduce the entrance velocity at the face of the screen, to reduce the chances of error where a screen is set opposite alternating beds of sand of different grain

size and clay, and to allow the installation of a small diameter screen in relatively thick aquifers.

If required, a properly graded gravel pack shall be selected based upon an evaluation of the sieve analysis for the sands in the formation. The uniformity coefficient (see glossary of terms) of the selected gravel pack material should be 2.5 or less. The gravel envelope, usually 3 to 8 inches thick, should consist of clean, well-rounded siliceous material that will permit the selection of screen openings that will retain 90 percent or more of the gravel pack material by size. Limestone and shale shall not be used as a gravel pack.

SECTION 2.5.8.0

Formation Stabilization. If the hole drilled to accommodate the screen is much larger (four inches or more) than the diameter of the well screen, it is sometimes necessary to stabilize the extension pipe with a material such as sand or gravel to prevent caving or slumping of silt, sand, and clay from above the aquifer. Formation stabilization should not be confused with gravel packing. In contrast to gravel packing, the material used as the formation stabilizer is not specially graded. In addition, commercially available equipment, such as shale packers or metal-petal baskets, are commonly used to prevent sloughing or caving into the producing formation.

SECTION 2.6.0.0.

Methods and Standards for Cementing the Annular Space

The methods and materials employed to cement the annular space between the well casing and the borehole generally depend upon 1) local geohydrologic conditions, and 2) type of well construction. The primary reasons for sealing, cementing or grouting the annular space are as follows:

- To protect the aquifer from surface contamination,
- To increase the life of the well by protecting the casing against exterior corrosion, and
- To prevent movement of water of objectionable quality from one aquifer to another.

SECTION 2.6.1.0.

Methods for Cementing the Annular Space. The following regulations shall apply to all water wells, regardless of use or type:

A) Annular space shall be sealed with cement-bentonite slurry, which is a mixture of cement, bentonite and water, consisting of not more than eight percent bentonite by dry weight of the cement, and a maximum of ten gallons of water per sack (94 pounds) of cement. Additives, in the approved and proper ratio, may be added to the slurry if required. If the slurry is to be prepared in the field, it is recommended that the bentonite be added after cement and water are thoroughly mixed.

Neat cement, which is a mixture of cement and water consisting of not more than five gallons of water per sack (94 pounds) of cement, may be used in lieu of cement-bentonite slurry.

B) Cement-bentonite slurry shall be placed in the annular space in a continuous operation from bottom of the space to be cemented, up to the ground surface. Slurry shall be placed by the circulation or pump-down method unless specified otherwise. The pump-down method may include the "Halliburton" method, inner string cementing, or positive placement-exterior method. The selected method should ensure uniform coverage of slurry throughout the annular space.

C) A suitable cement retainer, packer, shale trap, boot or plug shall be secured to the casing at the appropriate depth to prevent leakage or migration of the slurry into the bottom of the well.

D) The cement-bentonite slurry shall fill a minimum annular space of 1½ inches for 4-inch and smaller wells, and a minimum of 2 inches for 6-inch and larger wells. For cementing methods using a "tremie" or "grouting pipe" placed in the annular

space, sufficient space should be provided to accommodate the tremie pipe.

E) If a conductor pipe is used, it shall be cemented in place and the annular space between the well casing and the conductor pipe shall be made watertight by grouting with cement-bentonite slurry from bottom of the conductor pipe to the ground surface.

F) If one or more sands between the ground surface and the production sand contain saline water and/or water of objectionable quality, the annular space between the well casing and the hole shall be sealed with cement-bentonite slurry, at a minimum, to a depth of not less than twenty feet below the deepest sand containing the water of objectionable quality unless full depth cementing is required by Section 2.6.2.0.

SECTION 2.6.2.0.

Standards for Cementing the Annular Space.

A) Community public supply wells shall be cemented to their full depth from the top of the producing aquifer to the ground surface.

B) Non-community public supply wells shall be cemented from a minimum depth of 50 feet to the ground surface.

C) Industrial and power generation wells shall be cemented to their full depth from the top of the producing aquifer to the ground surface.

D) Observation wells shall be cemented from a minimum depth of 50 feet to the ground surface.

E) Irrigation/agricultural wells shall be cemented from a minimum depth of ten feet to the ground surface, using the pump-down or the gravity method with or without the tremie pipe.

F) Rig-supply wells shall be cemented from a minimum depth of 50 feet to the ground surface.

G) Monitoring wells shall be cemented along the entire length of the casing unless specified otherwise by the Department of Environmental Quality.

H) Dewatering wells, other than drive-point type, shall be cemented from a minimum depth of 50 feet to the ground surface.

I) Domestic wells shall be cemented from a minimum depth of 10 feet to the ground surface using the pump-down or the gravity method with or without the tremie pipe. A suitable cement retainer, such as a shale trap or boot, as required by Section 2.6.1.0. (C), shall be attached to the casing at the ten-foot minimum depth. The use of empty cement sacks in lieu of shale trap or boot shall not be allowed. A long metal rod shall be used to rod the cement slurry to ensure uniform coverage around the casing.

J) Heat pump supply wells for private homes shall be cemented in accordance with requirements for domestic wells; for apartment buildings and other commercial establishments, in accordance with requirements for non-community public supply wells, and for industrial plants, in accordance with requirements for industrial wells.

SECTION 2.7.0.0.

Well Development and Disinfection

SECTION 2.7.1.0.

Purpose and Methods of Development. The principal purposes of well development are as follows:

- To remove silt, sand, drilling mud, and other materials that may retard the flow of water toward and into the well,
- To correct any damages to, or clogging of, the water bearing formation that may have occurred during drilling, and
- To stabilize the material around the screen so that the well will yield clear "sand free" water.

The following methods used in developing, redeveloping or conditioning a well are acceptable:

- Surging with a plunger or piston while jetting using air lift,
- Jetting with water, also known as crosswashing,

- Backwashing or surging by alternately starting and stopping the pump,
- Using chemicals designed for developing or redeveloping a well,
- Over-pumping.

The use of explosives is prohibited. Water used for well development shall be potable or chlorinated to prevent contamination of water-bearing formations.

SECTION 2.7.2.0.

Criteria for Development. A well should be developed at a yield of 1.5 times the proposed pumping rate and, if possible, it should continue until the observed specific capacity is the same, or nearly the same, as the theoretical specific capacity. Adequately developed wells should be "sand free" and should have fewer encrustation problems if the operating pumping rate is about two-thirds the developed rate, the entrance velocity is 0.1 foot per second or less, and the head differential across the face of the screen is at a minimum.

The acceptable amount of sand per unit volume should be between recommended ratios of one ounce of sand per 8,000 gallons of water (about 1 milligram per liter) and one ounce per 100 gallons of water (80 milligrams per liter), depending on the use of water. Because of the possibility of damage by sand to plumbing fixtures and industrial equipment and products, the tolerance for sand in water used for public supply, domestic and most industrial purposes is low and should not exceed five milligrams per liter. Many wells that are used for public water supply systems have an acceptable ratio of "no sand". The well owner should specify the acceptable limits of the "sand free" water with equal consideration given to the use of the water, the desired production rate, costs, and well development.

SECTION 2.7.2.1.

Development of Gravel-Packed Wells. The successful development of a gravel-packed well is dependent upon the grading of the gravel, the method of development, and thickness of the skin of the relatively impervious drilling mud filter cake which is "plastered" on the wall of the hole and is between the water-bearing formation, and the emplaced gravel. Because it concentrates energy in small areas, the jetting or cross washing method is usually the most effective in developing gravel-packed wells.

SECTION 2.7.2.2.

Chemicals Used in the Development Process. Glassy polyphosphate chemicals, if used strictly in accordance with the manufacturer's recommendation, will aid in the development or re-development process by reducing the gel-like properties of the drilling mud and by dispersing the clay particles that are on the sand grains.

The appropriate ratio of chemicals to water in the well is usually specified by the manufacturer. The mixture should be allowed to stand in the well for at least one hour, or the period of time recommended by the manufacturer of the chemical, before development starts. It should be noted that the polyphosphate should not be allowed to remain in the well for too long (several days). If the chemicals converted to the glassy orthophosphate state, any clay in suspension could be deposited, perhaps out of reach of any further removal, resulting in permanent reduction in yield.

Chemicals used in the development process shall either meet the standards of the American Water Works Association or be approved for use by the U.S. Environmental Protection Agency (EPA).

SECTION 2.7.3.0.

Disinfection of Wells. All new wells and existing wells in which repair work has been done shall be disinfected before being put into use, in accordance with Chapter XII of the State Sanitary Code, if water is to be used for drinking, cooking or washing pur-

poses. Negative bacteriological analysis of water, performed by the Department of Health and Human Resources (DHHR) or by a laboratory certified by the State Health Officer, shall be required for all public supply and domestic water wells.

SECTION 2.8.0.0.

Standards for Miscellaneous Appurtenances

SECTION 2.8.1.0.

Vent (Breather Pipe). Vents are required for all public supply water wells and are recommended for use on wells used for other purposes. Vents shall be so constructed and installed as to prevent the entrance of contaminants into the well. Vent openings shall be piped water-tight to a point at least two feet above the highest flood level which may have occurred in a ten-year period, but in no case less than one foot above the top of the well casing. Such vent openings and extensions thereof should not be less than one-half inch in diameter, with extension pipe firmly attached thereto. The openings of the vent pipes shall be turned *downward* and *screened* to prevent the entrance of insects, foreign matter and other contaminants. Vents will not be required when single-pipe jet pumps are used.

SECTION 2.8.2.0.

Sampling Tap. All public supply and domestic water wells shall be provided with a readily accessible faucet or tap on the well discharge line at the well head for the collection of water samples. The faucet or tap shall be of the smooth nozzle type and turned downward.

SECTION 2.8.3.0.

Concrete Slab. When concrete slabs are placed around water wells at ground surface, they should be at least four inches thick and extending at least two and one-half feet from the well in all directions. The surface of the slab shall be sloped to drain away from the well. The top of the casing shall be at least one foot above the top of the slab. Prior to the slab installation, the contractor shall seal the annular space in accordance with Section 2.6.0.0. **THE PLACEMENT OF A SLAB SHALL NOT BE CONSIDERED A SUBSTITUTE FOR THE PLACEMENT OF CEMENT-BENTONITE SLURRY IN THE ANNULAR SPACE BETWEEN THE HOLE AND THE CASING.**

For wells where a slab is not provided, the ground surface surrounding the well shall be compacted and graded to drain water away from the well.

SECTION 2.8.4.0.

Sanitary Seals. A water-tight sanitary seal shall be installed at the top of the casing for all water wells to prevent the entrance of contaminated water or other objectionable material into the well. Sanitary seals shall be constructed of a durable material such as cast iron, steel, aluminum, high impact plastic, neoprene, or a combination thereof. If a vent and/or an electrical conduit enter the well casing through the sanitary seal, the openings shall be made water-tight.

SECTION 2.8.5.0.

Pump/Motor Base. To prevent transmission of vibration to the well casing, all surface-mounted pumps/motors (excluding submersible and single-pipe jet pumps/motors) shall be supported by a concrete base, pier or foundation. The well casing shall not be used to support the weight of the surface-mounted pump/motor, except as noted above. Foundations may either be split pier type or solid pedestal type. For solid pedestal foundations, the well casing shall project at least one inch above the level of the foundation.

SECTION 2.9.0.0.

Enforcement Actions

Provisions addressing enforcement of this Chapter appear in Louisiana Revised Statute 38:3096, as follows:

A) Whoever knowingly and willfully violates a provision of

this chapter, or a rule, regulation, or order of the director or a board made hereunder, shall be subject to a civil penalty of not more than \$1,000 a day for each day of violation and for each act of violation if a penalty for the violation is not otherwise provided in this chapter.

(1) The place of suit to recover this penalty shall be selected by the director or board, as may be appropriate, in the district court of the parish of the residence of any one of the defendants, or in the district court of the parish where the violation took place.

(2) Suit shall be at the direction of the director or board, as may be appropriate, and shall be instituted and conducted in his or its name by the Attorney General or by the District Attorney of the district under the direction of the Attorney General.

B) Whoever knowingly and willfully aids or abets a person in the violation of a provision of this chapter, or in any rule, regulation, or order made hereunder, shall be subject to the same penalties provided herein for the principal violator.

SECTION 2.9.1.0.

Falsification of Documents. Falsification of documents to evade regulations, as well as penalties for said falsifications, appears in Louisiana Revised Statute 38:3095, as follows:

A) No person shall, for the purpose of evading this chapter, or any rule, regulation, or order made thereunder:

(1) Make or cause to be made any false entry or statement of fact in any report required to be made by this chapter or by any rule, regulation, or order made hereunder; or

(2) Make or cause to be made any false entry in an account, record, or memorandum kept by any person in connection with the provisions of this chapter or of any rule, regulation, or order made thereunder; or

(3) Remove out of the jurisdiction of the State, or destroy or mutilate, alter, or by any other means falsify any book, record, or other paper pertaining to the matters regulated by this chapter or by any rule, regulation, or order made thereunder.

B) Whoever violates this section shall be *fined* not more than *Five Thousand Dollars* or imprisoned not more than *six months* or both.

The penalty provision for falsification of documents required under the provisions of this chapter are therefore criminal in nature and will be enforced through the District Attorney having jurisdiction where said violation occurs. It should also be noted that utilization of the United States Mail in the falsification of documents constitutes a violation of Title 18 of the United States Code (Mail Fraud), and such information will be referred to the appropriate United States Attorney.

SECTION 2.9.2.0.

Appeals. An alleged violator may appeal any order of the Department by requesting a hearing. The hearing request must be made to the Department, in writing, within 30 calendar days of the original order and must be sent by "Certified Mail-Return Receipt Requested". After receiving the request, the Department will arrange a hearing to determine what other remedial action will serve to effect compliance with the rules and regulations.

Chapter III

Rules, Regulations and Standards for Plugging Abandoned Water Wells and Holes

As announced in the October 1985 issue of the *Louisiana Register*, the Rules, Regulations and Standards, stated herein, were prepared by the Louisiana Department of Transportation and Development, Office of Public Works, hereafter referred to as the "department", which is responsible for establishing rules, regulations and standards for plugging (sealing) of abandoned water wells and holes in Louisiana in accordance with R.S. 38:3091 through 38:3097.

The Rules, Regulations and Standards, stated herein, will become effective on November 1, 1985 and will supercede the Rules, Regulations, Standards and Methods for Plugging and Sealing of Abandoned Water Wells and Holes which had been in effect since September 1, 1975.

SECTION 3.1.0.0.

Purpose

The purpose of the Rules, Regulations and Standards for Plugging Abandoned Water Wells and Holes, stated herein, is to protect the ground water resources of the state from surface contamination, to prevent movement of water from one aquifer to another, to prevent the entrance of objectionable materials and wastes into aquifers via open or improperly sealed water wells and holes, and to minimize health and safety hazards associated with abandoned wells and holes.

SECTION 3.2.0.0.

General Rules and Regulations

In 1972, the Louisiana Legislature enacted State Act 535, which authorized the Department to promulgate reasonable rules and regulations relating to the plugging of abandoned water wells. Section A-6 of this Act (R.S. 38:3094) states that the department shall:

“Require that all abandoned wells be reported and sealed with approved standards and to establish such standards.”

Accordingly, the Rules, Regulations and Standards for Plugging Abandoned Water Wells and Holes stated herein were prepared in response to this legislative directive and were developed in coordination with other state agencies that are also concerned with the protection of the water resources of the state. The regulations and standards are intended to provide for restoration, as nearly as possible, of those subsurface and surface conditions that existed prior to drilling, boring, digging or augering activities; taking into account any changes that may have occurred as a result of “natural stresses”.

These regulations and standards do not preempt but instead compliment the Rules and Regulations of the Louisiana Department of Natural Resources, Office of Conservation, related to plugging and abandonment of oil, gas, saltwater, saltwater disposal, waste disposal and injection wells, and the Rules and Regulations of the Department of Environmental Quality related to plugging of monitoring wells and geotechnical boreholes associated with waste activities. These regulations and standards are also important as guidelines for other state agencies when promulgating and enforcing their plugging regulations and standards.

SECTION 3.2.1.0.

Abandoned Water Wells and Holes That Shall be Plugged.

The Rules, Regulations and Standards for Plugging Abandoned Water Wells and Holes shall apply to all abandoned water wells and holes including, but not limited to, public supply, domestic, irrigation/agriculture, industrial, power generation, rig-supply, observation, dewatering, monitoring, and heat pump supply, as well as abandoned pilot holes, test holes, geotechnical boreholes, and heat pump holes (closed loop system). Abandoned or improperly plugged wells or holes could act as conduits for transmitting contaminants from the surface down to the water-bearing sands and thereby contaminate the state's ground water resources. For glossary of terms, refer to Appendix I.

SECTION 3.2.2.0.

Exemptions. In accordance with R.S. 38:3097, the following wells and holes are exempted from the provisions of the Rules, Regulations and Standards stated herein: saline-water wells associated with secondary recovery operations, brine wells, oil and gas wells and holes, injection wells, geothermal and geopressed

holes associated with production of oil and gas, and waste disposal wells.

Although the cited activities are not covered by R.S. 38:3094, they are not exempted or excepted by state law; therefore, persons, firms, corporations or others dealing with the cited activities should contact the appropriate regulating agencies for further information and should take any and all action necessary to protect the water resources of the state from contamination. The exclusion of these activities from these regulations does not in any way remove or establish legal liability for health and safety hazards, contamination, or pollution problems alleged to be caused by persons engaged in the activities cited in the first paragraph of this section.

SECTION 3.2.3.0.

Licensing Requirements. State Act 715 of 1980 (R.S. 38:3098), as amended by State Act 313 of 1984, requires that every person, firm or corporation desiring to engage in the business of plugging and abandoning wells or holes, excluding oil and gas wells, in the State of Louisiana shall obtain a license from the Department in accordance with the rules and regulations stated in Chapter V.

Accordingly, plugging of abandoned water wells and holes must be conducted by a qualified contractor who is duly licensed by the Department, with the following exceptions:

A) Nothing in this chapter shall prevent a person who has not obtained a license, pursuant thereto, from plugging a domestic water well on his own or leased property which was intended for use only in a single family house which is his permanent residence, or was intended for use only for watering livestock on his farm; however, that person shall comply with all rules, regulations and standards for plugging such wells or holes, including the submission of plugging and abandonment forms.

B) In addition to the domestic wells referred to in paragraph (A), a person may plug an abandoned well or hole on his own or leased property provided that the person has the required equipment and knowledge for properly plugging the well or hole, in accordance with the Rules, Regulations, and Standards stated herein, to the satisfaction of the Department, and provided that the person has obtained Departmental approval for plugging the well or hole himself, and provided that such approval is obtained prior to the beginning of the plugging operation. The owner shall complete and submit a Water Well Plugging and Abandonment Form (DOTD-GW-2) to the Department within 30 calendar days after completion of the plugging operation.

SECTION 3.2.4.0.

Variance Requests. Because of variable hydrologic conditions, differences in well construction, depth, and size, and the irregular occurrence of saltwater sands, the Rules, Regulations and Standards stated herein cannot cover every possible situation. For cases where compliance with the Rules, Regulations, and Standards stated herein is impractical, the owner, engineer, or the water well contractor may request a variance and/or clarification on methods specified. Such requests shall be addressed to the Department as follows: Department of Transportation and Development, Attn: Chief, Water Resources Section, Box 94245, Baton Rouge, LA 70804-9245; Phone: (504) 379-1434.

The request must be in writing, must demonstrate that compliance is impractical and must outline a satisfactory alternative. The Department may prescribe, in writing, alternate requirements that are equivalent to the regulations and standards stated herein relating to the protection of aquifer and prevention of ground water contamination.

SECTION 3.2.5.0.

Submission of Water Well Plugging and Abandonment Forms (DOTD-GW-2). The contractor who plugs an abandoned

well or hole shall complete and submit to the department the original copy of the Water Well Plugging and Abandonment Form (DOTD-GW-2) within 30 calendar days after the completion of the work. The owner's copy shall be sent to the owner immediately after completion of the work, and the contractor shall retain the contractor's copy for his files. A sample copy of Form DOTD-GW-2 and instructions for completing the form are included in Appendix IV. For reporting purposes only, the Department considers the work completed when the work is accepted by the owner or when the contractor has moved his equipment from the site; whichever comes first. Acceptance by the owner or removal of equipment from the site by the contractor does not imply, in any way, acceptance or approval by the State of Louisiana. The department, after inspection of the site and records (refer to Section 3.2.9.0.), can require the owner and/or the contractor to do whatever additional work is necessary to properly plug and seal a hole or well in accordance with the standards stated herein. The expense for the additional work shall be borne by the owner and/or the contractor, as the case may be.

For the purpose of reporting the plugging of abandoned geotechnical boreholes, the drilling contractor shall certify annually at license renewal time, that all boreholes drilled by his firm have been plugged in accordance with requirements of Section 3.6.4.3.

SECTION 3.2.6.0.

Responsibility of The Owner. Unless specified otherwise in the Rules and Regulations stated herein, it shall be the responsibility of the owner to have an abandoned water well properly plugged and sealed in accordance with methods and standards stated in Section 3.6.0.0. within 90 calendar days after abandonment. If the owner fails to plug an abandoned well within the 90-day time period, enforcement procedures, as outlined in Section 3.2.7.0., will be initiated by the department.

SECTION 3.2.7.0.

Failure of The Owner to Plug an Abandoned Water Well.

A) When the owner fails to plug an abandoned water well within the time period specified in Section 3.2.6.0., the Department, upon receiving information on the existence of such well, will order the owner to plug the well within 30 calendar days after receipt of the order.

B) If the owner fails to comply within the 30-day time period or does not offer, in writing, an acceptable alternative time interval for plugging the well, the owner will be considered in violation of R.S. 38:3094, paragraph (6) of subsection A, which permits a civil penalty of not more than \$1,000 a day for each day of violation and for each act of violation.

SECTION 3.2.8.0.

Responsibilities of the Contractor. The contractor who agrees to plug an abandoned well or hole for the owner shall be fully responsible for plugging the well or hole in accordance with the Rules, Regulations and Standards stated herein. He is also responsible for completing and submitting a plugging and abandonment form (DOTD-GW-2) to the department within 30 calendar days after completion of the plugging operation. The contractor shall also be responsible for informing the owner of the necessity of plugging and sealing any other water well or hole on the property that may have been previously abandoned or which may be abandoned in the future.

SECTION 3.2.9.0.

Site Inspection by the Department Representatives. The Department may order, at any time, that the site of an abandoned water well or hole be inspected by Department representatives to determine whether the work has been satisfactorily completed in accordance with the standards stated herein, and as stated on the Water Well Plugging and Abandonment Form (DOTD-GW-2). The

owner and/or the contractor shall make all records available to the representatives of the Department and the owner shall allow representatives to enter the property and visit the site(s).

SECTION 3.3.0.0.

Availability of Water Well Data

The drilling and construction records for a water well or test hole may be obtained from the owner, from the water well contractor, and/or from one of the following governmental agencies: Department of Transportation and Development, Water Resources Section, Box 94245, Baton Rouge, LA 70804-9245; or U.S. Geological Survey, Water Resources Division, Box 66492, Baton Rouge, LA 70896.

Reports and/or information on hydrology, geology, the occurrence of saline water-bearing and fresh water-bearing sands and quality of water may be obtained from the above-named governmental agencies and/or the following: Department of Natural Resources, Office of Conservation, Box 44275, Baton Rouge, LA 70804; or Louisiana Geological Survey, Box G, Baton Rouge, LA 70803.

Information on monitoring wells may be obtained from the owner, the water well contractor, the engineer, the Department of Transportation and Development, as listed above, and/or from the following agency: Department of Environmental Quality, Solid and Hazardous Waste Division, Box 44066, Baton Rouge, LA 70804.

SECTION 3.4.0.0.

Regulations for Determining Status of Wells or Holes and for Determining Plugging Responsibility

Following are the regulations for determining the status of a drilled, bored, cored, augered or driven water well or hole and for determining the party responsible for plugging abandoned wells and holes.

SECTION 3.4.1.0.

Active Status. A well is considered to be active if it is an operating well used to supply water.

SECTION 3.4.2.0.

Standby Status. A well is considered to be standby if it is used in emergencies or occasionally used to supply water.

SECTION 3.4.3.0.

Inactive Status. A well is considered to be inactive if it is not presently operating but is maintained in such a way that it can be put back in operation, with a minimum of effort, to supply water. Before a well can be put in inactive status, the owner shall present evidence to the Department as to the condition of the well and as to his intentions to use the well in the future, as well as obtaining the department's written approval. As evidence of intentions, the owner shall be responsible for properly maintaining the well in such a way that:

- The well and the annular space between the hole and casing shall have no defects that will permit the seepage of surface water into the well,
- The well is clearly marked and is not a safety hazard,
- The well is adequately capped in such a manner as to prevent easy entry by other than the owner,
- The area surrounding the well is kept clear of waste and debris,
- If the pump and/or motor have been removed for repair, replacement, etc., the well is adequately capped to prevent injury to people and to prevent the entrance of any contaminant or other objectionable material,
- The well is not used for disposal or injection of trash, garbage, sewage, waste water and/or storm runoff, and
- The well is easily accessible for routine maintenance and periodic inspection.

SECTION 3.4.4.0.

Abandoned Wells. A well is considered to be abandoned if

its use has been permanently discontinued; its pumping equipment has been permanently removed; the well is in such a state of disrepair that it cannot be used to supply water and/or has the potential for transmitting surface contaminants into an aquifer; the well poses potential health or safety hazards, or the well is in such a condition that cannot be placed in the active, standby or inactive status. The owner of an abandoned well shall be responsible for plugging such a well in accordance with Methods and Standards, stated in Section 3.6.0.0., within 90 calendar days from the initial date of abandonment. If the owner fails to plug an abandoned well within the 90-day time period, enforcement procedures, as outlined in Section 3.2.7.0., will be initiated by the department.

SECTION 3.4.4.1.

Abandoned Rig-Supply Water Wells. A water well drilled at an oil or gas drilling site to supply water for drilling activities shall be considered an abandoned well immediately after the termination of the oil or gas drilling operations and removal of the rig from the site. The company in charge of the drilling of the oil or gas well (lessee) shall be responsible for plugging the abandoned water well, in accordance with Section 3.6.0.0., within 30 calendar days after the termination of oil or gas drilling operations and removal of the rig from the site.

If the ownership of the water well is to be conveyed to the landowner in lieu of plugging and abandoning the well, the well must conform to the requirements for active or inactive status. The ownership transfer must be made through a legal document advising the landowner of his responsibilities and obligations to properly maintain the well, including the proper plugging of the well when it is abandoned and no longer needed for water production activities. The company (lessee) shall provide the Department with a copy of the transfer document within 30 calendar days after the transfer of the ownership. Upon receiving the document, the Department will send a letter to the new owner requesting well use information and advising him/her of the appropriate regulations. The owner is required to respond within 30 calendar days, stating intended use and requesting an appropriate status, as outlined in Sections 3.4.1.0 and 3.4.3.0.

SECTION 3.4.5.0.

Observation Wells. A well is considered to be an observation well if it is used by the owner, by governmental agencies, or by an appropriate engineering or research organization to obtain information on the water resources of an area. Observation wells shall be covered with an appropriate cap or cover to prevent unauthorized use or entry and to prevent entry of contaminants. It shall be the responsibility of the owner, organization or agency making the observations to prevent entry of any foreign materials or water into observation wells and to keep the surrounding area clear of waste, water, debris and other materials.

A well shall not be used for any injection or recharge studies until a permit is obtained in accordance with existing orders, rules and regulations of the Department of Natural Resources, Office of Conservation.

An inactive water well may be used as an observation well; however, when it is no longer needed for observation purposes and the owner does not intend to convert it to an active status, the well shall be considered abandoned. The owner shall be responsible for plugging the abandoned well in accordance with Methods and Standards, stated in Section 3.6.0.0., within 90 calendar days after abandonment, unless agreement with the agency or organization which used the well for observation clearly delegates the plugging responsibility to the agency or organization.

A well constructed solely for observation purposes by an owner, a governmental agency, or an engineering or research organization, must be converted to an active, inactive or standby status when no longer needed for observation purposes, otherwise it

shall be considered abandoned. It shall be the responsibility of the owner, agency or organization who installed the well to plug the abandoned well in accordance with Methods and Standards, stated in Section 3.6.0.0., within 90 calendar days after abandonment.

SECTION 3.4.6.0.

Abandoned Pilot Holes and Test Holes. A pilot hole, drilled with the intent to install casing and produce water, shall be considered an abandoned hole immediately after the termination of the drilling operations if the hole is not cased and/or a well is not developed or constructed. It shall be the water-well contractor's responsibility to plug the abandoned hole, in accordance with Section 3.6.4.1., within 30 calendar days after the termination of the drilling operations.

A test hole, drilled to obtain geologic, hydrologic and water-quality data shall be considered an abandoned hole immediately after the completion of all testing operations. The agency or the contractor in charge of the exploratory work is responsible for plugging the abandoned hole in accordance with Section 3.6.4.1., within 30 calendar days after the termination of drilling operations.

SECTION 3.4.7.0.

Abandoned Geotechnical Boreholes. A hole, drilled, bored, cored or augered to obtain soil samples to be analyzed for chemical and/or physical properties shall be considered abandoned immediately after the completion of the drilling and sampling operations. It shall be the drilling contractor's responsibility to plug the abandoned hole in accordance with Methods and Standards stated in Section 3.6.4.3. within 30 calendar days after the termination of drilling and sampling operations.

SECTION 3.4.8.0.

Abandoned Heat Pump Holes (Closed Loop System). A hole drilled to install piping for an earth-coupled water source heat system shall be considered an abandoned hole if the piping is not installed and/or the hole is not plugged by the drilling contractor in accordance with Methods and Standards, stated in Section 3.6.4.4., within 30 calendar days after completion of drilling operations. It shall be the drilling contractor's responsibility to plug the abandoned hole in accordance with Methods and Standards, stated in Section 3.6.4.4., within 30 calendar days after the hole is considered abandoned.

SECTION 3.5.0.0.

Plugging and Filler Materials

SECTION 3.5.1.0.

Plugging Material. It is recognized that no material is completely impervious; however, experience and tests have shown that cement-bentonite slurry has a low permeability, good sealing properties, and low shrinkage factor, so as to be preferred for use when plugging an abandoned water well or hole. Cement-bentonite slurry is a mixture of cement, bentonite, and water, consisting of not more than eight percent bentonite by dry weight of the cement and a maximum of 10 gallons of water per sack (94 pounds) of cement. Additives, in the approved and proper ratio, may be added to the slurry, if required. If the slurry is to be prepared in the field, it is recommended that the bentonite be added after cement and water are thoroughly mixed.

Neat cement, which is a mixture of cement and water, consisting of not more than five gallons of water per sack (94 pounds) of cement, may be used as plugging material in lieu of cement-bentonite slurry.

When permitted by the Methods and Standards stated in Section 3.6.0.0., heavy drilling mud or bentonite slurry, weighing not less than nine pounds per gallon, may be used as plugging material. The plugging material shall be free of foreign and organic additives.

SECTION 3.5.2.0.

Filler Material. When permitted by the Methods and Stan-

dards stated in Section 3.6.0.0., heavy drilling mud or bentonite slurry, weighing not less than nine pounds per gallon, coarse ground bentonite or clean sand may be used as filler material. The filler material shall be free of foreign and organic additives.

SECTION 3.5.3.0.

Calculations to Verify Adequacy of Plugging Materials. To assure an abandoned water well or hole is plugged and sealed properly and that there has been no "jamming" or "bridging" of the material, verification calculations and measurements shall be made by the contractor to determine whether the volume of the material placed in the well or hole at least equals the volume of the casing or hole plugged and/or filled. When bridge plugs are used, sufficient time shall be allowed for the material to set. Any measurements and calculations made in setting and verifying the location of the plug shall be made available to the Department upon request. The Department shall be solely responsible for determining whether a well or hole is satisfactorily plugged or sealed.

SECTION 3.6.0.0.

Methods and Standards for

Plugging Abandoned Water Wells and Holes

The following Methods and Standards shall be used for the plugging of abandoned water wells and holes. If there is a need for variance from these regulations and/or clarification is required, Departmental approval shall be obtained in writing, before the plugging operation is begun. For variance requests, refer to Section 3.2.4.0.

SECTION 3.6.1.0.

Methods and Standards for Plugging Abandoned Water Wells. The following methods and standards shall apply to all abandoned water wells, regardless of use or type.

SECTION 3.6.1.1.

Removal of Obstructions From the Well. Before the plugging operation is begun, the drilling and construction records for the well should be obtained and studied (see Section 3.3.0.0). An investigation of the well shall be made to determine if there is any obstruction in the well that would interfere with the plugging operation. Any obstruction in the well shall be removed, using an acceptable method, before initiating the plugging operation.

SECTION 3.6.1.2.

Cutting Off the Top of the Casing. In areas subject to subsidence and/or farming, the top of the casing shall be cut off a minimum of three feet below the surface of the ground before plugging operation begins. After filling the well with cement-bentonite slurry, the excavation above the top of the cement plug shall be filled with compacted soil to minimize future hazards to farming equipment, etc. In other areas, the top of the casing shall be cut off at or below the ground surface. Under no circumstances shall the top of the casing protrude above the surface of ground.

SECTION 3.6.1.3.

Plugging Material for the Screen. The screen or the area opposite the production aquifer (as in open hole construction) may be filled with filler materials specified in Section 3.5.2.0. in lieu of cement-bentonite slurry.

SECTION 3.6.1.4.

Plugging Method. The entire well shall be plugged with cement-bentonite slurry from bottom of the well up to the ground surface using the pump-down method, preferably in one continuous operation. Placement of plugging material by pouring or dropping through the water shall not be permitted.

SECTION 3.6.1.5.

Annular Space. If the annular space of the abandoned well is not already sealed, the plugging material shall be brought up to the surface and allowed to spill over the top of the casing and into the annulus, sealing the annular space between the casing and the borehole. If the annular space is already sealed, the plugging ma-

terial shall be brought up to the ground surface, unless specified otherwise.

SECTION 3.6.1.6.

Temporary Shut Down. When plugging of an abandoned water well or hole is temporarily suspended, such as overnight shut down or awaiting material, the well or hole shall be covered and the immediate area conspicuously marked to protect and warn the public. The cover shall be sufficiently strong and anchored to prevent easy or unintentional entry. The well or hole shall be sealed to prevent the seepage of surface water and foreign material into the well or hole.

SECTION 3.6.1.7.

Areas of Confirmed Contamination. In areas of confirmed ground water or soil contamination, the entire well shall be plugged with cement-bentonite slurry. The annular space of the well, if not already sealed, shall be sealed by perforating or ripping the casing and forcing cement-bentonite slurry under pressure into the annular space and surrounding formation to prevent the entry of contaminated fluids into an aquifer and to prevent the movement of water from one aquifer to another.

SECTION 3.6.1.8.

Areas of Potential Contamination. In areas of potential ground water or soil contamination, the entire well shall be plugged with cement-bentonite slurry. It is recommended that the annular space of the well, if not already sealed, be perforated or ripped and cement-bentonite slurry forced under pressure into the annular space and surrounding formation to safeguard against any possible entry of contaminated fluids into an aquifer and to prevent the movement of water from one aquifer to another.

SECTION 3.6.1.9.

Plugging of Abandoned Water Well From Which Some or All of the Casing Has Been Removed.

A) If the casing remaining is in the upper part of the well, the well shall be sounded to determine the amount, if any, of "cave in". The part of the hole filled with "cave in" material shall be reamed or drilled out of the original depth of the well and then the entire hole shall be plugged with cement-bentonite slurry from the bottom, up to the ground surface, using the pump-down method.

B) If the casing (including the screen) remaining is in the lower part of the well, the well and hole shall be completely filled with cement-bentonite slurry from the bottom, up to the ground surface, using the pump-down method.

C) If all the casing and screen is removed, the hole for the entire original depth of the well shall be plugged with cement-bentonite slurry from the bottom, up to the ground surface, using the pump-down method.

SECTION 3.6.2.0.

Plugging of Abandoned Monitoring Wells. The entire well shall be plugged with cement-bentonite slurry from bottom of the well, up to the ground surface, using the pump-down method.

NOTE: PLUGGING OF ABANDONED MONITORING WELLS ASSOCIATED WITH FACILITIES REGULATED BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) REQUIRE APPROVAL FROM THAT DEPARTMENT PRIOR TO ACTUAL PLUGGING.

SECTION 3.6.3.0.

Plugging of Abandoned Dug or Augered Wells. Domestic dug or augered wells shall be plugged from bottom of the well up to the ground surface with cement-bentonite slurry or with local fill material such as silt, sand, clay, native soil, or a mixture thereof. If local fill material is used, it should be allowed to settle, and then permanently capped with cement or compacted clay.

SECTION 3.6.4.0.

Plugging of Abandoned Holes. If the hole penetrates an aquifer containing saline water, the entire hole shall be plugged with

cement-bentonite slurry from bottom of the hole, up to the ground surface using the pump-down method; otherwise, the hole shall be plugged in accordance with the following sections.

SECTION 3.6.4.1.

Plugging of Abandoned Pilot Holes.

A) The entire hole shall be plugged with cement-bentonite slurry from bottom of the hole, up to the ground surface, using the pump-down method.

Note: If an aquifer (see Glossary) is not penetrated, the hole shall be plugged with either cement-bentonite slurry or bentonite slurry from bottom of the hole, up to a depth of 25 feet below the ground surface and then the upper 25 feet of the hole shall be plugged with cement-bentonite slurry, using the pump-down method.

SECTION 3.6.4.2.

Plugging of Abandoned Test Holes. An abandoned test hole shall be plugged with cement-bentonite slurry from bottom of the hole, up to the ground surface, using the pump-down method. If the casing cannot be removed, in addition to plugging the entire casing with cement-bentonite slurry, the annular space must also be cemented as per requirements of Section 2.6.0.0. or as approved by the department.

SECTION 3.6.4.3.

Plugging of Abandoned Geotechnical Boreholes.

A) The entire hole shall be plugged with cement-bentonite slurry from bottom of the hole, up to the ground surface, using the pump-down method, or

B) the hole shall be plugged with bentonite slurry from bottom of the hole, up to a depth of 25 feet below the ground surface and then the upper 25 feet of the hole shall be plugged with cement-bentonite slurry, using the pump-down method.

For boreholes of 25 feet or less, drill cuttings from the original hole may be used to plug the hole in lieu of cement-bentonite slurry, provided that an aquifer is not penetrated and provided that a concrete cylinder is pushed into the hole to form a permanent seal at the ground surface.

NOTE: PLUGGING OF GEOTECHNICAL BOREHOLES ASSOCIATED WITH FACILITIES REGULATED BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) REQUIRE APPROVAL FROM THAT DEPARTMENT PRIOR TO ACTUAL PLUGGING.

SECTION 3.6.4.4.

Plugging of Heat Pump Holes (Closed Loop System).

A) The entire hole shall be plugged with cement-bentonite slurry from bottom of the hole, up to the bottom of the horizontal trench, using the pump-down method, or

B) The hole shall be plugged with bentonite slurry from bottom of the hole, up to a depth of 25 feet below the bottom of the horizontal trench and then the upper 25 feet of the hole shall be plugged with cement-bentonite slurry, using the pump-down method.

SECTION 3.7.0.0.

Enforcement Actions

Provisions addressing enforcement of this Chapter appear in Louisiana Revised Statute 38:3096, as follows:

A) Whoever knowingly and willingly violates a provision of this chapter, or a rule, regulation or order of the director or a board hereunder, shall be subject to a civil penalty of not more than \$1000 a day for each day of violation and for each act of violation if a penalty for the violation is not otherwise provided in this Chapter.

(1) The place of suit to recover this penalty shall be selected by the director or board, as may be appropriate, in the district court of the parish in which any one of the defendants resides, or in the district court of the parish where the violation took place.

(2) Suit shall be at the discretion of the director or board as may be appropriate and shall be instituted and conducted in his or its name by the attorney general or by the district attorney of the district under the direction of the attorney general.

B) Whoever knowingly and willfully aids or abets a person in the violation of a provision of this chapter, or in any rule, regulation or order made hereunder shall be subject to the same penalties provided herein for the principal violator.

SECTION 3.7.1.0.

Falsification of Documents. Falsification of documents to evade regulations, as well as penalties for said falsifications, appears in Louisiana Revised Statute 38:3095 as follows:

A) No person shall, for the purpose of evading this chapter or any rule, regulation or order made thereunder:

(1) make, or cause to be made, any false entry or statement of fact in any report required to be made by this chapter, or by any rule, regulation or order made hereunder; or

(2) make, or cause to be made, any false entry in an account, record or memorandum kept by any person in connection with the provisions of this chapter or of any rule, regulations or order made thereunder; or

(3) remove out of the jurisdiction of the state or destroy or mutilate, alter, or by any other means, falsify any book, record, or of the paper pertaining to the matters regulated by this chapter, or by any rule, regulation or order made thereunder.

B) Whoever violates this section shall be fined not more than \$5,000 or imprisoned not more than six months or both.

The penalty provision for falsification of documents required under the provisions of this chapter are therefore criminal in nature and will be enforced through the district attorney having jurisdiction where said violation occurs. It should also be noted that utilization of the United States Mail in the falsification of documents constitutes a violation of Title 18 of the United States Code (Mail Fraud), and such violations will be referred to the appropriate United States Attorney.

SECTION 3.7.2.0.

Appeals. An alleged violator may appeal any order of the department by requesting a hearing. The hearing request must be made to the department, in writing within 30 calendar days of the original order and must be sent by "Certified Mail/Return Receipt Requested". After receiving the request, the department will arrange a hearing to determine what other remedial action will serve to effect compliance with the rules and regulations.

Chapter IV

Rules and Regulations for Installing Control Devices on Free Flowing Water Wells

As announced in the October 1985 issue of the *Louisiana Register*, the rules and regulations, stated herein, were prepared by the Louisiana Department of Transportation and Development, Office of Public Works, hereafter referred to as "department", in accordance with R.S. 38:3094, Paragraph (7), Subsection A.

The rules and regulations, stated herein, will become effective on November 1, 1985 and supercede the rules and regulations which had been in effect since June 1, 1977.

SECTION 4.1.0.0.

Purpose

The purpose of the rules and regulations, stated herein, is to conserve the ground water resources of the state by requiring that the owner install control devices on free flowing water wells (for glossary of terms, refer to Appendix I) producing in excess of 25,000 gallons per day. To accomplish this requirement, the owner shall install a flow control device on each free flowing water well in accordance with the rules and regulations stated in this Chapter.

SECTION 4.2.0.0.

General Rules and Regulations

The rules and regulations, stated herein, apply to all free flowing water wells producing in excess of 25,000 gallons per day. A free flowing well is an artesian well which is allowed to flow, under natural conditions, at or above the land surface.

SECTION 4.2.1.0.

Exemptions. The following water wells are exempt from the provisions of this chapter:

- Free flowing water wells producing 25,000 gallons per day or less.
- Water wells producing saline water in connection with oil and gas production.

SECTION 4.2.2.0.

Determination of Yield. The department will measure the yield of the free flowing water well at no cost to the owner. If the owner disagrees with the measurement made by the department and wishes to have a third party measure the yield, the costs shall be borne by the owner. The method used to measure the well yield shall be acceptable to the department.

SECTION 4.2.3.0.

Wells In a State of Disrepair or Non-Use. If a water well is in such a state of disrepair that it cannot be used and a control device cannot be installed, it shall be considered abandoned and shall be plugged by the owner in accordance with the provisions of Chapter III, entitled "Rules, Regulations and Standards for Plugging Abandoned Water Wells and Holes".

SECTION 4.3.0.0.

Responsibility of the Owner

A) The owner shall be the party responsible for installing a flow control device on each free flowing water well producing in excess of 25,000 gallons per day.

B) The owner shall allow representatives of the department to enter the property and visit the well site to measure the well yield, verify the installation of a control device, or inspect the completed work.

SECTION 4.4.0.0.

Responsibility of the Department

A) The department will measure the yield of the free flowing water well at no cost to the owner.

B) It shall be in the sole responsibility of the department to determine whether a control device should be installed on a well.

C) At the request of a parish police jury or other governmental entity, the department may make a survey to locate and report on the location of free flowing water wells.

D) The department may enter into a financial cooperative agreement with the parish police jury or other governmental entity to have control devices installed on those free flowing water wells which produce over 25,000 gallons per day.

E) The department shall, in no way, be held responsible for a well "sanding up" or failing to yield water after a control device is installed on the well.

F) The department, upon receiving information on the existence of a free flowing water well, shall proceed as follows:

1. Arrange to measure the yield of the well and determine whether a control device should be installed.

2. If a control device is required, the department will issue an order to the owner to require the installation of a control device on the well within 90 calendar days from the date of the said order. When the installation of the control device is completed, the owner shall apprise the department, in writing, within 30 calendar days after completion of work.

SECTION 4.5.0.0.

Failure of Responsible Party to

Install a Control Device

If the owner fails to comply with the department's order

concerning installation of a control device within the 90-day time period or does not offer, in writing, an acceptable alternative time interval for installing such a device, the owner will be considered in violation of R.S. 38:3094, Paragraph (7) of Subsection A, which permits a civil penalty of not more than \$1,000 a day for each day of violation and for each act of violation.

SECTION 4.6.0.0.

Enforcement Actions

Provisions addressing enforcement of this Chapter appear in Louisiana Revised Statute 38:3096, as follows:

A) Whoever knowingly and willfully violates a provision of this Chapter, or a rule, regulation, or order of the director or a board hereunder, shall be subject to a civil penalty of not more than \$1,000 a day for each day of violation and for each act of violation, if a penalty for the violation is not otherwise provided in this Chapter.

1) The place of suit to recover this penalty shall be selected by the director or board, as may be appropriate, in the district court of the parish of the residence of any one of the defendants, or in the district court of the parish where the violation took place.

2) Suit shall be at the direction of the director or board, as may be appropriate, and shall be instituted and conducted in his or its name by the attorney general or by the district attorney of the district under the direction of the attorney general.

3) Whoever knowingly and willfully aids or abets a person in the violation of a provision of this Chapter, or in any rule, regulation, or order made hereunder, shall be subject to the same penalties provided herein for the principal violator.

SECTION 4.6.1.0.

Falsification of Documents. Falsification of documents to evade regulations, as well as penalties for said falsifications, appears in Louisiana Revised Statute 38:3095 as follows:

A) No person shall for the purpose of evading this chapter, or any rule, regulation, or order made thereunder:

(1) Make or cause to be made any false entry or statement of fact in any report required to be made by this chapter or by any rule, regulation, or order made hereunder; or

(2) Make or cause to be made false entry in an account, record, or memorandum kept by any person in connection with the provisions of this chapter or of any rule, regulation, or order made thereunder; or

(3) Remove out of the jurisdiction of the state, or destroy or mutilate, alter, or by any other means falsify any book, record, or other paper pertaining to the matters regulated by this Chapter or by any rule, regulation, or order made thereunder.

B) Whoever violates this section shall be fined not more than \$5,000 or imprisoned not more than six months or both.

The penalty provisions for falsification of documents required under the provisions of this Chapter are therefore criminal in nature and will be enforced through the district attorney having jurisdiction where said violation occurs. It should also be noted that utilization of the United States Mail in the falsification of documents constitutes a violation of Title 18 of the United States Code (Mail Fraud), and such violations will be referred to the appropriate United States Attorney.

SECTION 4.6.2.0.

Appeals. An alleged violator may appeal any order of the department by requesting a hearing. The hearing request must be made to the department, in writing, within 30 calendar days of the original order and must be sent by "Certified Mail—Return Receipt Requested". After receiving the request, the department will arrange a hearing to determine what other remedial action will serve to effect compliance with the rules and regulations.

Chapter V

Rules, Regulations and Procedures for Licensing Water-Well Contractors and other Drillers

As announced in the October 1985 issue of the *Louisiana Register*, the rules, regulations and procedures, stated herein, were prepared by the Louisiana Department of Transportation and Development, Office of Public Works, hereinafter referred to as the "department", in accordance with R.S. 38:3098 through R.S. 38:3098.8.

The rules, regulations and procedures stated herein will become effective on November 1, 1985 and supercede the rules, regulations and procedures in effect since April 21, 1983.

SECTION 5.1.0.0.

Purpose

The purpose of the rules, regulations and procedures, stated herein, is to provide for a fair and impartial means for the licensing of and the development of minimum qualifications and standards of conduct for those persons, firms or corporations engaged or desiring to engage in the business of drilling or reworking water wells, drilling monitoring wells, heat pump wells or holes, geotechnical boreholes and/or plugging and abandoning wells or holes, excluding oil and gas wells.

The intent of the regulations and procedures is to minimize the chances of contaminating aquifers that are drinking water sources or potential sources, by those who are not qualified to drill or construct wells or holes and to reduce health and safety hazards associated with drilling and construction of such wells or holes.

For glossary of terms, refer to Appendix I.

SECTION 5.2.0.0.

Definition of Contractor/Driller

Because the words "contractor" and "driller" are used interchangeably in R.S. 38:3098 and because it was the intent of the state legislature to license "contractors" and not those persons who operate the rig and/or perform labor or services on a rig or site at the direction and under the personal supervision of a licensed contractor (R.S. 38:3098D), the word "contractor" or "driller" in these regulations is used to refer to the person, firm, or corporation who engages in the business of drilling or reworking water wells, drilling monitoring wells, heat pump wells or holes, geotechnical boreholes and/or plugging and abandoning wells or holes, excluding oil and gas wells.

SECTION 5.3.0.0.

Wells and Holes That Shall Be Drilled by a Licensed Contractor

The following wells and holes shall be drilled, or constructed by a licensed contractor (driller) who is duly licensed by the department:

- All water wells, regardless of use or type
- Water test holes and pilot holes
- Monitoring wells
- Observation wells
- Heat pump wells and holes
- Geotechnical boreholes

Additionally, reworking of water wells, as well as plugging and abandoning wells and holes, excluding oil and gas wells, shall also be undertaken by a licensed contractor.

SECTION 5.3.1.0.

Exemptions.

A. Nothing in this Chapter shall prevent a person who has not obtained a license pursuant thereto from constructing or plugging a water well on his own or leased property which was intended for use only in a single family house which is his permanent residence, or was intended for use only for watering livestock on his farm; however, that person shall comply with all rules, regu-

lations and standards for constructing and plugging such wells or holes, including registration requirements.

B. If the department finds that compliance with all the requirements of this chapter would result in undue hardship, an exemption from any one or more of such requirements may be granted by the department to the extent necessary to ameliorate such undue hardship and to the extent such exemption can be granted without impairing the intent and purpose of this Chapter.

SECTION 5.4.0.0.

Advisory Committee for the Regulation and Control of Water Well Contractors (Drillers)

A ten-member advisory committee shall be appointed, in accordance with R.S. 38:3098.6, to serve in an advisory capacity and to make recommendations for the regulation and control of water well contractors (drillers), as defined in this Chapter.

The advisory committee shall consist of 10 members, as follows:

1. the secretary of the Department of Transportation and Development, Office of Public Works or his designee,
2. the secretary of the Department of Natural Resources or his designee,
3. the secretary of the Department of Health and Human Resources or his designee,
4. the president of the Louisiana Engineering Society or his designee,
5. one representative of the United States Geological Survey,

6. one domestic well driller selected by the governor from a list of three submitted by the Louisiana Water Well Driller's Association,

7. one municipal and industrial well driller selected by the governor from a list of three submitted by the Louisiana Water Well Driller's Association,

8. one irrigation well driller selected by the governor from a list of three submitted by the Louisiana Water Well Driller's Association,

9 and 10. two drillers, at large, selected by the secretary of the Department of Transportation and Development, Office of Public Works, from the water-well industry as a whole.

All appointments shall be for four year terms. The chairman and vice-chairman shall be elected by the members of the committee (see Section 5.4.1.0.). The committee members who are public employees shall receive no extra pay or allowances for their attendance at the meetings of the advisory committee; all other members of the advisory committee shall receive no salary or per diem but may be compensated for receipted expenses actually incurred in official activities of the committee, approved by the department, out of funds derived from license fees collected under the provision of this chapter and in accordance with policies adopted by the legislative auditor in such matters.

SECTION 5.4.1.0.

Bylaws and Meetings. The advisory committee shall hold a minimum of one regular meeting each quarter, usually in February, May, August, and November, as specified by the chairman. Notice of the meetings shall be given by the department at least 15 days prior to the meetings. Designated committee members must inform the department if they are unable to attend a meeting. Committee members do not have the privilege of sending replacements. Six members will be considered as a quorum for transacting business.

The chairman and vice-chairman shall be elected by the members of the committee during the third quarter meeting of each year to serve a term of one year.

A special meeting of the advisory committee may be called by the chairman or by three committee members, upon notifica-

tion of all members, with five days notice. All notices of regular or special meetings of the committee will be sent to the official addresses of the members, as recorded by the committee.

The chairman shall preside at all meetings of the committee and shall, at any and all hearings of the committee, decide all questions of evidence and procedure, subject to the approval of a majority of the members of the committee present. The chairman or the person occupying the chair shall vote only to break a tie.

In the absence of the chairman and vice-chairman of the committee, the members present shall choose from their number an acting chairman.

In the case of the vacancy of the position of any officer of the committee by reason of death, resignation, disqualification or otherwise, the remaining members of the committee shall, at the next scheduled meeting, elect a successor to serve for the unexpired term.

In the case of the vacancy of any member of the committee by reason of death, resignation, disqualification or otherwise, the committee shall petition appropriate authority to appoint a replacement.

In the case of unexcused absenteeism by any member of the committee, three consecutive unexcused absences from the committee meetings shall be considered a de facto resignation by that member.

SECTION 5.5.0.0.

Procedures for Obtaining and Maintaining a License SECTION 5.5.1.0.

License Application. Every person, firm or corporation desiring to engage in the business of drilling or reworking water wells, drilling monitoring wells, heat pump wells or holes, geotechnical boreholes and/or plugging and abandoning wells or holes, excluding oil and gas wells, in the State of Louisiana, shall file an application (see Appendix V) with the department for a contractor's (driller's) license, using form provided by the department, setting out qualifications therefore and such other information as may be required by the department.

The application must be completed in its entirety, notarized and submitted to the department with the required license fee (see Section 5.5.3.0.). Applications which are not properly completed, notarized, or accompanied with the required license fee or are illegible, will not be accepted by the department.

Applications received by the department will be reviewed by the advisory committee during their regular quarterly meetings (see Section 5.4.1.0.). The committee will then recommend to the department, which applications should be accepted or rejected by the department.

If an application is approved, the department will notify the applicant of the date, time and place where he may appear for the licensing examination, as required by Section 5.5.4.0. If the application is rejected, the department will notify the applicant in writing and will return the license fee if requested by the applicant.

SECTION 5.5.2.0.

License Renewal. All licenses issued by the department shall expire on June 30 of each year and shall be renewable annually, without qualifying examination, upon submission of a completed license renewal application (see Appendix V), using form provided by the department, and upon payment of the required license renewal fee (see Section 5.5.3.0.). Renewal applications, together with the required license renewal fees, must be received by the department no later than June 30 of each year. Such application shall have the effect of extending the validity of the current license until the renewal certificate or the new license is received, or the applicant is notified in writing by the department that the renewal of license has been refused.

Contractors (drillers) who fail or refuse to submit their li-

cence renewal applications with the applicable annual renewal fees to the department by June 30 of each year or submit their applications with "N.S.F." or "Account Closed" checks, will be considered delinquent and they will be dropped from the roster of licensed drillers. Thereafter, the license may be renewed only upon receipt of the completed renewal application, payment of the applicable renewal fee, plus a penalty of \$5 for each month that the contractor (driller) was delinquent.

Delinquency in excess of one year may, at the discretion of the advisory committee, be deemed as a waiver of the contractor's right for renewal, and if he should apply thereafter, the department may require that he be considered as a new applicant, including the requirement for examination. Any person whose license has been revoked may, upon application for a new license, be required, at the discretion of the advisory committee, to take the examination and in all other ways be considered as a new applicant.

SECTION 5.5.3.0.

License And Annual Renewal Fees.

A) Those persons, firms or corporations who drill or rework water wells, drill monitoring wells, geotechnical boreholes, heat pump wells or holes, and/or plug abandoned wells or holes, excluding oil and gas wells, shall pay a license fee and an annual renewal fee of \$100.

B) Those persons, firms or corporations who drill only domestic water wells (as defined in Appendix I) and who drill less than 25 domestic wells annually, shall pay a license fee and an annual renewal fee of \$50.

Fees shall be paid either by check or money order; cash payments will not be accepted. The department will deposit all fees in a special fund in the office of the state treasurer to be used for the implementation of this Chapter.

A contractor's (driller's) license shall apply to all drillers employed by that contractor. A license fee or an annual renewal fee shall be required for each license issued or renewed.

SECTION 5.5.4.0.

Licensing Examination. Any applicant who submits an application after June 30, 1981 will be required, upon approval of his application, to successfully pass an examination prepared and administered by the department.

If the application is approved, the department will notify the applicant of the date, time and place where he may appear for the examination. The examination will be written, and a fee of \$10 (check or money order only) will be collected from each applicant taking the exam. Any applicant who fails an examination may apply for a subsequent exam but must pay the examination fee each time he takes the exam.

At the discretion of the department, an applicant may be given an oral exam instead of a written exam. Request for oral examination must be sent to the department prior to the exam date so that appropriate arrangements can be made.

SECTION 5.5.5.0.

Qualifications and Requirements. To qualify for a license, the applicant must be at least 18 years of age, be of good moral character, have a minimum of two years of drilling experience under the supervision of a licensed water well contractor or other comparable drilling experience acceptable to the department, and demonstrate to the satisfaction of the department, a reasonable knowledge of the Water Well Rules, Regulations and Standards, State of Louisiana. The license application form must state the applicant's work experience and the names and addresses of two licensed contractors (drillers) familiar with the applicant's experience. The advisory committee will review each application received by the department and will then make recommendations as to which applications should be accepted or rejected by the depart-

ment. The license application must be approved by the department before the applicant can take the licensing examination.

SECTION 5.5.6.0.

Requirements for Maintaining a License. In order to maintain a Louisiana drilling license, the contractor shall abide by the rules and regulations stated herein as well as all rules and regulations promulgated by the department for the construction, registration, plugging and abandonment of wells and holes. A drilling license is not transferable and shall only be used by the driller or the contractor who is duly authorized by the department to use such a license.

SECTION 5.5.6.1.

Record Keeping. The contractor (driller) shall keep accurate records on each well or hole drilled or plugged including, but not limited to, its location, depth, character of formations drilled, fluids encountered and such other reasonable information as the department may specify. The contractor shall within 30 calendar days after completion of each well or hole, file a registration or plugging form with the department as per requirements of Chapters I and III, of the Water Well Rules, Regulations and Standards, State of Louisiana.

SECTION 5.5.6.2.

Vehicle and Equipment Identification

It shall be the responsibility of the licensed contractor to ascertain that the rig(s) and service vehicle(s) used in his drilling operation are plainly and legibly marked with an identification number visible at all times. The identification number to be used shall be the license number of the contractor responsible for the drilling operation. The license number shall be printed on each side of every rig and service vehicle in numerals of not less than two inches high, in a color sufficiently different from the color of the vehicle so that the number is plainly legible.

SECTION 5.6.0.0.

Reciprocity and Residency Requirements

The department, upon receipt of an application and the required license fee, will issue a license to any person, firm or corporation who holds a valid driller's license from any other state, provided the standards under which the license was issued are at least equivalent to those of Louisiana and provided that the state which issued the license will accord similar privileges to the licensed Louisiana drillers who may wish to apply for a license from that state.

Residency requirements for out-of-state applications shall be the same as those required for Louisiana drillers in the applicant's state of residency.

SECTION 5.7.0.0.

Revocation of License

The grounds for revoking a well driller's license shall be as follows (R.S. 38:3098.4):

1. that he has intentionally made a material misstatement in the application for such license; or
2. that he has willfully violated any provisions of this Chapter; or
3. that he has obtained, or attempted to obtain, such license by fraud or misrepresentation; or
4. that he has been guilty of fraudulent or dishonest practices; or
5. that he has demonstrated lack of competence as a driller of water wells; or
6. that he has failed or refused to file reports as required under the provisions of this Chapter; or
7. that he has willfully and contumaciously refused to obey reasonable orders, rules and regulations of the Department of Transportation and Development, Office of Public Works.

SECTION 5.8.0.0.

Violations and Hearings

Provisions addressing enforcement of this Chapter appear in Louisiana Revised Statute 38:3098.3, as follows:

A) If the Department of Transportation and Development, Office of Public Works has reasonable grounds for believing that there has been a violation of this Chapter or any rules or regulations adopted pursuant thereto, the department shall give written notice to the person alleged to be in violation and shall conduct a hearing on such alleged violation, such hearing to be conducted in accordance with the Administrative Procedure Act in Title 49. Such notice shall identify the provisions of this Chapter or regulation issued hereunder alleged to be violated and the facts alleged related thereto. The notice shall be served in the manner required by law for the service of process upon a person in a civil action, and may be accompanied by an order of the department requiring described remedial action which, if taken within the time specified in such order, will effect compliance with the requirements of this chapter and regulations issued thereunder. Such order shall become final within 30 days from the service thereof unless a request for a hearing as provided elsewhere in this Chapter is made within such time. In lieu of such order, the department may require the persons named in such notices to appear at a hearing at a time and place specified in the notice.

B) If the Department of Transportation and Development, Office of Public Works, finds that any provision of this Chapter has been violated and that disciplinary action by the department is insufficient or unavailable, it shall be the duty of the said department to proceed with enforcement of this Chapter by proper proceedings through any court of competent jurisdiction.

Also, in addition to the above, grounds for revoking a driller's license appear in R.S. 38:3098.4 (see Section 5.7.0.0.)

SECTION 5.8.1.0.

Enforcement Actions.

A) Penalties that are applicable to drillers who have either failed to obtain a license or who have violated any provisions of this Chapter appear in Louisiana Revised Statutes 38:3098.7, as follows:

Any person, firm, or corporation who engages in or follows the business or occupation, or advertises, holds itself out, or acts temporarily or otherwise as a well driller without having first secured the required license or renewal thereof, or who otherwise violates any provisions of this chapter shall be guilty of a misdemeanor and upon conviction shall be fined not less than \$100 and not more than \$1000 within the discretion of the court; and each day in which such violation exists or continues shall constitute a separate offense.

In addition to the penalties prescribed herein, any person who violates any order of the department requiring described remedial action as set out elsewhere in this Chapter, which shall specify a time requirement for compliance with such order, shall be subject to a penalty not to exceed \$100 for each day such non-compliance continues.

SECTION 5.8.2.0.

Falsification of Documents. Falsification of documents to evade regulations, as well as penalties for said falsifications, appears in Louisiana Revised Statutes 38:3095, as follows:

A) No person shall, for the purpose of evading this Chapter or any rules, regulations or order made thereunder:

(1) make or cause to be made any false entry or statement of fact in any report required to be made by this Chapter or by any rule, regulation or order made hereunder; or

(2) make or cause to be made any false entry in any account, record, or memorandum kept by any person in connection

with the provisions of this Chapter or of any rules, regulation or order made thereunder; or

(3) remove out of the jurisdiction of the state, or destroy or mutilate, alter, or by any other means, falsify any book, record or other paper, pertaining to the matters regulated by this Chapter or by any rule, regulation or order made thereunder.

B) Whoever violates this section shall be fined not more than \$5000 or imprisoned not more than six months, or both.

The penalty provision for falsification of documents required under the provisions of this Chapter are therefore criminal in nature and must be enforced through the district attorney having jurisdiction where said violation occurs.

It should also be noted that utilization of the United States Mail in the falsification of documents constitutes a violation of Title 18 of the United States Code (Mail Fraud) and such violations will be referred to the appropriate United States Attorney.

SECTION 5.8.3.0.

Appeals. An alleged violator may appeal any order of the department by requesting a hearing. The hearing request must be made to the department, in writing, within 30 calendar days of the original order and must be sent by "Certified Mail -- Return Receipt Requested". After receiving the request, the department will arrange a hearing to determine what other remedial action will serve to effect compliance with the rules and regulations.

Appendix I

Glossary of Terms

(Number in parentheses is reference which is source of definition)

Abandoned well: A well is considered to be abandoned if its use has been permanently discontinued; its pumping equipment has been permanently removed; the well is in such a state of disrepair that it cannot be used to supply water, and/or has the potential for transmitting surface contaminants into the aquifer; the well poses potential health or safety hazards or the well is in such a condition that cannot be placed in the active, standby or inactive status.

Active well: A well is considered to be active if it is an operating well used to supply water.

Annular space: The space between the drill hole and the well casing.

Aquifer: A formation, group of formations, or a part of a formation that contains sufficient saturated material to yield significant quantities of water to wells. (5)

Aquifer test: Aquifer or pumping tests are made in water wells to obtain information about the performance and efficiency of the well being pumped, and/or to obtain data from which the hydraulic characteristics of the aquifer can be calculated. The test made to determine hydraulic characteristics of an aquifer is usually referred to as "aquifer test."

Artesian (confined ground water): When the water level rises above the top of the aquifer which the well taps, the aquifer is assumed to be "artesian." An artesian well flows only when the water level is above land surface. (5)

Assistant secretary: The assistant secretary of the Department of Transportation and Development, Office of Public Works, or his designee.

Bacteriological analysis: This analysis, usually for drinking water, consists of a laboratory report indicating the presence or absence of coliform bacteria in a given water sample, as determined by laboratory procedure.

Bentonite slurry: A mixture of bentonite and water, weighing not less than nine pounds per gallon.

Casing: A tubular retaining structure, generally metal or

PVC, which is installed in a drilled, bored, driven, or augered hole to maintain the well opening.

Cement-Bentonite slurry: A mixture of cement, bentonite and water, consisting of not more than eight percent bentonite by dry weight of cement and a maximum of 10 gallons of water per sack (94 pounds) of cement. Additives, in the approved and proper ratio, may be added to the slurry if required.

Chemical analysis: A chemical analysis is usually a report of dissolved minerals in the water and the water's physical properties, such as temperature and color. The minimum chemical properties that are usually determined are hardness, specific conductance, hydrogen-ion concentration (pH), dissolved solids, chloride, bicarbonate, iron, fluoride and nitrate.

Coarse ground bentonite: A processed bentonite used to seal well casings and to plug holes. Coarse ground bentonite is placed by pouring from surface or pumping from the bottom to surface. An approved inorganic polymer may be used to retard swelling of the bentonite.

Community public supply water well: A public supply well which serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents. A community public supply well may be owned by a municipality or community, a water district, a corporation, a private individual or by a local, state or federal governmental agency.

Contaminant: Any undesirable physical, chemical, biological, or radiological substance or matter in water. (6)

Contamination: Any introduction into water of microorganisms, chemicals, wastes, or waste-water in a concentration that makes the water unfit for its intended use. (4)

Contractor: The word "contractor" in these regulations is used to refer to any person, firm or corporation who is licensed to engage in the business of drilling, reworking or installing water wells, monitoring wells, heat pump wells or holes, geotechnical boreholes, and/or plugging and abandoning wells or holes, excluding oil and gas wells.

Department: The Louisiana Department of Transportation and Development, Office of Public Works.

Dewatering well: A water well installed to dewater an aquifer or lower a water table in order to allow construction or mining activities.

Disinfection: The killing of a large proportion of microorganisms in or on a substance with the probability that all pathogenic microorganisms will be killed.

Ditch: A man-made excavation dug to convey surface water for drainage purposes or irrigation.

Director or a board: See assistant secretary.

Domestic well: A water well used exclusively to supply the household needs of the owner/lessee and his family. Uses may include drinking, cooking, washing, sanitary purposes, lawn and garden watering and caring for pets.

Drawdown: The difference, usually in feet, between the static (non-pumping) water level and the pumping level in a well after the well has been pumped for a specified period of time.

Drill cuttings: Samples of the material obtained during drillings and are the source of lithologic information needed for proper selection of screen openings. A principal objective of drilling test holes is to obtain samples. (1)

Driller: See contractor.

Drilling: The word "drilling" in these regulations is used to refer to the drilling, boring, coring, driving or augering of a well or hole.

Drilling contractor: See contractor.

Driller's log: A driller's log is the driller's description of the geologic strata encountered, their thickness and depth. (1)

Drilling mud: A fluid composed of water and clay (either

native clay or a combination of native and commercial clays) used in drilling operations to remove cuttings from the hole, to clean and cool the bit, to reduce friction between the drill stem and the sides of the hole, to seal the sides of the hole, to prevent caving, bridging or loss of circulation, and to prevent the interchange of water between aquifers. When permitted, drilling mud may be used as filler or plugging material, provided it weighs not less than nine pounds per gallon.

Electrical log: A record of the resistivities of the subsurface formations and the contained fluid and spontaneous potentials generated in the borehole, both plotted in terms of depth below some datum, such as land surface. Similar logs commonly made in boreholes are the induction logs. Other borehole geophysical logs that also may be available are the gamma ray, caliper and neutron logs.

Flood prone area: An area subject to a 100 year flood level as established by the administering agency for the Federal Flood Insurance Program.

Free flowing water well: An artesian well which is allowed to flow, under natural conditions, at or above the ground surface.

Geopressured aquifer: A term used for an aquifer, especially in the Gulf Coast Area, in which the fluid pressure exceeds the normal hydrostatic pressure of 0.465 pounds per square inch per foot of depth. (2)

Geotechnical borehole: An exploratory borehole drilled, augered, bored or cored to obtain soil samples to be analyzed for chemical and/or physical properties.

Geothermal: Pertaining to the internal heat of the earth.

Gravel-packed well: A well in which properly graded gravel or coarse sand is hydraulically placed in the area immediately surrounding the screen or slotted pipe used as a screen to increase the effective diameter of the well, to stabilize the aquifer and to prevent sand from entering the well.

Ground water: Water percolating below the earth's surface.

Health hazard: Any condition that may create a danger to public health and well being.

Heat pump hole: A hole drilled to install piping for an earth-coupled water source heat pump system, also known as a vertical closed-loop system.

Heat pump supply well: A water well which supplies ground water to a heat pump heat exchanger.

Industrial well: A well used to supply water for plants that manufacture, process or fabricate a product. The water may or may not be incorporated into the product being manufactured. The water is usually used to cool machinery, to provide sanitary facilities for employees, to air condition the plant, and water grounds at the plant. Water used for mining or processing ore, such as gravel, is included in the industrial category.

Inactive well: A well is considered to be inactive if it is not presently operating but is maintained in such a way that it can be put back in operation with a minimum of effort to supply water.

Irrigation/Agricultural well: A well used for irrigating cultivated plants, for watering stock, for crawfish and catfish farming, and for similar agricultural activities. Most irrigation wells supply water for farm crops, but this category also includes wells that are used for watering parks, golf courses, cemeteries and wells which are used exclusively for watering lawns in urban areas.

Lessee: See owner.

Monitoring well: A well used to obtain hydrologic and water quality data, usually installed at or near a known or potential source of ground water contamination.

Neat cement: A mixture of cement and water, consisting of not more than five gallons of water per sack (94 pounds) of cement.

Noncommunity public supply well: A public supply water well which serves either fewer than 15 service connections or fewer than 25 year-round residents or no year-round residents. Examples of the former case are small public water supplies for mobile home parks, subdivisions, etc. which fall below the 15 connections/25 persons criteria for community water supplies. The latter case includes public water supplies which serve no year-round residents, such as bars and lounges, motels, camps, office buildings, restaurants, rest stops, service stations, recreational facilities, schools, commercial establishments, etc.

Observation well: A well used by the owner, by governmental agencies, or by an appropriate engineering or research organization to obtain information on the water resources of an area.

Owner: Individual, corporation, association, partnership, institution or governmental agency who is either the legal owner of the property on which the well or hole is located or is holding a long-term lease on the property.

Permeability: A measure of the relative ease with which porous media can transmit a liquid under a potential gradient. Sands have a higher permeability than clays.

Pilot hole: A hole drilled with the intent to install casing and to produce water. It is usually of a smaller diameter than the proposed well and has to be reamed to a larger diameter for the installation of casing and screen.

Private well: See domestic well.

Plumbness: The variation with depth of the center line of the well from a vertical line drawn through the center of the well at the top of the casing. (3)

Pollution: A condition created by harmful or objectionable material in water. (4)

Potable water: Water whose bacteriological, physical and chemical properties make it suitable for human consumption.

Power generation well: A well used to supply water for generation of any type of power.

Public supply water well: A well which provides water for drinking, cooking or washing use by the public, or transients, or by persons other than the immediate family of the owner of the supply. A public supply water well may be either a community water well or a noncommunity water well.

Pump-down method: A positive displacement method for placing grout or slurry material by pumping or forced injection by air pressure.

Pumping test: See aquifer test.

Pumping water level: The water level in a well which is being pumped, usually expressed in feet above or below a specific datum, such as land surface.

PVC well casing: A polyvinyl chloride plastic pipe conforming to current AWWA Standard A-100 and/or ASTM F-480 Standard for water well casing.

Registered permit plat: A land surveyor's plat showing Section, Township, Range, and the distances from the section lines to the location of the well (oil, gas, injection, etc). The permit plat is submitted to the Office of Conservation with the oil or gas well permit application.

Registered well: An inventoried well that has been assigned an identification number by the department and whose records are available.

Reworking water well: Rehabilitation or modification of a water well to increase its efficiency, restore its capacity, and/or improve its water quality. Methods of reworking water wells include removing and replacing the screen, regravelling the screen, placing a new screen within the old screen, placing a liner pipe within the old casing or redeveloping a well by surging, acidizing, jetting, etc.

Rig-supply well: A water well drilled at an oil or gas drilling

site to supply water for drilling and/or other oil field related activities.

Saline water: Water with a dissolved solids content of 1,000 milligrams per liter (parts per million) or more.

Sanitary seal: A suitable threaded, flanged, or welded water-tight cap or compression seal installed at the top of the well casing so as to prevent the entrance of contaminated water or other objectionable material into the well.

Sanitary sewer: An underground conduit that conveys domestic, commercial or industrial sewage.

Screen: A structural tubular retainer, usually metal or PVC, used to support the hole in unconsolidated material with openings which are selected on the basis of adopted standards, and which allows sand free water to flow freely into the well in ample quantities and with a minimum loss of head. In agricultural wells, slotted pipe is sometimes used as a screen.

Seepage: The slow movement of water and/or other fluids through the soil into the sub-surface.

Septic tank: An underground water-tight tank which receives sewage.

Specific capacity: The rate of discharge of water from a well divided by the drawdown of water level within the well for a specified period of continuous pumping of the well. It is usually expressed as "gallons per minute per foot of drawdown after (specified) hours of continuous pumping".

Standby well: A well is considered to be a standby if it is used in emergencies or occasionally used to supply water.

Static water level: Static water level is the non-pumping water level in a well that has not been in operation for a period of time and is usually expressed in feet above or below a specified datum, such as land surface.

Stream: A natural channel or water course which conveys surface and subsurface runoff.

Storm sewer: An underground conduit used for conveying surface water.

Subsidence: A local mass movement that involves principally the downward settling or sinking of the earth's surface with little or no horizontal motion. (2)

Subsurface absorption fields: An underground area containing a bedding of aggregate with distribution lines to permit disposal of septic tank effluent.

Test hole: An exploratory borehole drilled to obtain geologic, hydrologic and water quality data.

Test well: See test hole.

Underground injection: The subsurface emplacement of fluids by well injection. (6)

Underground water: See ground water.

Uniformity coefficient: The uniformity coefficient is the number expressing the ratio of the 40 percent size of the material to its 90 percent size. Size refers to the percentage by weight retained on a given sieve.

Vent (breather pipe): A screened outlet at the upper end of the well casing to allow equalization of air pressure in the well and the escape of gases.

Water well contractor: See contractor.

Well cap: A removable, usually water-tight device used to cover an opening into the well casing and is threaded, bolted or otherwise attached to the casing to prevent easy entry by other than the owner and to prevent the entrance of any contaminant or other objectionable material into the well.

References

1. Campbell, M. D. and Lehr, H., Jr., 1973, Water Well Technology. McGraw-Hill, New York, N.Y.
2. Gary, M.; McAfee, R., Jr. and Wolf, C. L., editors, 1972

Glossary of Geology, American Geological Institute, Washington, D.C.

3. Gibson, U. P. and Singer, R. D., 1971, Water Well Manual. Premier Press, Berkely, CA.

4. Ingram, W. T., et. al.; editors, 1969, Glossary of Water and Waste-Water Control Engineering.

5. Lohman, S. W., et. al.; 1972. Definitions of Selected Groundwater Terms - Revisions and Conceptual Refinements: U.S. Geological Survey Water-Supply Paper, 1988.

6. Public Law 93-523, 93rd Congress, December 16, 1974, 34p.

Appendix II

Instructions for Completing Water Well Registration Long Form (DOTD-GW-1)

The Water Well Registration Long Form (DOTD-GW-1) consists of a set of three copies. The first copy (marked DOTD copy) is to be mailed by the water well contractor within 30 calendar days after the well has been completed to: Department of Transportation and Development, Attn: Chief - Water Resources Section, Box 94245, Baton Rouge, LA 70804-9245.

The second copy of the form is to be retained by the water-well contractor for his files, and the third copy is to be given to the well owner immediately upon completion of the work.

Although most of the information needed to complete the form is available to the water well contractor, the following explanation will provide clarification of intent and uniformity of reporting:

ITEM 1. OWNER: List the name of the legal owner of the property on which the well is located or the person or company holding a long-term lease on the property. If the owner or lessee is an individual, list first and last names and middle initial of individual. List area code and telephone number of owner in the spaces provided.

ADDRESS: The address should be that of the owner. If the well is owned by an industry, the local address of the firm is preferred in order that additional data on the well may be easily obtained by the state or a regional water district or commission.

OWNER'S WELL NUMBER: Many cities, institutions, industrial plants, and large farms have their own system of designating or identifying wells by number and/or name. This information is useful when locating the well and should be entered on the form.

ITEM 2. LOCATION OF WELL: List the parish where the well is located, including the nearest town, city, etc., and give directions to the well site. The location of the well should be described in detail and as accurately as possible so that the well can be easily located by the department's field inspector. Please draw a sketch on the back side of the original form, showing location of well with reference to roads, railroads, buildings, etc. Use an (X) to indicate location of the well. Show location of nearest existing well(s), if any nearby, by marking (O's), and approximate distance between wells.

ITEM 3. WELL INFORMATION: Required data are available from water well contractor's and/or engineer's report.

ITEM 4. CASING AND SCREEN INFORMATION: Required data are available from water well contractor's and/or engineer's report. By type of screen indicate whether it is "bar lug" rib type, slotted pipe, etc. State whether casing is plastic or metal. Indicate the depth to which the annular space was cemented and state method of cementing.

ITEM 5. WATER LEVEL AND YIELD INFORMATION: Most of the information entered in this item can usually be obtained from the water well contractor's or engineer's report. Except for "static water level," the terms need no explanation. Static

water level is "the non-pumping water level in a well that has not been in operation for a period of time and is usually expressed in feet above or below a specified datum, such as land surface." The owner should be able to provide information on proposed use and pumping rate.

ITEM 6. USE OF WELL: The principal purpose for which water from the well is used should be indicated by checking the appropriate box on the form. If water is used for more than one purpose, only the principal or primary use should be shown. If the planned use of water is unknown or does not fit one of the specified uses, this should be noted in the space marked "OTHER." Following are explanations of the terms used on the well registration form to indicate the principal use of water from a well:

IRRIGATION/AGRICULTURAL - Refers to the use of water to irrigate cultivated plants, to water stock, for crawfish and catfish farming, and for similar agricultural activities. Most irrigation wells supply water for farm crops, but this category also includes wells that are used for watering parks, golf courses, and cemeteries. Occasionally a home owner in an urban area has a well used solely for watering a lawn. This well also should be in the agricultural and irrigation category.

INDUSTRIAL - Includes plants that manufacture, process or fabricate a product. The water may or may not be incorporated into the product being manufactured. Industrial water may be used to cool machinery, to provide sanitary facilities for employees, to air condition the plant, and water grounds at the plant. Water used for mining or to process ore such as gravel pits is included in the industrial category. Planning and water-use needs can be implemented by dividing this category into the following **STANDARD INDUSTRIAL CATEGORIES** that predominate in Louisiana. Please refer to bottom of the water well registration form and indicate the principal category of industrial use. The categories are defined as follows:

Food and Kindred Products. This group includes establishments manufacturing foods and beverages for human consumption and certain related products, such as manufactured ice, vegetable oils, animal fats and oils, and prepared feeds for animals and fowl.

Textile Mill Products. This major group includes establishments engaged in performing any of the following operations: (1) preparation of fiber and subsequent manufacturing of yarn, thread, braids, twine and cordage; (2) manufacturing broad woven fabric, narrow woven fabric, knit fabric, and carpets and rugs from yarn; (3) dyeing and finishing fiber, yarn, fabric, and knit apparel; (4) coating, waterproofing, or otherwise treating fabric; (5) the integrated manufacture of knit apparel or other finished articles from yarn; and (6) the manufacture of felt goods, lace goods, bonded-fiber fabrics, and miscellaneous textiles.

Lumber and Wood Products (except furniture). This major group includes sawmills, lath mills, shingle mills, cooperage stock mills, planing mills, and plywood and veneer mills engaged in producing lumber and wood basic materials; and establishments engaged in manufacturing finished articles made entirely or mainly of wood or wood substitutes.

Paper and Allied Products. This major group includes the manufacture of pulp from wood and other cellulose fibers and rags; the manufacture of paper and paperboard; and the manufacture of paper and paperboard into converted products such as paper coated paper bags, paper boxes and envelopes.

Chemicals and Allied Products. This major group includes establishments manufacturing products by predominantly chemical processes. Establishments classified in this major group manufacture three general classes of products: (1) basic chemicals such as acids, alkalies, salt, and organic chemicals; (2) chemical products to be used in further manufacture such as synthetic fibers,

plastic materials, dry colors, and pigments; (3) finished chemical products to be used for ultimate consumption such as drugs, cosmetics and soaps; or to be used as materials or supplies in other industries such as paints, fertilizers, explosives. The mining of natural rock salt is classified in mining industries. Establishments primarily engaged in manufacturing nonferrous metals and high percentage ferroalloys are classified in the Primary Metals category and baking powder; other leavening compounds and starches in the Food and Kindred Products category. Establishments primarily engaged in packaging, repackaging, and bottling of purchased chemical products are classified in traded industries of the standard industrial categories. Plastic materials and synthetic rubber are included in this category.

Petroleum Refining and Related Industries. This major group includes establishments engaged in petroleum refining, manufacturing paving and roofing materials, and compounding lubricating oils and greases from purchased materials. Establishments manufacturing and distributing gas to consumers are classified in public utilities industries, and those primarily engaged in producing coke and by-products in primary metals category.

Primary Metal Industries. This major group includes establishments engaged in the smelting and refining of ferrous and nonferrous metals; in the manufacture of castings, forgings, and other basic products of ferrous and nonferrous metals, and in the manufacture of nails, spikes, and insulated wire and cable. This major group also includes the production of coke.

Other. Please name the principal industrial output from the industry if not listed in the industrial categories on the form.

PUBLIC SUPPLY - Refers to a well which provides water for drinking, cooking, or washing use by the public or transients, or by persons other than immediate family of the owner of the supply. A public supply water well may either be a community water well or a non-community water well, as follows:

Community Public Supply Water Well. A public supply well which serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents. A community public supply well may be owned by a municipality or community, a water district, a corporation, a private individual or by a local, state or federal governmental agency.

Non-Community Public Supply Well. A public supply water well which serves *either* fewer than 15 service connections or fewer than 25 year-round residents *or* no year-round residents. Examples of the former case are small public water supplies for mobile home parks, subdivisions, etc. which fall below the 15 connections/25 persons criteria for community water supplies. The latter case includes public water supplies which serve no year-round residents, such as bars and lounges, motels, camps, office buildings, restaurants, rest stops, service stations, recreational facilities, schools, commercial establishments, etc.

Because public supply use includes many categories of use, requirements for planning and water-use surveys require a further break-down of this use; thus, public supply use is divided into the following categories: (A list is provided at the bottom of the registration form so that the user may check the appropriate category of public supply use.)

Municipal - This category includes all wells used to supply the drinking, sanitation, and other needs of an urban area, e.g., Lake Charles, Ruston, etc. The well is generally owned by a utility company, a municipality or private individual.

Rural - The wells are used for the drinking, sanitation, and other needs of a rural area. Such systems generally are operated by a local water district or by private individuals.

Commercial - Wells that are used principally to supply a motel, hotel, restaurant, office complex, swimming pool, ice rink or other recreational facility; drive-in, trailer park or public summer

**LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
WATER RESOURCES SECTION
WATER-WELL REGISTRATION LONG FORM (DOTD-GW-1)**

PLEASE PRINT IN INK OR TYPE WHEN COMPLETING THIS FORM.

1. Well Owner: _____ Phone () _____
Address: _____
Owner's Well Number or Name (If Any) _____

2. LOCATION OF WELL: Parish: _____, Well is Near, _____ (Town, City)
Approximately _____ miles from _____ (Crossroads, Railroad, Any Landmark, etc.)
(Please draw sketch on back of Original Form)

3. WELL INFORMATION: Ground Elevation _____ ft. M.S.L., Depth of Hole: _____ ft.
Diameter of Hole _____ in. Depth of Completed Well: _____ ft.
Is well gravel-packed? YES NO
Date Completed: _____

4. CASING AND SCREEN INFORMATION:
CASING: TYPE _____ SCREEN: TYPE _____
_____ in. from _____ ft. to _____ ft. _____ in. from _____ ft. to _____ ft.
_____ in. from _____ ft. to _____ ft. _____ in. from _____ ft. to _____ ft.
_____ in. from _____ ft. to _____ ft. _____ in. from _____ ft. to _____ ft.
Extension Pipe _____ in. from _____ ft. to _____ ft.
Cemented from _____ ft. to ground surface.
Pumpdown cementing method used: Inside casing Outside casing

5. WATER LEVEL AND YIELD INFORMATION: On _____ Date _____ the static water level in well was _____ ft. below above ground surface. How determined? _____
The well yielded _____ gpm with a draw down of _____ ft. after _____ hours of continuous pumping on (date) _____. Describe how yield was measured _____. It is planned to pump the well at a rate _____ gpm for _____ hours per day for _____ days per year. Proposed average daily pumping rate: _____ gallons. Motor HP _____ Pump setting _____ ft.

6. USE OF WELL (Check Appropriate Box) Community _____ Non-Community _____
Irrigation/Agricultural Industrial Public Supply Public Supply Power Generation
Dewatering Observation Test Hole OTHER (Please Specify) _____
(If Industrial or public supply it checked please see bottom of this form)

7. AVAILABLE INFORMATION (Check Appropriate Boxes) YES NO
Is an electrical log or other borehole geophysical log available? YES NO (If yes, please attach a copy of log)
Is a mechanical analysis of the drill cuttings available? YES NO (If yes, please attach a copy)
Is a chemical analysis of water available? YES NO (If yes, please attach a copy)
Is a bacteriological analysis available? YES NO (If yes, please attach a copy)
Are aquifer test results available? YES NO (If yes, please attach a copy)

8. ABANDONMENT INFORMATION: (Check Appropriate Boxes) YES NO
If well is new does it replace an existing well? YES NO If yes, has owner been informed of state regulations requiring plugging of abandoned wells? YES NO

9. REMARKS (Such as engineer, pump information, acreage irrigated, water well subcontractor and license no., etc.) _____

10. DRILLER'S LOG (Description and color of cuttings, such as, shale, sand, etc. in feet below ground level)

FROM	TO	DESCRIPTION	FROM	TO	DESCRIPTION	FROM	TO	DESCRIPTION

(If necessary, continue log on back of original form.)

PUBLIC SUPPLY: (If well is for public-supply purpose please check one of the following to indicate principal category of public-supply use.)
 Municipal Therapeutic
 Rural Institutional/Government
 Commercial Other _____ Please Specify _____

INDUSTRIAL: (If well is for industrial purpose please check one of the following to indicate the standard industrial category representing the principal industrial use.)
 Food and Kindred Products Paper and Allied Products
 Textile Mill Products Chemicals and Allied Products
 Lumber & Wood Products (Except Furniture). Petroleum Refining & Related Industries
 Other _____ Please Specify _____ Primary Metal Products

Name of Water Well Contractor _____
License Number WWC- _____
Authorized Signature _____ (Date) _____

MAIL ORIGINAL TO
Department of Transportation and Development
Attn: Chief-Water Resources Section
P.O. BOX 94245
BATON ROUGE, LA. 70804-9245
(504) 379-1434

FOR OFFICE USE ONLY

STATE PARISH LOCAL WELL NO.

IDENTIFICATION NUMBER

OWNER'S NAME

WELL DEPTH Ft. Use of Well

Date Com-pleted

OWNER'S NO. Geologic Unit

Proposed Daily Pumping Rate

AVAILABLE INFORMATION

CONTRACTOR'S NAME

SECTION TOWNSHIP RANGE

REVISED COORDINATES

Hole Depth Elev. Quad. No.

Inspected By _____
Date _____
Remarks _____

camp. Where water is used commercially in the making of bottled drinks, the wells are in this category.

Therapeutic - Water that is used primarily for bathing and/or drinking and is purported to have therapeutic value is in this category. Water that is bottled and sold falls into this category, mainly because of its claimed therapeutic value.

Institutional/Government - Refers to wells used specifically in the maintenance and operation of an institution such as large schools, churches, universities, hospitals, rest homes, penal institutions, and other governmental installations.

Other - A well that is used for a purpose that does not fit into the above categories. Give details.

POWER GENERATION - Refers to a well used to supply water for generation of any type or power.

DEWATERING WELL - This is a water well installed to dewater an aquifer or lower a water table in order to allow construction or mining activities.

OBSERVATION - Refers to a well used by the owner, by governmental agencies, or by an appropriate engineering or research organization to obtain information on the water resources of an area.

TEST HOLE - An exploratory borehole drilled to obtain geologic, hydrologic and water quality data.

OTHER - a well that is used for the purpose that does not fit into either the above categories or those listed on the short form (DOTD-GW-1S).

ITEM 7. AVAILABLE INFORMATION: Please check the appropriate boxes to indicate whether the specified logs or data were collected; if so, attach copies to the registration form for transmittal to the department.

ITEM 8. ABANDONMENT INFORMATION: If the well is new, specify whether or not it replaces an existing well. The water well contractor is responsible for informing the owner of the well of state regulations requiring plugging of abandoned wells. Check appropriate box, as this item is intended to serve as a reminder.

ITEM 9. REMARKS: This space can be used for presenting any other pertinent information, such as name of consulting engineer, screen openings, pump information, name of sub-contractor, etc.

ITEM 10. DRILLER'S LOG: Give a description of the materials encountered and depth. If space on front of the form is insufficient, continue driller's log on reverse side of original form or attach a copy of the driller's log to the original form to be transmitted to the department.

After completing all items, list the name of the water well contracting company and the license number on the space provided in the upper right-hand corner of the form. Sign and date the form and mail the original to the department at the address listed on the form within 30 calendar days after the well has been completed. The owner's copy shall be given to the owner immediately upon completion of the work. The contractor's copy shall be retained by the contractor for his files.

If there are any questions, please call or write: Louisiana Department of Transportation and Development, Attn: Chief, Water Resources Section, Box 94245, Baton Rouge, LA 70804-9245; Phone: (504) 379-1434.

Appendix III

Instructions for Completing Water Well Registration Short Form (DOTD-GW-1S)

The Water Well Registration Short Form (DOTD-GW-1S) consists of a set of three copies. The first copy (marked DOTD copy) is to be mailed by the water well contractor within 30 calendar days after the well has been completed to: Louisiana Department of

Transportation and Development, Attn: Chief, Water Resources Section, Box 94245, Baton Rouge, LA 70804-9245.

The second copy of the form shall be retained by the water well contractor for his files and the third copy shall be given to the well owner immediately upon completion of the work.

Although most of the information needed to complete the form is available to the water well contractor, the following explanation will provide clarification of intent and uniformity of reporting:

ITEM 1. USE OF WELL: The principal purpose for which the well is used should be indicated by checking the appropriate box on the form. If the well is used for more than one purpose, only the principal or primary use should be shown.

A) *Domestic Well*: A water well used exclusively to supply the household needs of the owner/lessee and his family. Uses may include drinking, cooking, washing, sanitary purposes, lawn and garden, watering and caring for pets.

B) *Rig Supply Well*: A water well drilled at an oil or gas drilling site to supply water for drilling and/or other oil field related activities.

C) *Monitoring Well*: A well used to obtain hydrologic and water quality data, usually installed at or near a known or potential source of ground water contamination.

D) *Heat Pump Supply*: A water well which supplies ground water to a heat pump heat exchanger.

E) *Heat Pump Hole*: A hole drilled to install piping (tubing) material for an earth-coupled water source heat pump system, also known as a vertical closed-loop system.

F) *Abandoned Pilot Hole*: A hole drilled with the intent to install casing and to produce water but had to be abandoned because of problems related to drilling operations or encountering unsatisfactory formations.

G) *Other*: A well used for a purpose that does not fit into either the above categories or those requiring a Long Form (DOTD-GW-1).

ITEM 2. OWNER: List the name of the legal owner of the property on which the well is located or the person or company holding a long-term lease on the property. If the owner or lessee is an individual, list first and last names and middle initial of individual. List area code and telephone number of owner in the spaces provided.

ITEM 3. ADDRESS: List full and correct address of the owner.

ITEM 4. OWNER'S WELL NUMBER: List name or number the well owner has assigned to the well.

ITEMS 5-9. WELL INFORMATION: List in appropriate spaces, completion date of well, depth of hole, depth of well, static water level, casing type, size and length, screen size, type and length, the depth to which the casing was cemented, and cementing method used.

ITEM 10. LOCATION OF WELL: List the parish where the well is located, including the nearest town, city, etc., and give directions to the well site. The location of the well should be described in detail and as accurately as possible so that the well can be easily located by the department's field inspector. Please draw a sketch on the back of the original form showing the location of the well with reference to roads, railroads, buildings, etc. Use an (X) to indicate location of the well. Show location of nearest existing well(s), if any nearby, by making (O's) and approximate distance between wells. For rig-supply wells, attach a "registered" permit plat (see Section 1.2.8.0.) and for monitoring wells, complete spaces provided for the latitude and longitude of the well location, as well as section, township and range (see Section 1.2.9.0.)

ITEM 11. REMARKS: This space can be used for presenting any other information, such as screen openings, pump in-

Appendix IV

Instructions for Completing Water Well Plugging and Abandonment Form (DOTD-GW-2)

The Water Well Plugging and Abandonment form (DOTD-GW-2) consists of a set of three copies. The first copy (marked DOTD copy) is to be mailed by whoever plugs the well or hole within 30 calendar days after plugging operations have been completed to: Louisiana Department of Transportation and Development, Attn: Chief, Water Resources Section, Box 94245, Baton Rouge, LA 70804-9245.

In regard to the other copies of the form, the following procedure shall be followed:

A) If the well is plugged by a water well contractor, he shall retain the second copy of the completed form for his files and shall give the third copy to the owner/lessee immediately upon completion of the plugging operation.

B) If the well is plugged by the owner/lessee (see Section 3.2.3.0.), the second and third copies of the completed form shall be retained by the owner/lessee for his files.

The following explanation will provide clarification of intent and uniformity of reporting:

ITEM 1. OWNER: List the name of the legal owner of the property on which the well is located or the person or company holding a long-term lease on the property. If the owner or lessee is an individual, list first and last names and middle initial of individual.

ADDRESS: The address should be that of the owner. If the well is owned by an industry, the local address of the firm is preferred in order that additional data on the well may be easily obtained by the state or a regional water district or commission.

OWNER'S WELL NUMBER: Many cities, institutions, industrial plants, and large farms have their own system of designating or identifying wells by number and/or name. This information is useful when locating the well and should be entered on the form.

ITEM 2. LOCATION OF WELL: List the parish where the well is located, including the nearest town, city, etc., and give directions to the well site. The location of the well should be described in detail and as accurately as possible so that the well can be easily located by the department's field inspector. Please draw a sketch on the back of the original form showing the location of the well with reference to roads, railroads, buildings, etc. Use an (X) to indicate location of the well. Show location of nearest existing well(s), if any nearby, by making (O's) and approximate distance between wells. For rig-supply wells, attach a "registered" permit plat (see Section 1.2.8.0) and for monitoring wells, complete spaces provided for the latitude and longitude of the well location, as well as section, township and range (see Section 1.2.9.0.)

ITEM 3. WELL INFORMATION: Required data are available from water well contractor's or engineer's report.

ITEM 4. Describe, in detail, the method and materials used to plug the well or hole. Give amount of cement, bentonite, and water used. Give any other useful information, such as name of cementing company used, if any, sounded depth, any obstructions or problems encountered during plugging, size and length of casing removed or left in hole, etc. If necessary, attach another sheet or use reverse side of form to give details.

ITEM 5. Use this space to present any other pertinent information. For example, if the present owner is different than the person who had the well drilled, give the name of the initial owner in Item 5.

Certification that the work was performed in accordance with applicable rules and regulations must be signed and dated or the form will be returned for proper completion.

If there are any questions, please call or write to: Louisiana Department of Transportation and Development, Attn: Chief, Water Resources Section, Box 94245, Baton Rouge, LA 70804-9245, Telephone (504) 379-1434.

PLEASE PRINT IN INK OR TYPE WHEN COMPLETING THIS FORM

**LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
WATER RESOURCES SECTION
WATER WELL PLUGGING AND ABANDONMENT FORM (DOTD-GW-2)**

**MAIL ORIGINAL TO
DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
Attn: Chief - Water Resources Section
P. O. Box 94245
BATON ROUGE, LA 70804-9245
(504) 379-1434**

1. WELL OWNER: (if different from owner when drilled, note in item 5) _____
 ADDRESS: _____
 OWNERS WELL NUMBER (if any) _____

2. LOCATION OF WELL: Parish: _____ Well is Near, _____
 Approximately _____ miles from _____
 (Creekside, Town, City, Railroad, Any Landmark, etc.)
 (Please draw sketch on back of Original)

3. WELL INFORMATION: Depth of hole, _____ ft., Diameter of casing _____ in.,
 Depth of completed well, _____ ft., Case completed _____ by (Give name
 of water well contractor who installed well or hole): _____

4. Describe in detail how well or hole was plugged: (materials used, amount of casing
 and/or screen removed, or left in hole, etc.) _____

5. REMARKS: _____

I certify that this work was done and completed in accordance with Rules and Regulations of the State on _____, 19____ by (name and no. of contractor) _____ WWC-_____
 Authorized Signature: _____ Date: _____

OFFICE USE ONLY

State	Parish	Local Well No.	Identification Number	Section	Township	Range	Quad. No.
2 2			0				
1 2	3 8	9 11	12				

DOTD Copy

Appendix V
Applications for Louisiana
Water Well Contractor's (Driller's) License

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
WATER RESOURCES SECTION
P. O. BOX 94245 BATON ROUGE, LA. 70804-9245
Telephone (504) 379-1434

For Office Use Only
License No. WWC _____

APPLICATION FOR LOUISIANA
WATER WELL CONTRACTOR'S (DRILLER'S) LICENSE

PLEASE PRINT IN INK OR TYPE WHEN COMPLETING THIS FORM

APPLICANT: Name _____ Birthdate: _____
Mailing Address _____
City, State, Zip _____
Social Security Number _____
Telephone No. and Area Code _____
BUSINESS: Firm's Name (to appear on license) _____
Located at _____
City, State, Zip _____
Telephone No. and Area Code _____

TYPE OF BUSINESS: Water Well _____, Monitoring Well _____, Heat Pump Well or Hole _____,
(Check one or more) Geotechnical Borehole _____, Plugging Well or Hole _____, Other _____
EXPERIENCE RECORD:

- (a) Date started drilling: _____
- (b) Approximate number of wells or holes drilled during the last calendar year: _____
- (c) Depth of deepest well or hole actually drilled during career, in feet: _____
- (d) Largest well or hole drilled during career, in inches: _____
- (e) Are you presently licensed by another state? Yes ___ No ___ If yes, name State _____
- (f) If previously licensed, has your drilling license ever been revoked or suspended by any State? Yes ___ No ___ Not Applicable _____. If yes, please explain the details on separate sheet.

DESCRIPTION OF DRILLING EQUIPMENT:

Drilling Rig Make	Capacity (depth in feet)	Owned or Leased
_____	_____	_____
_____	_____	_____

REFERENCE: List two licensed drillers familiar with your work experience.

- (1) _____
(Name) (Mailing Address) (License No.)
- (2) _____
(Name) (Mailing Address) (License No.)

Do you or your company have liability insurance? Yes ___ No ___ If yes, in what amount \$ _____ Name of Insurer: _____ Date Expires _____

I affirm that I have two years of drilling experience under the supervision of a licensed water well contractor or other comparable drilling experience acceptable to the Department. My drilling experience was with _____

(Name) (Mailing Address) (Telephone No.)
from the time period _____ to _____. (Additional experience may be listed on the reverse side of this form.)

I hereby grant my references and insurer the authority to provide the Louisiana Department of Transportation and Development with information necessary to establish my qualification for a driller's license. Yes ___ No ___

I also affirm that I meet qualifications for a license as spelled out in R.S.38:3098 through 38:3098.8 and that I will fully comply with all rules and regulations for wells and holes promulgated and to be promulgated by the Louisiana Department of Transportation and Development, Office of Public Works. Yes ___ No ___

Enclosed is check or money order no. _____ dated _____ in the amount of \$ _____ for license fee, made payable to the Department of Transportation & Development.

CERTIFICATE:

STATE OF LOUISIANA
PARISH OF _____

BEFORE ME, the undersigned authority, a Notary Public duly commissioned and qualified within and for the State and Parish aforesaid, personally came and appeared _____, who being by me first duly sworn, did depose and say: That the information contained and set forth in the above and foregoing APPLICATION FOR LOUISIANA WATER WELL CONTRACTOR'S LICENSE is true and correct, to the best of my knowledge, as stated herein.

Sworn to and subscribed to before me this _____ day of _____, 19____
at _____, Louisiana.

NOTARY PUBLIC

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
WATER RESOURCES SECTION
P. O. BOX 94245 BATON ROUGE, LA. 70804-9245
Telephone (504) 379-1434

APPLICATION FOR RENEWAL OF
LOUISIANA
WATER WELL CONTRACTOR'S (DRILLER'S) LICENSE

PLEASE PRINT IN INK OR TYPE WHEN COMPLETING THIS FORM

APPLICANT:

NAME _____
MAILING ADDRESS _____
CITY, STATE, ZIP _____
SOCIAL SECURITY NO. _____
TELEPHONE NO. AND AREA CODE _____

BUSINESS:

FIRM'S NAME _____
LOCATED AT _____
CITY, STATE, ZIP _____
LICENSE NO. WWC- _____
TELEPHONE NO. AND AREA CODE _____

DRILLING RECORD:

For categories listed below, indicate the total number of wells or holes which you (your company) drilled and/or plugged during the past twelve months:

Category	No. Drilled	No. Plugged
a) Domestic water wells	_____	_____
b) All other types of water wells	_____	_____
c) Monitoring wells	_____	_____
d) Heat pump holes	_____	_____
e) Geotechnical boreholes	_____	_____

RENEWAL FEE:

Enclosed is check or money order number _____ in the amount of \$ _____ for my annual renewal fee.

NOTE:

Your annual renewal fee is \$100.00, unless you drill only domestic water wells (as defined in Appendix I) and you drill less than 25 domestic wells annually, in which case the renewal fee is \$50.00.

I certify that the information contained and set forth in the above and foregoing application for renewal of Louisiana water well contractor's license is true and correct, to the best of my knowledge, as stated herein.

Signature

Date

Marty J. Chabert
Assistant Secretary

RULE

Department of the Treasury Board of Trustees 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 relative to Health Maintenance Organizations.

(1) Any health maintenance organization (HMO) or other prepaid medical benefits plan seeking to solicit the membership of employees of the state, its agencies or political subdivisions shall be subject to the regulations and requirements as set forth below, unless:

(a) the HMO provides evidence of federal qualification under Section 1301 of P.L. 93-222 (Health Maintenance Organization Act of 1973, as amended), and unless

(b) the HMO has activated the dual-choice mandate as provided for in Section 1310 of the Act.

(2) For purposes of these regulations the term "HMO" is defined as any legal entity which provides either directly or through arrangements with providers or other persons, health care services, or arranges for the provision of such services to enrollees on the basis of a fixed prepaid sum.

(3) The Board of Trustees of the State Employees Group Benefits Program specifically reserves the right to disapprove the application of any HMO.

GENERAL INFORMATION

The HMO shall furnish the following information:

(1) a list of the names and official positions of all members of the board of directors and the principal officers of the organization, which list shall contain a full disclosure of the extent and nature of any contractual or financial arrangements between them and the state, or any of its agencies or political subdivisions.

(2) if the HMO is sponsored by another organization, the foregoing information relative to the directors and principal officers of the sponsoring organization or parent company;

(3) any changes in (1) or (2) above which may take place for the duration of the contract between the HMO and the state;

(4) a current balance sheet or income/expense statement;

(5) evidence of protection for members in the event of insolvency or medical catastrophe; which evidence may be a demonstration of the HMO's capacity to produce a cash flow sufficient to cover normal operating expenses for a minimum of 90 days, or a contractual agreement with a third-party insurer indicating such protection; and which evidence shall be updated on an annual basis;

(6) a copy of the form of each booklet or certificate of coverage to be issued to the members, and any changes or amendments as may be made from time to time;

(7) a description of the proposed method of marketing the HMO benefits, including marketing material to be used and a list of current premium charges;

(8) an accurate comparison of benefits offered by the HMO and the State Employees Group Benefits Plan;

(9) a statement describing the HMO's service area by zip code;

(10) a description of complaint procedures the HMO utilizes for resolving grievances between a member and the HMO or any provider of services;

(11) if the HMO is a group or staff model, a description of the medical care facilities to include;

(a) location,

(b) hours of operation,

(c) provisions for after-hours emergency services,

(d) on-sight facilities such as x-ray, laboratory, pharmacy, etc.;

(12) for all models, a list of participating physicians, to include the area of practice or specialty of each;

(13) a statement indicating which person or persons are responsible for final medical adjudication of questioned claims;

(14) the information required in (1-4) above shall be updated annually on January 1;

(15) advice whether HMO is proprietary or not for profit.

The State of Louisiana shall have the right during the existence of the contract to audit from time to time such fiscal records of the HMO as may pertain to the financial security of state employees enrolled as members.

If, for any reason, a provider fails or is unable to render services it has agreed to provide through a contract with the HMO, the HMO shall agree to pay benefits for services equivalent to those set for in its contract with the state while an individual continues to be a member.

The Board of Trustees of the State Employees Group Benefits Program shall not be held liable for claims for damages relating to any treatment rendered or arranged for by the HMO.

The HMO shall agree to hold the Board of Trustees of the State Employees Group Benefits Program harmless from all claims for damages relating to any act or omission by the HMO, including any claims relating to failure of the HMO to provide services as specified in its contract with the State of Louisiana due to financial hardship or insolvency.

The HMO shall agree to hold any plan member or dependent harmless from any liability or cost for health maintenance services rendered during enrollment in the HMO, except as may be specifically provided for in the group contract and individual certificates of coverage.

INITIAL ENROLLMENT AND EFFECTIVE DATE

(1) The initial enrollment period shall be that 60-day period beginning on the October 1 coinciding with or immediately following the approval of the HMO by the Board of Trustees. The initial effective date shall be the January 1 next following the completion of this enrollment period.

(2) The state shall furnish the HMO with a list of agency personnel officers and their addresses to facilitate agency contact.

(3) The state shall provide a letter of introduction by the executive director to the personnel officers encouraging their cooperation with the HMO in scheduling meetings and making the offer to eligible employees.

(4) The state shall permit the HMO to use its enrollment form to enroll employees who are currently members of the State Employees Group Benefits Program.

(5) The HMO shall use the State Employees Group Benefits Enrollment Document if the employee is not a member of the State Plan at the time he elects HMO membership.

(6) All documents shall be processed at the State Employees Group Benefits office, including data entry into the billing and eligibility system.

(7) The HMO shall secure any information it may need which is not on the enrollment document independently of the State Employees Group Benefits Program.

COMPUTER INTERFACING

(1) The state shall provide the HMO with a monthly exception tape, detailing by agency: additions, deletions, and changes.

(2) The HMO shall maintain all billing records by agency billing codes as established by the State Employees Group Benefits Program.

(3) The HMO shall furnish utilization reports on a monthly

basis, the format of which shall be mutually agreed on by the state and the HMO.

PREMIUM BILLING AND TRANSFER

(1) The HMO shall bill membership fees in a regular monthly invoice, detailed by agency billing codes as established by the State Employees Group Benefits Program.

(2) The state shall transfer the reconciled membership fees to the HMO by the fifteenth of each month for the previous month's billing. Remittance will be itemized by agency.

(3) The state shall retain a monthly administrative fee for each individual contract, which fee shall be negotiated prior to the initial effective date of the master contract between the state and the HMO. Adjustment of the administrative fee will be made no more often than once a year and only on the annual re-enrollment date (January 1).

RATES

(1) The HMO shall charge membership fees that are divisible by a number as shall be set forth in the contract.

(2) Rates shall be guaranteed for no less than a 12-month period following initial effective date and thereafter shall be increased no more often than once year and only on the annual re-enrollment date, unless otherwise approved by the Board of Trustees 90 days prior to the effective date of such increase.

(3) Notice of premium adjustments shall be given the state at least 90 days prior to the proposed effective date of such adjustment.

(4) Membership fees shall not be adjusted based on the utilization of health care services by state employees or their dependents. Rate adjustments shall be reflected in similar adjustments for other groups enrolled in the HMO service area.

(5) The HMO shall use a rate structure with classifications compatible with those used by the State Employees Group Benefits Program.

ELIGIBILITY

(1) The HMO shall maintain identical eligibility regulations as the State Employees Group Benefits Program with the exception of sponsored adult dependents, who need not be eligible for membership.

(2) The HMO shall enroll new employees who choose membership during their initial period of eligibility for an effective date that is compatible with the eligibility requirements of the State Program.

(3) The HMO shall provide for continuation of membership for surviving spouses and dependents of deceased employees who are HMO members at the time of death. Such continuation provisions shall be identical to those of the Group Benefits Program. Such continuation shall be provided at the benefit level of the group contract and at a cost no greater than comparable monthly premiums charged by the HMO for like classes of group membership.

(4) During initial enrollment and each subsequent annual re-enrollment, the HMO shall offer membership to eligible active employees and eligible retirees on an equal basis.

PRE-EXISTING CONDITIONS

(1) The HMO shall impose no limits on coverage for pre-existing conditions for State employees electing membership during their initial period of eligibility.

(2) If a State employee fails to elect HMO membership for himself or his dependents during his initial period of eligibility, the HMO, unless prohibited by federal law or regulation, shall impose limitations on coverage for pre-existing conditions as a requirement for membership, in accordance with the existing regulations of the State Employees Group Benefits Program.

TRANSFERS AND TERMINATIONS

(1) The HMO shall hold an annual re-enrollment each

November for an effective date of January 1 for employees electing to enter or leave HMO membership. This shall include both active and retired employees.

(2) The HMO shall participate in any other open enrollments as may be mandated by legislative action, if such action involves the HMO's service area.

(3) Transfer of coverage from the State Employees Group Benefits Program to the HMO or vice-versa shall be allowed only during the annual re-enrollment period, for an effective date of January 1. Transfer of coverage shall also be allowed as a consequence of the employee's being transferred into or out of the HMO service area, with an effective date of the first of the month following transfer.

(4) The HMO shall provide benefits up to but not beyond date of discharge in the event a member or his dependents are hospital confined at the time his membership terminates.

(5) The HMO shall allow individual conversions for a 30-day period following the end of the month during which an employee terminates his group membership. The conversion may be an individual HMO membership or fully-insured health contract, but shall be offered without regard to existing medical conditions and at the then-current rate for all other similar conversions. Termination of the group contract shall not constitute individual termination for purpose of conversion.

(6) No individual membership shall be terminated by the HMO except for the following reasons:

a. termination of the group contract;

b. termination of a member's employment with the state;

c. an employees' moving his domicile out of the HMO service area;

d. failure of the individual to make required co-payments to an HMO provider;

e. statements made by an individual on applying for membership which are material and knowingly false relative to the eligibility of himself or any dependent; or, if applicable, relative to the health status of himself or any dependent.

f. refusal of a member to cooperate with an HMO provider to such a degree as to render a satisfactory physician-patient relationship impossible;

(i) should the member refuse to accept procedures or courses of treatment recommended by an HMO physician, the physician shall use his best efforts to render all necessary and appropriate professional services in a manner compatible with the member's wishes insofar as this can be done consistent with the physician's judgement as to the requirements of proper medical practice;

(ii) should the member continue to refuse to cooperate with the provider, and the physician believes that no acceptable professional alternative exists, such member shall be so advised, and if upon being so advised, the member still refuses to follow the recommended treatment or procedure, then the HMO shall have the right to terminate that individual's membership.

(iii) should the HMO elect to terminate or not renew the member's coverage due to the above provision, the HMO shall notify the employee in writing no less than 30 days prior to termination date;

(iv) The employee shall have the right to appeal such termination of coverage to the Benefits Committee of the Board of Trustees, which committee shall refer its recommendation to the Board for final decision.

NONDUPLICATION OF COVERAGE

(1) If a husband and wife are both state employees and both are eligible for family coverage under the State Employees Group Benefits Program, both must elect membership in the HMO

or the State Program. Neither split contracts nor dual membership shall be allowed.

(2) If a husband and wife are both state employees and have elected single coverage, each may choose membership in either the HMO or the State Program.

(3) Regardless of any provision of the State Employees Group Benefits Program contract to the contrary, the following apply to any state employee or dependent enrolled in an HMO:

- a. the person shall neither be a member of the State Program nor a qualified dependent covered under the State Program;
- b. no benefits will be payable under the State Program with respect to charges for services and supplies furnished while the person is enrolled in the HMO.

BENEFIT STRUCTURE

(1) The HMO shall provide basic and supplemental comprehensive health maintenance services which state employees and their dependents might reasonably require to be maintained in good health, without regard to the frequency or extent of services furnished to any particular enrollee except for allowable exclusions and limitations as noted herein.

(2) Basic comprehensive health maintenance services shall include, but need not be limited to:

- a. provisions for in-area emergency health care services which shall be available 24 hours a day, seven days a week and which shall be provided by physicians or other licensed medical personnel;
- b. coverage for out-of-area emergency services;
- c. preventive health services such as immunizations, routine physical examinations, and diagnostic studies;
- d. in-patient hospital care, to include semi-private accommodations and other ancillary services;
- e. in-patient physician services;
- f. out-patient health services.

(3) Supplemental comprehensive health maintenance services shall include, but need not be limited to, benefits for:

- a. out-patient prescription medication;
- b. private-duty nursing prescribed by a physician;
- c. emergency ambulance services;
- d. durable medical equipment;
- e. prosthetic appliances.

(4) The HMO may impose reasonable limitations on and/or exclusions from such services as cosmetic surgery, dental treatment, custodial care, experimental procedures, home health care, services not medically necessary, personal convenience items, luxury accommodations, and services not rendered or prescribed by HMO physicians (except for out-of-area emergency care).

(5) The HMO may exclude from coverage those items as are normally and routinely considered excludable under group health coverage such as injuries or disease covered by workmen's compensation laws or veteran's benefits; self-inflicted injuries or those sustained as a result of war or civil disobedience.

(6) Treatment for mental and nervous disorders, and alcohol or other substance abuse may not be excluded, but may be limited. Coverage shall be provided to include at least:

- a. in-patient - hospital benefits and physicians services for a minimum of 30 days per year;
- b. out-patient - physician services covered at least 50 percent for a minimum of 15 visits per year at no less than \$40 per visit.

(7) Basic and supplemental comprehensive health maintenance services shall have a lifetime maximum of no less than \$500,000 per person. Reasonable co-payments may be placed on out-patient services and out-of-area services, but in no instance shall the co-payment exceed 25 percent of the value of the service rendered.

DISCLOSURE

(1) The HMO shall issue to each employee a description of benefits to which he is entitled under the contract between the HMO and the State of Louisiana.

(2) The evidence of coverage shall contain a clear, concise and complete statement of:

- a. the health care services and the insurance or other benefits, if any, to which the member is entitled;
- b. any exclusions or limitations on the services as benefits to be provided, including any deductibles and/or co-payment provisions;
- c. where and in what manner information is available as how services, including emergency and out-of-area services, may be obtained;
- d. the HMO's method for resolving enrollee complaints;
- e. conditions of eligibility for employees and their dependents;
- f. conditions under which an individual's membership may be terminated.

James D. McElveen
Executive Director

RULE

Department of the Treasury Bond Commission

VACANCY GUIDELINES FOR MULTIFAMILY HOUSING DEVELOPMENTS (NEW CONSTRUCTION)

In accordance with the application provisions of the Administrative Procedure Act, R.S. 49:950, et. seq., notice is hereby given that the Louisiana State Bond Commission amended its rules by adding the following rule:

New multifamily housing applications whereby the vacancy rate in the area of the new construction equals or exceeds 20 percent, according to an acceptable vacancy study, will not be docketed for consideration. In parishes, or sections of parishes, for which no study has been completed, the developer will be required to arrange for a study indicating vacancy rates and such study will have to be acceptable to the issuer and the commission.

Inducements for new construction in areas that have more than 15 percent and less than 20 percent vacancy rates would be prohibited unless a specific feasibility study and vacancy rate study by the Developer justifies such a development. Both studies would have to be completed no more than 90 days prior to inducement.

At the time of preliminary consideration by the Bond Commission acceptable vacancy rate studies as mentioned herein must be current up to 180 days.

New construction for special purpose needs (mainly elderly and handicapped housing) are exempt from these vacancy guidelines.

All new construction multifamily housing developments induced by an issuer prior to July 23, 1985 are exempt from these vacancy guidelines.

Mary Evelyn Parker
State Treasurer and Chairman

RULE

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The following rule was adopted by the Louisiana Wildlife and Fisheries Commission at its regular meeting held in Baton Rouge, Louisiana, October 4, 1985.

Lake Bistineau - Netting Prohibition
Recent fish population samples conducted on Lake Bisti-

neau indicated very low populations of commercially valuable fish which are normally taken in nets. Catfish, the most popular and sought-after commercial species within the lake can still be adequately harvested commercially by other methods which include slat traps, trotlines, and set lines. Studies evaluating the effects of netting on sport fish in Lake Bistineau showed netting was extremely detrimental to the largemouth bass, striped bass and crappie fishery within the lake. Therefore, the Louisiana Wildlife and Fisheries Commission does hereby close Lake Bistineau to the use of all netting for a period of three years. This closure is to become effective September 1, 1985 and to extend through August 31, 1988.

J. Burton Angelle
Secretary

RULE

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The following rule was adopted by the Louisiana Wildlife and Fisheries Commission at its regular meeting held in Baton Rouge, Louisiana, October 4, 1985.

Lacassine Bayou - Netting Season

The Louisiana Wildlife and Fisheries Commission hereby prohibits the use of trammel nets, gill nets and hoop nets during the period March 1 through November 30 each year in that part of Lacassine Bayou that flows through the Lacassine National Wildlife Refuge, Cameron Parish, Louisiana. This closure has been requested by the Fish and Wildlife Service who has management responsibility of the refuge.

J. Burton Angelle
Secretary

Notices of Intent

NOTICE OF INTENT

Department of Civil Services Board of Ethics for Elected Officials

The Board of Ethics for Elected Officials proposes to amend the form currently used for annual financial disclosure required to be filed by the governor and gubernatorial candidates. The amendment will make the changes necessary for the form to comply with the statutory requirements of R.S. 42:1124.

Included in the changes, most of which are stylistic, is the deletion of the schedule requiring disclosure of financial holdings. The Board of Ethics for Elected Officials has ruled that there is no statutory authority for this schedule. The new form requires the filer to disclose the amount of interest he has in businesses in which he is a director, officer, partner, member or trustee. Ownership interest in a business need be disclosed only when it exceeds 10 percent.

Interested persons may submit written comments until 4:45 p.m., November 4, 1985, at the following address: Peter G. Wright,

Ethics Administration, 7434 Perkins Road, Suite B, Baton Rouge, LA 70808. Inquiries about this amendment may be addressed to him at (504) 925-7290. An oral hearing will be conducted in the Contractors Licensing Board Room, 7434 Perkins Road, Baton Rouge, LA at 10 a.m., November 5, 1985. All interested persons will be afforded an opportunity to submit data, views or arguments, orally or in writing, at the public hearing.

R. Gray Sexton
Executive Director

Fiscal and Economic Impact Statement For Administrative Rules Rule Title: PFD Form

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
The cost of implementing these changes is negligible. The only costs that will be incurred are the costs associated with preparing the amended form on a word processing machine, and the cost of making machine copies of the seven page form for distribution to the governor and, during election years, the gubernatorial candidates.
- 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 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.

R. Gray Sexton
Executive Director

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 November 6, 1985, to consider proposed changes in the Classification and Pay Plan.

The hearing will be at 8:00 a.m. and will be held in the auditorium, Administration Building, State Police Training Academy, 7901 Independence Boulevard, Baton Rouge, LA. In the event that this hearing cannot be completed on November 6, 1985, the public hearing will be resumed at the same location on December 4, 1985, beginning at 8 a.m.

The Commission will consider only the following proposals:

1. Exhibit A—Classes Given Interim Approval Since the Pay Hearing on January 9, 1985.
2. Exhibit B—Revisions in Qualification Requirements Only.
3. Exhibit C—Proposed Classes to be Established.

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 94111, Baton Rouge, LA 70804-9111.

Herbert L. Sumrall
Director

NOTICE OF INTENT

Department of Commerce Board of Certified Public Accountants

Notice is hereby given that the State Board of Certified Public Accountants of Louisiana pursuant to the authority vested in Section 75 of the Louisiana Revised Statutes, Title 37, Chapter 2, intends to amend effective February 20, 1986, the following rules:

Rule 3.1 The principal office and office address of the board to which communications should be sent is: State Board of Certified Public Accountants of Louisiana, Suite 1515, International Trade Mart Building, 2 Canal Street, New Orleans, Louisiana 70130.

Rule 4.1 The officers shall be chairman, secretary and treasurer. The duties of the respective offices shall be the usual duties assigned to the respective offices. The newly elected officers shall assume the duties of their respective offices at the conclusion of the meeting at which elected.

Rule 4.3 Any meeting may be called by the chairman or by joint call of at least two of its members, to be held at the principal office of the board, or at such other place as may be fixed by the board. Regularly scheduled board meetings are usually held on the last working day of January, March, July and September.

Rule 14.1.1 When an applicant has met all the requirements for certification, the board shall issue to him a certificate that he is a certified public accountant in the State of Louisiana. All such certificates shall be valid only when signed by the chairman and secretary of the board. The issuance of the certificate does not qualify the candidate to practice public accounting in the State of Louisiana.

Rule 17.2 All charges shall be referred to the member of the board or other person designated as the investigating officer, who is to be appointed annually by the chairman of the board.

Rule 10.2.2 "The provision of the above rule not withstanding, if an applicant for a reciprocal certificate holds a certificate issued by the state of original certification prior to September 1, 1975, or has been in practice as a certified public accountant or on the professional staff of a certified public accounting firm for four years in the 10 years immediately prior to the date of submitting the application, he will not be required to possess a baccalaureate degree."

Interested parties may submit written comments on the proposed rule through January 3, 1986 to Mildred M. McGaha, CPA, Executive Director, the State Board of Certified Public Accountants, Suite 1515, 2 Canal Street, New Orleans, LA 70130.

Robert F. Cargile, CPA
Secretary

Fiscal and Economic Impact Statement For Administrative Rules Rule Title: LAC 11-9

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

There will be no additional costs to the state or this agency as a result of the proposed amendments to these rules.

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

It is believed there will be a negligible effect on this agency's revenue collections; possibly no more than one or two applications annually will fall within the proposed amendment to Rule 10.2.2.

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

There will be no additional costs to affected persons.

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

The proposed amendment to Rule 10.2.2 is not expected to materially affect the number of reciprocal certificates issued annually. Consequently, it is believed that the proposed action will not have an impact on competition and employment in the public or private sectors.

Robert F. Cargile
Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Culture, Recreation and Tourism Division of Black Culture

Notice is hereby given that the Division of Black Culture intends to adopt the proposed rule as follows:

Cultural Resources

Part 1. Cultural Development

Chapter 2. Division of Black Culture

Section 1. Guidelines for Grant Program

In accordance with the provisions of LRS 49:950, et seq., the Administrative Procedure Act and the authority given in Act 796 of 1984, notice is hereby given that the Division of Black Culture, an agency within the Office of Cultural Development, Department of Culture, Recreation and Tourism, intends to submit guidelines on Black Culture grant applications.

Copies of the complete set of proposed guidelines are available for public inspection at the Office of the Division of Black Culture at 666 North Foster Drive, Baton Rouge, LA or by written request to Box 44247, Baton Rouge, LA 70804.

A public hearing will be held at 10 a.m. on October 30, 1985 in the conference room of the Office of Cultural Development, 666 North Foster Drive, Baton Rouge, LA. Interested persons are invited to attend and submit oral or written comments on the proposed guidelines.

GUIDELINES

PURPOSE: This program is designed to provide financial, referral and/or technical assistance to Louisiana residents for the promotion and development of Louisiana black culture in accordance with Act 796 of 1984.

FUNDING AMOUNT: Generally, the maximum amount of grant award is \$5,000; however, the commission reserves the right to fund proposals in excess of that amount.

ELIGIBILITY: Organizations requesting funding to conduct a black culture program or project must be certified as tax-exempt under 501(c)(3) of the IRS Code; sponsored by a 501(c)(3) tax-exempt organization; or be certified by the State of Louisiana as a Chapter II non-profit organization and have the representation of a practicing Louisiana attorney for the completion of the certification of expenses form. A copy of IRS determination letter or non-profit status certificate from the Louisiana Secretary of State must accompany your application.

MATCHING REQUIREMENT: All grants have to be matched dollar-for-dollar in cash and/or in-kind donations.

LIMITATIONS: Only one program/project per organization per state fiscal year may be funded. All programs/projects must be implemented and completed no later than June 30, 1986. Grant funds may not be used for costs related to hospitality (i.e. food, beverages, banquets, receptions, etc.)

HOW TO APPLY: Request application in writing from the Division of Black Culture, Box 44247, Baton Rouge, LA 70804. DUE DATE: ALL APPLICATIONS DUE IN THE OFFICE OF THE DIVISION BY 4:30 P.M. ON OCTOBER 30, ANNUALLY.

EVALUATION CRITERIA:

1. The program/project should fulfill some specific, identified community need and should be justified in the description of the proposed project.
2. The program/project should be designed to have its primary focus on the cultural development of blacks. Programs developed on various themes regarding Louisiana blacks are preferred.
3. The program/project must be accessible to the general public.
4. Applications will be reviewed in the following area: program/project need, community involvement and plans/implementation of program/project.
5. Completeness of application and appropriateness of proposed budget.

GRANT AWARD NOTIFICATION: The Louisiana Black Culture Commission will determine recipients at its first meeting following the deadline. Recipients will be notified no later than 90 days after deadline.

REPORTING REQUIREMENTS:

1. Grantee must submit a final report which includes a complete financial statement reflecting actual income and expenditures of the program/project.
2. Grantee must submit a written statement evaluating the project.
3. Grantee must submit a copy of printed program which includes credits as follows: "This program/project funded (or funded in-part) by the Louisiana Black Culture Commission/Division of Black Culture, Office of Cultural Development, Department of Culture, Recreation and Tourism."
4. Copies of promotional material, media announcements/articles, programs and black and white photographs of program/project must be included in the final report.
5. The final report must be prepared by the recipient and submitted to the Division of Black Culture, no later than 30 days following completion of the funded project.
6. Members of the Louisiana Black Culture Commission and the staff of the Division of Black Culture shall be permitted to attend programs funded through the Division of Black Culture free of charge for review purposes.
7. Grantee must submit black culture survey forms.

Robert DeBlieux
Assistant Secretary

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

Rule Title: Black Culture Grant Guidelines

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no additional costs or savings to state or local governmental units as a result of adopting these rules. Existing staff can handle the associated workload.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no effect on revenue collections of state and local governmental units being that these rules do not require the collection of fees or revenues.

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

Affected groups will be required to provide a dollar-for-dollar and/or in-kind match. Affected groups will also benefit by being allowed to take advantage of a new funding source.

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

Adoption of these rules should have no effect on competition and employment.

Robert E. DeBlieux
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

Board of Elementary and Secondary Education

Amendments to Bulletin 741

In accordance with R.S. 49:950 et. seq., the Administrative Procedure Act, notice is hereby given that the Board of Elementary and Secondary Education approved the following amendments to Bulletin 741, *Louisiana Handbook for School Administrators*, both public and nonpublic standards as necessitated by the 1985 Legislature:

Page 14 - Insert new standard and renumber subsequent standards.

- 1.015.03 Each school system shall employ at least one school nurse certified by the State Board of Elementary and Secondary Education.
(Refer to R.S. 17:28.)
(Refer to Bulletin 746, *Louisiana Standards for State Certification for School Personnel.*)

- Page 40 - Insert new standard under 1.055.14 and 2.055.14
- 1.055.14 Beginning with the 1986-87 school year every child, as a prerequisite to enrollment in any first grade, shall meet one of the following criterion:
- 2.055.14 (1) Have attended at least a half-day public or private kindergarten for a full year; and/or
(2) Satisfactorily passed academic readiness screening administered by the school system at the time of enrollment for first grade.
(Refer to R.S. 17:151.3)

- Page 40 - Reword standards 1.055.17 and 2.055.17 and 6.055.17, (page 9 of nonpublic standards);
- 1.055.17 The minimum age for kindergarten shall be one year younger than the age required for that child to enter first grade as established by the local school board.
(Refer to R.S. 17:151.3)

- Page 40 - Reword standards 1.055.18 and 2.055.18 and page 9, of nonpublic standards, reword standard 6.055.18 as follows:
- 1.055.18 The age at which a child may enter the first grade of any public school at the beginning of the public school session shall be as follows:
- 2.055.18 (1) For the school year 1985-86, six years on or before January 1, 1986;
- 6.055.18 (2) For the school year 1986-87, six years on or before December 1, 1986;

- (3) For the school year 1987-88, six years on or before November 1, 1987;
- (4) For the school year 1988-89, six years on or before October 1, 1988, and
- (5) For the school year 1989-90 and each school

year thereafter, six years on or before September 30 of the calendar year in which the school year begins.

(Each school system may adopt, by rule, and enforce ages for entrance into first grade in the school which vary from the above provision.)
(Refer to R.S. 17:222.)

Page 30 - Reword standard 2.037.10 and on page 8 of nonpublic school standards reword 6.037.10 as follows:

2.037.10 The minimum instructional day for a full-day kindergarten program shall be 330 minutes and for a one-half day kindergarten program the minimum instructional day shall be 165 minutes.

Page 30 - Reword standard 2.037.11 as follows:

2.037.11 For grades 1-12 the minimum school day shall include 330 minutes of instructional time exclusive of recess, lunch, and planning periods.
(Local systems have the option to make the determination regarding the required school day for seniors.)

Page 8 - Nonpublic school standards, reword 6.037.11 as follows:

6.037.11 For grades 1-12 the minimum school day shall include 330 minutes of instructional time exclusive of recess, lunch, and planning periods.

Page 29 - Reword standards 2.037.09 and 3.037.09 and 6.037.09, (page 7 of nonpublic standards):

2.037.09 The minimum length of periods for any high school class in which a Carnegie unit is earned shall be no less than 55 minutes of instructional time in a six-period day and no less than 50 minutes of time in a seven-period day.

3.037.09 An allotment of 180 class periods shall be scheduled during a 36-week session for one unit of Carnegie credit.

6.037.09 An allotment of 90 class periods during a session of 18 weeks shall be scheduled for ½ Carnegie unit of credit.

Page 14 - Nonpublic Standards - Change 6-period day schedule to the following:

GRADES 7 AND 8
(6-Period Day Option)

	Periods Per Week	Minimum Time
LANGUAGE ARTS	5	55
MATHEMATICS	5	55
SOCIAL STUDIES (American Studies, Grade 7; Louisiana Studies, Grade 8)	5	55
SCIENCE	5	55
HEALTH AND PHYSICAL EDUCATION OR HEALTH AND PHYSICAL EDUCATION AND ELECTIVES	10	<u>110</u> 330
		min. per day

Page 165 - Reword standards 3.037.11 and 3.037.13 as follows:

3.037.11 All students in special schools shall receive a minimum of 330 minutes a day for certified Individualized Education Program (IEP) instructional time exclusive of recess, lunch, and planning periods.

3.037.13 The Individualized Education Program (IEP) committee shall determine when a student shall

receive less than 330 minutes a day of certified Individualized Education Program (IEP) instructional time.

(Supporting documentation for this determination shall be available in the student's Individualized Education Program (IEP). Documentation shall reference serious medical constraints, participation in a program of behavior therapy, age of student, integration of Individual Service Plan (ISP)/Individualized Education Program (IEP), participation in regular education or regular physical education, etc.)

Page 15 - Amend nonpublic school standard 6.099.01 to permit Environmental Science as one of the units in Science permitted to meet graduation requirements, effective 1986-87.

Page 18 - Nonpublic school standards - amend standard 6.102.01, second procedural block as follows:

(Credit or Credit Examinations may be given in the following subjects: Computer Literacy, Computer Science I-II, English I-IV, Advanced Mathematics, Algebra I-II, Calculus, Geometry, Trigonometry, and Typewriting I. Additionally, credit may be given in all courses listed in the Program of Studies in Foreign Languages, Science, and Social Studies. Exceptions may be made by the Bureau of Secondary Education, State Department of Education upon the request of the school principal.)

Interested persons may comment on the proposed policy change and/or additions, in writing, until 4:30 p.m., December 9, 1985, at the following address: State Board of Elementary and Secondary Education, Box 94064, Capitol Station, Baton Rouge, LA 70804-9064.

James V. Soileau
Executive Director

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Amendment to Bulletin 741**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There is no additional implementation costs for this change since it is merely a restatement and/or clarification of current policy.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no effect on the 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 is no estimated cost and/or economic benefits to directly affect persons or non-governmental groups.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
There is no effect on competition and employment.

Joseph F. Kyle
Deputy Superintendent

Mark C. Drennen
Legislative Fiscal Officer

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

Rule Title: Amendment to Bulletin 741

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no implementation cost to either the state or local governmental units since this law parallels the time regulations which the schools have been using.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no effect on revenue collections of the state or local governmental units.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
There are no costs and/or economic benefits to directly affected persons or non-governmental groups.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
There is no estimated effect on competition and employment.

Joseph F. Kyle
Deputy Superintendent

Mark C. Drennen
Legislative Fiscal Officer

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

Rule Title: Amendment to Bulletin 741

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no costs or savings to state or local governmental units.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no effect of revenue collections or state or local governmental units.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
There are no estimated costs and/or economic benefits to directly affected persons or nongovernmental groups.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
There is no estimated effect on competition and employment.

Joseph F. Kyle
Deputy Superintendent

Mark C. Drennen
Legislative Fiscal Officer

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

Rule Title: Amendment to Bulletin 741

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
Based on R.S. 17:28, approximately 222 nurses would be employed by the local education agencies. The school nurse program has been funded by the state since 1979-80 and is budgeted for 223 nurses in 1985-86. Therefore, implementation of this rule should not result in increased costs.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no effect on revenue collections by state or local governments.

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

The availability of health services through the school nurse program will directly benefit students in Louisiana. Through health prevention programs and early identification of student health problems, student absenteeism in schools can be reduced, the educational potential of students can be more fully developed with the reduction or elimination of health problems, and student retention in school would be increased because of improved health through preventive health programs and services.

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

There will be no effect on competition and employment.

Joseph F. Kyle
Deputy Superintendent

Mark C. Drennen
Legislative Fiscal Officer

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

Rule Title: Amendment to Bulletin 741

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
It is estimated that approximately 75 percent of the additional students entering 1st grade that weren't in public kindergarten will opt for academic readiness testing at an approximate cost of \$25 per student or \$208,525 to the local school systems. It is also estimated that the remaining 25 percent will attend public kindergarten at a cost to the state of approximately \$2,633,007.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There is no estimated effect on revenue collections of state and local governmental units.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
There is no estimated costs and/or economic benefits to directly affected persons or non-governmental group.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
An additional number of new teachers (approximately 126) will have to be hired by the local school systems.

Joseph F. Kyle
Deputy Superintendent

David W. Hood
Legislative Fiscal Analyst

NOTICE OF INTENT

Board of Elementary and Secondary Education

**Procedure for the Suspension and Expulsion
of Vocational Technical Students**

In accordance with R.S. 49:950 et. seq., the Administrative Procedure Act, notice is hereby given that the Board of Elementary and Secondary Education approved the following procedure for the suspension and expulsion of vocational technical students:

**PROCEDURE FOR THE SUSPENSION AND
EXPULSION OF STUDENTS**

1. GENERAL STATEMENT—A director, or his designated representative may suspend or expell a student for violation of school rules or for conduct that is disruptive of the educational

process. The disciplinary action shall be taken in accordance with the procedure provided for in this section.

2. **SUSPENSION**—A student in a vocational-technical school may be suspended for up to ten days by the director or his designee without the necessity of a formal due process hearing. Prior to the suspension, however, the student shall be advised by the director or his designee of the particular conduct of which he is accused as well as the basis for the accusation. The student shall be given an opportunity at that time to explain his version of the events to the director or his designee. After giving the student this chance to respond to the charges against him, the director or his designee may investigate further or if he is satisfied that he has sufficient information, the director or his designee may take appropriate disciplinary action not to exceed a ten day suspension.

A student whose presence in or about a school poses a continued danger to any person or property or which poses an ongoing threat of disruption to the academic process may be immediately removed from the school premises without the benefit of the procedure described hereinabove; however, this procedure shall be followed as soon after removal as is practicable.

The director or his designee should document the disciplinary action taken, the reasons therefore, and the explanation given by the student by preparing a written memorandum for the school's files.

3. **EXPLUSION**—No student shall be expelled for disciplinary reasons or suspended for more than ten days without being offered the opportunity for a due process hearing on the charges made against the student. If a director learns of charges against a student which, if proved true, might necessitate expulsion the director shall offer the student an opportunity to participate in a hearing on the charges. The student may be suspended from appearing on the school premises until the time of the due process hearing; however, every effort should be made to provide for a prompt scheduling of the due process hearing.

At the due process hearing, the student may bring such witnesses as he desires to testify on his behalf on any matter pertinent to the allegations against him, he may introduce pertinent evidence, he may cross-examine any witnesses against him, and he may have representation by legal counsel or such other person as he desires to act on his behalf.

Upon completion of the due process hearing, the director or his designee shall make a determination as to the disciplinary action to be taken as soon as possible and shall so inform the student of the action to be taken and the reasons why disciplinary action is being taken.

No hearing shall be required for terminating a student's enrollment for failure to meet the school's attendance requirements.

Interested persons may comment on the proposed policy change and/or additions, in writing, until 4:30 p.m., December 9, 1985, at the following address: State Board of Elementary and Secondary Education, Box 94064, Capitol Station, Baton Rouge, LA 70804-9064.

James V. Soileau
Executive Director

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Procedure for Suspension and
Expulsion of Vo-tech Students**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no implementation costs or savings to state or local governmental units.

- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
Will have no 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 or economic benefits to directly affected persons.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
Will have no effect on competition and employment.

Joseph F. Kyle
Deputy Superintendent

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

Board of Elementary and Secondary Education

Textbook Adoption Time Frame

In accordance with R.S. 49:950 et. seq., the Administrative Procedure Act, notice is hereby given that the Board of Elementary and Secondary Education approved the recommendations of the Department of Education and changed the textbook adoption time frame for local systems from a 12-month period to a time frame beginning with February 1 and ending with May 31.

Interested persons may comment on the proposed policy change and/or additions, in writing, until 4:30 p.m., December 9, 1985, at the following address: State Board of Elementary and Secondary Education, Box 94064, Capitol Station, Baton Rouge, LA 70804-9064.

James V. Soileau
Executive Director

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

Rule Title: Textbook Adoption Time Frame

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no implementation costs or savings to state or local governmental units.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no 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 and/or economic benefits to persons or non-governmental groups that will be directly affected.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
This change will have no effect on competition or employment.

Joseph F. Kyle
Deputy Superintendent

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

Board of Elementary and Secondary Education

Policy Regarding Textbook Publishers

In accordance with R.S. 49:950 et. seq., the Administrative Procedure Act, notice is hereby given that the Board of Elementary and Secondary Education approved the Department of Education's recommendations to allow textbook publishers to cancel, substitute, and add textbook materials only during the period from February 1 to March 1 inclusive.

Interested persons may comment on the proposed policy change and/or additions, in writing, until 4:30 p.m., December 9, 1985 at the following address: State Board of Elementary and Secondary Education, Box 94064, Capitol Station, Baton Rouge, LA 70804-9064.

James V. Soileau
Executive Director

Fiscal and Economic Impact Statement For Administrative Rules

Rule Title: Policy Regarding Textbook Publishers

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no implementation costs or savings to state or local governmental units.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no 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 and/or economic benefits to persons or non-governmental groups that will be directly affected.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
This change will have no effect on competition or employment.

Joseph F. Kyle
Deputy Superintendent

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

Board of Elementary and Secondary Education

World Geography Curriculum Guidelines

In accordance with the Louisiana Revised Statutes 49:950 et. seq., The Administrative Procedure Act, notice is hereby given that the Board of Elementary and Secondary Education approved the World Geography Curriculum Guide as submitted by the State Department of Education.

Interested persons may comment on the proposed policy and/or additions, in writing, until 4:30 p.m., December 9, 1985 at the following address: State Board of Elementary and Secondary Education, Box 94064, Capitol Station, Baton Rouge, LA 70804-9064.

James V. Soileau
Executive Director

Fiscal and Economic Impact Statement For Administrative Rules

Rule Title: Curriculum Guide for World Geography

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
The implementation costs for the World Geography Curriculum Guide include printing, dissemination, reimbursement for substitute teachers replacing those attending the curriculum guide workshops, and mileage for those attending the workshop. Department staff will conduct the workshops. Estimated implementation cost is \$20,000. Approximately 2,000 guides will be printed.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
No effect on revenue collections is anticipated from the proposed action.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
No direct cost or immediate monetary benefits are expected to result for the affected groups as a result of the proposed action.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
No immediate effect on either competition or employment will result from proposed action.

Joseph F. Kyle
Deputy Superintendent

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Environmental Quality Office of Solid and Hazardous Waste Hazardous Waste Division

Under the authority of the Louisiana Environmental Quality Act, R.S. 30:1051 et seq., in particular Sections 1065 B, 1104 B, and 1105.1 C and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Louisiana Hazardous Waste Regulations (LHWR).

The proposed amendments to the LHWR (Chapters 1, 2, 17, 21, 22, 23, and 24) redefine solid waste for the purpose of regulating certain solid wastes as hazardous wastes. These changes are necessary for the Hazardous Waste Division to maintain its authorization to implement a Hazardous Waste Management Program in Louisiana in lieu of the U.S. EPA.

The proposed amendments are to become effective on January 1, 1986, or as soon thereafter as practical upon publication in the *Louisiana Register*.

A public hearing will be held at 10 a.m. on Monday, November 4, 1985, in the Conservation Auditorium on the First Floor of the State Land and Natural Resources Building, 625 North Fourth Street, Baton Rouge, LA. Interested persons are invited to attend and submit oral comments on the proposed amendments.

All interested persons are invited to submit written comments on the proposed amendments. Such comments should be submitted no later than Thursday, November 21, 1985, to Mr. Glenn Miller, Administrator, Hazardous Waste Division, Department of Environmental Quality, Box 44307, Baton Rouge, LA 70804-4307. Mr. Miller may be contacted at the address above, or telephone (504) 342-1227. A copy of the proposed amendments may be obtained from the Hazardous Waste Division at the address provided. In addition, copies of the proposed amend-

ments are also available for inspection at the following locations from 8 a.m. until 4:30 p.m.: State Land and Natural Resources Building, Room 615, 6th Floor, 625 North Fourth Street, Baton Rouge, LA; State Office Building, 1525 Fairfield Avenue, Shreveport, LA; Department of Environmental Quality, 1155 Ryan Street, 2nd Floor, Lake Charles, LA; Department of Environmental Quality, 804 31st Street, Monroe, LA; Department of Environmental Quality, 3945 North I-10 Service Road, Metairie, LA; and Department of Environmental Quality, 100 Epplen Road, Lafayette, LA.

Patricia L. Norton
Secretary

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

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

There will be no additional implementation cost or saving to state or local government units because DEQ already has necessary staff and funding to implement the intent of these rules. Under the authority delegated by EPA additional grant funds will be available if any new facilities are added as a result of the new definitions under the rules and regulations.

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

The rule changes involved in redefinitions will add several hazardous waste facilities to the program, primarily incinerators and storage facilities. These facilities will not involve any significant additional revenues as most of these industries presently pay the maximum hazardous waste fee. LDEQ estimates that approximately five facilities that were previously not required to obtain a permit will now have to obtain a permit. These facilities would have to pay approximately \$2750 total per year in fees. Additionally, LDEQ expects that approximately ten new units will come into the program at various facilities which are currently required to obtain a permit.

This will cause these facilities to revise permit applications and to pay additional fees of \$500 per unit.

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

The industries involved presently have equipment installed which it is anticipated will meet the standards set forth in the existing rules and regulations. There will be minor additional monitoring and reporting cost. The estimated costs to industry includes the annual fees expected (\$18,750) plus approximately \$30,000 total onetime increased costs for preparation and modification of permit applications. (LDEQ will not realize increased revenues from permit application preparation and modification.)

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

It is not anticipated there will be any adverse effects on industry competition. As these changes are made necessary by EPA changes to the RCRA regulations, any costs increases will be nation wide and thus not specific to Louisiana.

Patricia L. Norton
Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Environmental Quality
Office of Solid and Hazardous Waste**

Under the authority of the Environmental Quality Act, L.R.S. 30:1051 et seq., and in particular, Section 1141.2 and 1141.3 and in accordance with provisions of the Administrative Procedure Act, L.R.S. 49:950 et seq., the secretary of the Department of Environmental Quality, Patricia L. Norton, gives notice that rulemaking procedures have been initiated to promulgate the Louisiana Underground Storage Tank Regulations.

The proposed regulations will establish a legal and administrative framework for implementing the mandates of the aforementioned Act. Included in these regulations are requirements for the registration of underground storage tanks; provisions for registration fees and annual monitoring and maintenance fees and their disposition; and in general for the secretary to administer the Underground Storage Tank Trust Fund. Also, the regulations require reporting of releases and the taking of corrective action in response to releases from underground storage tanks when regulated substances are involved. Additionally, the regulations provide for minimal tank standards and for administrative orders to enforce violations of this Act.

All interested persons are invited to comment orally or in writing at a public hearing to be held at 10 a.m. on Wednesday, November 6, 1985, in the A.D. Smith Auditorium on the first floor of the Department of Education Building, 626 North Fourth Street, Baton Rouge, LA 70802. Any additional written comments must be submitted no later than November 16, 1985, to Jack Daggett, Department of Environmental Quality, Office of Solid and Hazardous Waste, Box 44274, Baton Rouge, LA 70804-4274. He is also the agency contact responsible for responding to any questions concerning the proposed regulations.

Copies of the proposed regulations may be obtained by contacting Tommie Martin at the above address or by telephone at (504) 342-8950 and are available for inspection at the following locations from 8 a.m. until 4:30 p.m. daily, Monday through Friday: State Land and Natural Resources Building, Room 707, 7th Floor, 625 North Fourth Street, Baton Rouge, LA; Capitol Regional Office, 11720 Airline Highway, Baton Rouge, LA; Northwest Regional Office, State Office Building, 1525 Fairfield Street, Shreveport, LA; Northeast Regional Office, 804 31st Street, Monroe, LA; Southeast Regional Office, 3945 N. I-10 Service Road, Metairie, LA; Acadiana Regional Office, 100 Eppler Road, Lafayette, LA; Southwest Regional Office, 1155 Ryan Street, Lake Charles, LA.

Patricia L. Norton
Secretary

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Underground Storage Tank Regulation**

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

The registration program required by this rule and Act 493 will cost approximately \$350,000 to implement initially. In subsequent years, it is estimated that the cost will increase by 50 to 75 thousand dollars. Adoption of these proposed rules will not require the expenditure of state general funds; conversely, all necessary funds will be self-generated and/or federal funds. There will be no additional implementation costs/savings to local governmental units as a result of adopting these rules. Usage of funds includes the cost of personnel to mail out,

receive back and process registration forms, and their required equipment.

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

It is difficult to estimate the effect on revenue collections because the regulated community is not well defined; however, based on existing limited data it is estimated that there are greater than 50,000 tanks that would be regulated. Based on existing information concerning ownership of tanks, the Department of Environmental Quality has estimated that at least \$200,000 will be generated the first year. In subsequent years the amount collected should be greater.

All funds collected will be placed in the Underground Storage Tank Trust Fund and will be administered as provided by Act 493.

Adoption of these rules will have no effect on the collection of revenues by local governmental units.

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

The cost for petroleum products is \$15 per tank up to a maximum of \$1,000 per owner for registration. The cost for other regulated substances is \$25 per tank, up to a maximum of \$1,000 per owner for registration. It is estimated for single owners the cost will be \$45 per year. The annual monitoring and maintenance fee will be collected in subsequent years at the same rate as the registration fee without a maximum limit per owner.

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

Adopting these rules should not have an effect on competition and employment.

Patricia L. Norton
Secretary

David W. Hood
Legislative Fiscal Analyst

NOTICE OF INTENT

Office of the Governor Division of Administration

In accordance with the provisions of La. R.S. 49:950 et seq., the Administrative Procedure Act, Policy and Procedure Memorandum Number 1, La. R.S. 39:4 and La. R.S. 39:7, notice is hereby given that the Division of Administration intends to expressly repeal the following Policy and Procedure Memoranda: Numbers 2, 3, 4, 5, 6, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 34, 35, 36, 38, 39, 41, 41a, 42, 44, 45, 46, 47, 48, 48a, 50, 54, 55, 56, 57, 58, 59, 60, and 62.

The aforementioned policy and procedure memoranda were published in the *Louisiana Register* as follows:

Volume I, Number 2; (February 20, 1975), Pages 80-140; Volume I, Number 3; (March 20, 1975), Page 63; Volume I, Number 6; (June 20, 1975), Pages 263-266; Volume I, Number 11; (November 20, 1975), Pages 471-473.

The Division of Administration desires to update all Policy and Procedure Memoranda and to eliminate unnecessary policy and procedure memoranda so that the *Louisiana Administrative Code* as mandated by R.S. 49:950 - 970 will be a compilation of current policies and procedures.

Interested persons may present their views on the proposed action, in writing until November 8, 1985, at the following address: Darrell Hunt, Executive Assistant Commissioner; Box 94095; Baton Rouge, LA 70804-9095. Mr. Hunt is the person re-

sponsible for responding to the inquiries about this proposed action.

Stephanie L. Alexander
Commissioner of Administration

Fiscal and Economic Impact Statement For Administrative Rules Rule Title: Repeal of PPMs

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

Any implementation costs associated with the proposed rule change will be minimal and can be absorbed within current operating budgets. There may be some minimal savings due to elimination of documents and/or forms which are no longer necessary.

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 are 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.

Darrell W. Hunt
Executive Assistant Commissioner

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

Office of the Governor Division of Administration Office of Telecommunications Management

Notice is hereby given that the Office of Telecommunications Management intends to amend the administrative rules and regulations of the Office of Telecommunications Management.

The proposed revisions will implement the changes required by Act 617 of the 1984 Regular Session of the Legislature with respect to ownership of procured systems. The rules and regulations will be recodified to implement the numbering system required for publication in the *Louisiana Administrative Code* and changes in operating procedures of the Office of Telecommunications Management will be implemented.

Interested persons may request copies of the proposed rules and direct written inquiries to Danya Lefebvre, Informational Services Manager, Office of Telecommunications Management, Box 94280, Baton Rouge, LA 70804-9280, telephone number (504) 925-7075.

C. Wayne Hernandez
Director

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

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

No implementation costs are anticipated.

- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
Revenue collections are not expected to be affected.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
No anticipated costs to affected groups.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
No anticipated effect.

Wayne Hernandez
Director

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Health and Human Resources
Board of Examiners for Nursing Home Administrators**

The Louisiana State Board of Examiners for Nursing Home Administrators intends to adopt changes in these rules:

Rule 11. Establish a passing score of at least 75 percent on the state examination and of 113 on the national examination for licensure.

Rule 18. Establish a rule that no licensee may voluntarily surrender his license while under investigation or indictment on any matter pertaining to operation of a nursing home.

Rule 19. Drop the term "under oath" and act on written complaints as provided by Act 933 of 1985.

Interested persons may submit written comments on the proposed changes until 3:30 p.m., November 15, 1985, at the following address, Winborn E. Davis, Executive Director, Louisiana State Board of Examiners for Nursing Home Administrators, Suite 205, 4550 North Boulevard, Baton Rouge, LA 70806.

Winborn E. Davis
Executive 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 will be no additional costs or savings.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no effect on revenue collections by either state or local government units.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
There will be no costs or economic benefit to persons or groups affected by this proposal.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
There will be no effect on competition and employment.

Winborn E. Davis
Executive Director

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Health and Human Resources
Board of Examiners for Sanitarians**

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, and R.S. 37:2102, notice is hereby given that the

State Board of Examiners for Sanitarians proposes to adopt the following bylaws and general regulations.

BYLAWS REGULATIONS

Article I

MEETINGS OF THE BOARD

Section 1. Regular business meetings of the board shall be held at the place so designated by the chairman.

Section 2. There shall be two regular meetings of the board each calendar year with one meeting in the spring and one in the fall.

Section 3. The fall meeting shall be the annual meeting.

Section 4. Special meetings may be called by the chairman whenever, in his opinion, such a meeting is necessary for the efficient operation of the board.

Section 5. At least 10 days notice shall be given each member of the board prior to the date of the meeting, except in emergencies.

Section 6. Four members of the board shall constitute a quorum.

Article II

OFFICERS OF THE BOARD

Section 1. The officers of the board shall be elected at each annual meeting.

Section 2. The term of the officers shall be for one year.

Section 3. Officers may be reelected for additional terms.

Section 4. The officers shall consist of a chairman, vice-chairman, and secretary.

Section 5. The secretary shall serve as treasurer.

Article III

DUTIES OF THE OFFICERS OF THE BOARD

Section 1. The chairman shall preside at all meetings. He shall appoint all committees and perform all other duties pertaining to his office.

Section 2. The vice-chairman shall serve in the absence of the chairman.

Section 3. In the absence of the chairman and vice-chairman, the secretary shall serve.

Section 4. The secretary shall:

A. Keep all records of the meetings and shall submit copies of the minutes of such meetings to each board member within 30 days of the meeting.

B. Maintain a correct register of all sanitarians who are duly licensed and registered with the board.

C. Purchase all necessary supplies and perform all other duties necessary for the efficient operation of his office.

D. Maintain a depository account in the name of the Louisiana State Board of Examiners for Sanitarians, and deposit therein all monies paid into the board, keeping a correct record of such funds in ledgers and journals furnished by the board.

E. Pay all bills authorized and/or contracted for, by the board, keeping proper and correct record of all such disbursements. These records shall be subject to auditing by the state auditor.

F. Issue temporary permits pending the conducting of examinations to applicants who appear to have the necessary qualifications.

G. Send copies of the minutes of each meeting to each registered sanitarian, within 60 days of the date of the meeting.

H. Send copies of tentative agenda to all board members at least 10 days prior to each regular meeting.

Section 5. The secretary shall select a depository for the deposit of funds received by the board.

Section 6. Checks for the disbursements of all such funds shall be signed by the vice-chairman and countersigned by the secretary.

Article IV
AMENDMENTS TO THE BYLAWS

Section 1. These bylaws may be amended at any regular or special meeting, by a majority vote of the members provided that each member of the board be notified of the proposed amendment at least 10 days prior to the effective date of the meeting.

GENERAL REGULATIONS

Article I
APPLICATION

Section 1. Any person aspiring to become a licensed sanitarian in the state of Louisiana, must submit an application, applicable fee and official transcript to the board.

Section 2. The board shall require from each applicant the appropriate transcript review fee, the amount of said fee to be set by the board at the annual fall meeting.

Section 3. The transcript review fee shall be retained by the board even though the applicant is found not to be qualified for a temporary sanitarians permit.

Article II
EXAMINATIONS

Section 1. The board shall:

A. Examine all qualified applicants for licenses to practice as sanitarians, the examination to consist of a written and oral examination.

B. Prepare such examinations and select or appoint individuals to conduct the examinations, provided that at least two sanitarian members of the board shall be present to assist in the conduct of the examination.

Section 2. The Board may by regulation:

A. Waive the written examination of sanitarians holding sanitarians licenses under the laws of other states, provided a written examination has been taken in that state by the applicants, and also providing that applicant meets qualification requirements of Article IX of these general regulations.

B. Waive the written examination of persons who have successfully passed federal or national sanitarian examinations, approved by the board.

C. Every applicant must take the oral examination.

Section 3. The waiver of written examinations as provided in Article II, Section 2 of these general regulations does not exempt the applicant from the payment of the examination fee.

Section 4. The examination shall be offered at least twice a year.

Article III
LICENSES

Section 1. When an applicant meets the qualifications and passes the examination, he shall be issued a license to practice as a sanitarian in the State of Louisiana.

Section 2. Failure of applicant to take the examination after being duly notified will forfeit applicant's right of temporary permit.

Article IV
RENEWAL OF LICENSE

Section 1. Every license issued by the board shall be renewed annually on or before January 15 of each calendar year, and any license not renewed within 30 days after the renewal date shall be suspended.

Section 2. A license suspended for delinquency of renewal may be renewed within 30 days of the suspension date by the payment of renewal fee, and in addition the payment of a delinquency penalty charge. Said delinquency penalty charge shall be fixed at an amount equal to 50 percent of the regular renewal fee.

Section 3. A license may be renewed after a lapse of 30

days from the date of suspension, only by action of the board and payment of renewal fees and delinquency penalty charges as the board may assess each individual case, and provided that the applicant meets with the basic educational requirements in effect at the time of application for reinstatement.

Section 4. A license revoked for cause by the board may be reinstated only by the action of the board.

Article V
TEMPORARY PERMIT

Section 1. The board shall issue temporary permits to sanitarians who qualify under R.S. 37:2106.

Section 2. Temporary permits shall be valid for a period not to exceed a period of one year for non-practicing sanitarians. A temporary permit may be renewed upon receipt of a written request and applicable fee. Practicing sanitarians shall complete all requirements for the license within one year from date of employment.

Section 3. The board shall charge a fee for said temporary permit, the amount of the fee to be fixed by the board.

Article VI
REGISTRATION

Section 1. By virtue of being licensed by the board, a sanitarian will be registered with the board and shall be assigned a registration number.

Section 2. A sanitarian having satisfactorily met the requirements of the board is entitled to recognition as a registered sanitarian, licensed to practice as a sanitarian in the State of Louisiana.

Section 3. The board shall maintain a list of registered sanitarians registered with the board. An applicant must notify the board of his place of employment.

Article VII
FEES

Section 1. The board shall fix the amounts of the temporary permit review fee, temporary permit renewal fee, examination fee and license renewal fee at the fall meeting.

Section 2. The said fees when thus fixed shall apply to the next calendar year beginning January 1.

Article VIII
ENFORCEMENT OF R.S. 37:2102 et seq.

Section 1. When violations or suspected violations of the law are brought to the attention of the board, the board shall cause to be made through a thorough investigation of the alleged violation, and shall, if the investigation indicates, file mandamus or injunction suits for the purpose of enforcing the provisions of the said law or regulations of the board.

Section 2. The board shall direct the secretary to take action in the board's behalf as is necessary.

Article IX
QUALIFICATION REQUIREMENTS

Section 1. The qualifications required of an applicant for a sanitarian permit shall be:

A. Graduation from an accredited college or university, with a bachelor's degree and concentration of courses in the general area of environmental health. In lieu thereof, an applicant may offer a bachelor's degree which includes at least 30 semester hours (or the equivalent) of courses in the physical and biological sciences, with minimum of six hours in the physical sciences and a minimum of 10 hours in the biological sciences, plus one year of field experience in environmental health acceptable to the board. The physical sciences will be said to include only chemistry and physics; the biological sciences include but are not limited to biology, entomology, microbiology, zoology, and such applied sciences as animal husbandry, dairy husbandry, environmental sciences, environmental engineering, and veterinary science.

B. The board may by further regulation require, also, that the field experience include specified phases of Environmental Health and the applicant complete a short intensive training course in Environmental Health.

Section 2. Applicants for examination shall have the college or university which they attend transmit a transcript of their college credits to the secretary of the board.

Section 3. All prospective examinees must successfully complete the Center for Disease Control's homestudy course "Community Hygiene" which constitutes a prerequisite to the examination. Applications are available from the regional sanitarian of the Office of Preventive and Public Health Services or the board.

Comments should be directed to Robert V. Westmoreland, Chairman of the Board, Box 1471, Leesville, LA 71496-1471, phone (318) 239-6551.

Robert V. Westmoreland
Chairman

Fiscal and Economic Impact Statement For Administrative Rules

Rule Title: Bylaws Regulations and General Regulations

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

There will be no additional implementation costs.

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

There will be no effect on revenue collections.

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

There is a licensing fee for each sanitarian. These fees are used to conduct the business of the board which is totally self-sufficient and does not receive any funds from the State or any other source.

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

There will be no effect on competition and/or employment.

Robert V. Westmoreland
Chairman

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Health and Human Resources Board for Hearing Aid Dealers

The Board for Hearing Aid Dealers intends to adopt the following revised and amended bylaws effective December 20, 1985. This is consistent with R.S. 37:2457 (9) which allows the board to make and publish rules and regulations.

BYLAWS

OF

LOUISIANA BOARD FOR HEARING AID DEALERS

ARTICLE I

OFFICES OF THE BOARD

SECTION 1. The offices of the Louisiana Board for Hearing Aid Dealers shall be at Post Office Box 499, Baton Rouge, Louisiana, 70821. It may have offices at such other places as the board may designate from time to time, or as the business of the board may require.

ARTICLE II

MEETINGS OF THE BOARD

Section 1. As required by R.S. 37:2458 the Louisiana Board for Hearing Aid Dealers shall meet at least once each year in the month of January, and should the designated day be a recognized state holiday, then on the first legal day following. This date shall be designated as the annual meeting of the Louisiana Board for Hearing Aid Dealers.

Section 2. At such annual meeting the members of the Louisiana Board for Hearing Aid Dealers shall elect, by majority vote of those members present, a chairperson and a secretary-treasurer, who will serve in such office until the next annual meeting.

Section 3. The chairperson of Louisiana Board for Hearing Aid Dealers shall also have the authority to call other meetings of the board to carry out the purposes of the board, provided that written notice of such meetings be mailed to the last known address of all members of the board at least seven days before such meeting.

Section 4. Unless otherwise specified for in other sections of these bylaws, a majority of the board shall constitute a quorum for the transaction of business at any meeting, annual or special, and any business transaction shall be legal, valid, and binding.

ARTICLE III

DUTIES AND POWERS OF THE BOARD

Section 1. It shall be the duty of the chairperson to preside at all meetings, or in case of his/her inability to attend any meeting, to designate one of the members of the board to preside in his/her stead. Chairperson will exercise a general supervision of the affairs of the board and shall have the usual powers of such office and any other powers and duties as the board may direct. He/she shall, with the secretary-treasurer, sign all licenses and certificates issued by the board.

Section 2. It shall be the duty of the secretary-treasurer to keep all the minutes and records of the board. Secretary-treasurer shall have custody of all monies received by the board including application fees, license fees, renewal fees, fines, penalties, and other payments. Secretary-treasurer shall be responsible, with the approval of the board, for the preparation of the annual budget of the board and the approval of the budget. He/she shall, with the chairperson, sign all licenses and certificates issued by the board. The secretary-treasurer will execute a bond in the amount and manner acceptable to the board. The premium on said bond to be paid out of the funds in the hands of (controlled by) the board.

Section 3. It shall be the duty of board members to inspect offices in their area within a four-year time frame. The first year a new board member is appointed or reappointed, he/she shall call on each office in his/her area to introduce himself or herself and to inspect the office. Any new office/dealer in his/her district should be inspected within 90 days.

Section 4. The powers of the board are defined in R.S. 37:2457, and are hereby made a part of these bylaws.

ARTICLE IV

COMMITTEES

Section 1. The chairperson of the Louisiana Board for Hearing Aid Dealers shall have the authority to appoint committees to assist the board in any and all matters regarding the purposes of the board, provided that all persons so appointed must be licensed hearing aid dealers and each committee so appointed will contain at least one member who shall also be a member of the Louisiana Board for Hearing Aid Dealers, who shall be appointed to head the committee.

Section 2. Any and all members of any committee appointed by the chairperson shall serve at the discretion of the chairperson.

Section 3. All committees appointed by the chairperson shall present written reports of activities, accomplishments, and proposed programs at all meetings of the Louisiana Board for Hearing Aid Dealers.

ARTICLE V APPLICATION FOR LICENSE

Section 1. Every person requesting an application for a license or certificate of endorsement under R.S. 37:2440-2466 shall be furnished the necessary form.

Section 2. The application forms shall be designed to provide the board with the information necessary to satisfy itself that all requirements pertaining to R.S. 37:2440-2466 are being fulfilled.

Section 3. Failure to complete all forms and provide all information required may be just cause for the application to be rejected by the board and returned to the applicant.

Section 4. All applications shall be subscribed by the applicant and sworn to before a Notary Public, and in the case of the temporary license, the sponsor's statement shall be notarized.

Section 5. The application shall be accompanied by a certified check or postal money order in the amount specified by R.S. 37:2445. It shall be understood by the applicant that the application fee is to cover the cost of administration and shall not be refunded.

Section 6. Any person furnishing false information in such application shall be denied the right to the examination, or if the applicant has already been licensed before the falseness of such information has been made known to the board, such license shall be subject to suspension or revocation, and the applicant may be subject to prosecution for fraud and/or perjury.

Section 7. Applications for examination must be received at least 30 days prior to the next scheduled examination to be eligible to take said examination.

Section 8. All applicants being issued a temporary license four months prior to the next scheduled examination, shall be required to take said examination.

ARTICLE VI EXAMINATIONS

Section 1. Examinations for applicants applying for license shall be given during the month of January of each year and on any other dates that the board may designate.

Section 2. The examinations for licensing shall be procured by the board.

Section 3. All applicants for licensing will be given written notice of the next pending examination at least 30 days before the date of the examination. Such written notice should contain the exact time of the examination and the location of the examination.

Section 4. Examinations shall be both written and practical and shall be reviewed from time to time by the board with the objective of keeping them current with the accepted knowledge of the field of hearing aid technology.

Section 5. At the examination each applicant will be furnished an identification number, which the applicant is to record on his examination. The name of the applicant is not to appear on examination.

Section 6. The examination of each applicant is to be graded by board members. Board shall not be furnished with the applicant's name, but only with an identification number.

Section 7. There will be no rehearing or appeal from the decision of the board regarding the granting or denial of an application for a license.

Section 8. Within 10 days after grading the examination, the board shall notify applicant, in writing, regarding the board's decision to grant or deny a license to the applicant.

ARTICLE VII REINSTATEMENT OF LICENSE

Section 1. Reinstatement will only be allowed when applicant has proof of 10 hours continuing education for previous year. If educational requirements are not met, said person will be required to apply to take the examination under a full license application.

ARTICLE VIII UNETHICAL CONDUCT

Section 1. It shall be the responsibility of each holder of a license, temporary license, or certificate of endorsement under R.S. 37:2440-2466 to be familiar with and to avoid commission of any of the acts regarded as unethical practices. Full responsibility for the ethical conduct of a temporary licensee shall rest with the license or certificate holder who sponsored this application for a temporary license; provided, however, that such sponsoring license or certificate holder may relieve himself or herself of such responsibility by discharging the holder of the temporary license, returning said license by registered mail, to the board, together with a letter explaining fully the circumstances under which the temporary license holder was separated from the employment of the sponsor. If the certificate cannot be returned, full explanation shall be included in the same letter.

ARTICLE IX REVOCAION OR SUSPENSION OF LICENSE

Section 1. There shall be appointed by the chairperson of the board for Hearing Aid Dealers an Ethics Committee of not less than five members, each of whom must be from a different district, and one of whom shall be a member of the board who shall serve as chairperson.

Section 2. The Ethics Committee will meet at the discretion of its chairperson.

Section 3. The purpose of the Ethics Committee is to investigate all written complaints regarding violations of R.S. 37:2440-2466 either of licensed hearing aid dealers or of any other person or entities. It is a further purpose of this committee to render written opinions to any person applying in writing for same, regarding proposed actions by the applying party.

Section 4. Upon receipt of a valid written complaint, the Ethics Committee shall furnish to the accused party a copy of the written complaint, and shall request from the accused party a written answer to the said complaint.

Section 5. In addition to the written answer of the accused party, the accused party shall also have the right to appear before the Ethics Committee in person to make any explanations or to give testimony in his/her defense.

Section 6. After the Ethics Committee has investigated and considered the complaint, and if the committee is of the opinion that the complaint is justified and that disciplinary action is needed, it shall then file with the board a written report of its findings of fact and opinion.

If the committee is of the opinion that the complaint is not justified then, in that event, it shall notify the complaining party and the accused party in writing of their decision.

Section 7. Upon receipt of the written report from the Ethics Committee, the board shall consider the report and may additionally investigate the complaint.

Section 8. After due consideration of the written complaint, the written answer to the complaint, if any, all evidence offered, the written report of the Ethics Committee, and any additional investigation by the board, the Louisiana Board for Hearing Aid Dealers may

- (a) dismiss the complaint as being unjustified;
- (b) take action under R.S. 37:2461;
- (c) in the event, the accused party is a temporary licensed

or licensed hearing aid dealer, take action under R.S. 37:2462, to revoke or suspend the temporary license or license of the accused party.

Section 9. In the event that the board should seek the suspension or revocation of the license or temporary license of the accused party, the board shall

(a) set a time, date and location for a public hearing on the merits of the complaint;

(b) notify in writing the accused party of the time, date and location of such public hearing and furnish him/her with the specific charges of the complaint at least 30 days before such hearing;

(c) subpoena, compel the attendance and testimony of witnesses for the board and for the accused party;

(d) employ a public stenographer to transcribe all testimony adduced at the hearing;

(e) apply the rules of evidence of the Louisiana Code of Civil Procedure at the said hearing;

(f) a majority of the board will preside over the said public hearing;

(g) obtain the services of legal counsel to assist the board at the hearing;

(h) within 60 days after the hearing render its decision and reasons in writing, a copy of which is to be mailed to the complainant and the accused licensed hearing aid dealers.

ARTICLE X DISPLAY OF LICENSE

Section 1. On application to the board, each hearing aid dealer shall state the name and location of the office or place of business where his license or certificate will be regularly displayed. Such office shall be accessible to the public during reasonable business hours and shall contain adequate equipment and supplies for serving the needs of the licensee's clientele and such office and equipment shall at all times be kept in a sanitary condition.

Section 2. In any case where the office of the license or a certificate holder is to be removed from the address shown in the files of the secretary-treasurer of the board, notice of such change must be filed with the secretary-treasurer, together with the new address, within five working days of such removal. Failure to give such notice shall be deemed just cause by the board to refuse him renewal of license.

Section 3. An identification card will be issued to each license or certificate holder which shall list the location of the office where his/her certificate is displayed and which he/she shall be required to keep in his/her possession at all times during the performance of his/her duties. On the request of any client or prospective client, a board member, or any peace officer, he/she shall permit identification card to be inspected for the purpose of identification.

Section 4. In any case where a temporary license holder is separated from the employment of their sponsor for any cause, license holder shall surrender identification card to their sponsor for return to the board with his/her temporary license certificate. Upon application of a new sponsor, a new identification card will be issued to the temporary license holder and original certificate shall be forwarded to the new sponsor.

Section 5. All persons holding temporary licenses must work out of the office of the sponsor, where the sponsor is permanently and regularly located, and must be directly supervised by the fully licensed sponsor. Exceptions to this ruling must be hardship cases, such as death or disabling illness of sole owner of business, each case to be handled individually by the board.

Section 6. All sub-offices shall be managed by a fully licensed dealer.

ARTICLE XI STATUS OF BYLAWS

Section 1. These bylaws being for the regulation of the practice of selling and fitting hearing aids and the protection of the hearing handicapped public, the provisions hereby are declared to be separable and the invalidity of any rules, clause, sentence, paragraph, or section hereof shall not affect the validity of the remainder thereof.

Section 2. Any of the above requirements and regulations are subject to change at any time at the will of the majority of the board.

Interested persons may submit written comments on the bylaws to: Harvey McMillin, Chairman, Louisiana Board for Hearing Aid Dealers, Box 499, Baton Rouge, Louisiana, 70821.

Harvey McMillin
Chairman

Fiscal and Economic Impact Statement For Administrative Rules Rule Title: Amended and Revised Bylaws

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no implementation cost to the agency.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There is no estimated effect on revenue collections.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
There are no costs or economic benefits to directly affected persons or nongovernmental groups.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
There is no effect estimated on competition or employment.

Harvey McMillin
Chairman

David W. Hood
Legislative Fiscal Analyst

NOTICE OF INTENT

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, proposes to adopt a rule in the Aid to Families with Dependent Children (AFDC) and Refugee Cash Assistance (RCA) Programs as provided for in federal regulations 45CFR 233.36 regarding monthly reporting.

Proposed Rule

The rule entitled "Monthly Reporting in the AFDC and Refugee Resettlement Programs" published in the *Louisiana Register*, Vol. 8, No. 7, page 343, dated July 20, 1982 is hereby repealed.

The rule entitled "Retrospective Budgeting and Monthly Reporting in the AFDC and Refugee Resettlement Program" published in the *Louisiana Register* Vol. 9., No. 10, page 684 dated October 20, 1983, is hereby amended in its entirety.

Effective January 1, 1985, only AFDC and RCA recipients included in certifications with the following characteristics shall be included in monthly reporting:

- (1) earned income;
- (2) voluntary contributions;
- (3) unemployment compensation;
- (4) cases with recent work history (defined as those cases

certified in which any member of the income unit was employed within the three prior months);

(5) cases losing characteristics (1) through (4) above will remain in monthly reporting for three months subsequent to the loss of the characteristics.

NOTE: AFDC and E related Medically Needy Program certifications and discontinued AFDC and RCA cases are excluded from monthly reporting.

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

A public hearing has been scheduled for November 6, 1985 in the Louisiana State Library Auditorium, 760 Riverside North, Baton Rouge, LA beginning at 9:30 a.m. All interested persons will be afforded an opportunity to submit data, views, and arguments, orally or in writing, at said hearing.

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

Fiscal and Economic Impact Statement For Administrative Rules

Rule Title: Monthly Reporting in AFDC-RCA

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

The savings to the Food Stamp Program are estimated as follows: \$15,120 in 1985-86, including \$5,472 state and \$9,648 federal; and \$30,240 each year in 1986-87 and 1987-88, including \$10,944 state and \$19,296 federal.

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

Federal funds received by the Food Stamp Program would decrease as a result of this rule change by an estimated \$9,648 in 1985-86 and \$19,296 each year in 1986-87 and 1987-88.

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

Approximately 8400 AFDC and RCA assistance units would not have to monthly report. Eligibility worker would not have to process these monthly reports and would have more time to spend on getting verification, interviewing, and ensuring that correct benefits are issued.

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

There is no effect on competition and employment.

Marjorie T. Stewart
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, proposes to implement a rule in the Food Stamp Program as mandated by federal regulations 7 CFR S271 et seq., as published in the *Federal Register* of Tuesday, May 25, 1982, Vol. 47, No. 101 pp. 22684-22701 regarding monthly reporting and retrospective budgeting. The categories of recipients required

to report monthly or periodically are based on a waiver of federal regulations as set forth in 7 CFR 273.21 and approved by the Food and Nutrition Services, United States Department of Agriculture.

Proposed Rule

The rule, entitled "Implementation of Monthly Reporting and Retrospective Budgeting in the Food Stamp Program", published in the *Louisiana Register*, Vol. 9, No. 10, page 685, dated October 20, 1983, is hereby amended in its entirety.

I. Monthly reporting

The following food stamp households shall be required to report monthly:

1. Public assistance food stamp households who are required to report for public assistance purposes.

2. Non-public assistance food stamp households consisting of five persons and households consisting of seven or more persons with the exception of those households whose only countable gross income consists of self-employment which is received other than monthly.

Remaining households, other than those excluded by law, would periodically report at six month intervals with the redetermination of eligibility serving as the periodic report except that those households with no countable gross income would periodically report at three month intervals with the redetermination serving as the periodic report, and those households whose only countable gross income consists of self-employment which is received other than monthly would periodically report at 12 month intervals with the redetermination serving as the periodic report.

Households excluded by law are migrant farmworker households in the migrant job stream and households that have no earned income and in which all adult members are elderly or disabled as defined in Section 12-200 of the food stamp program operating guidelines.

Food stamp recipients subject to monthly reporting will be required to submit a monthly report of the household's income and circumstances for the prior month including verification to the local Office of Family Security (OFS).

The monthly reports shall be submitted to the local Office of Family Security by the 10th day of each month or the next working day if the 10th is a holiday or weekend. Failure to submit a complete report each month, including verification, may result in suspension or closure of the case.

II. Budgeting

Eligibility will be determined prospectively.

Food stamp cases, not subject to monthly reporting, shall have benefits computed prospectively based on the agency's best estimate of the income and circumstances which will exist in the month benefits are issued.

All cases in monthly reporting shall have their benefits determined retrospectively in accordance with procedures currently in effect. The amount of benefits for food stamp recipients in monthly reporting will be based on the actual income and circumstances which existed in the second prior month, with the exception of the following types of income in the food stamp case which require special treatment:

1) Income from self-employment which is received other than monthly shall be annualized as set forth in the OFS food stamp operating guidelines, Section 12-239.

2) Annual income received by contract in less than one year shall be prorated over the period the income is intended to cover as set forth in the OFS food stamp program operating guidelines, Section 12-237; or

3) Non-excluded scholarships, deferred educational loans, fellowships, veterans educational benefits, and other educational grants shall be prorated over the period they are intended to cover

as set forth in the OFS food stamp program operating guidelines, Section 12-236.

The rule entitled "Retrospective Budgeting" published in the *Louisiana Register* Vol. 8, No. 5, Page 238 dated May 20, 1982 is amended to remove public assistance food stamp households from retrospective budgeting unless they are required to monthly report.

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

A public hearing has been scheduled for November 6, 1985, in the Louisiana State Library Auditorium, 760 Riverside North, Baton Rouge, LA beginning at 9:30 a.m. All interested persons will be afforded an opportunity to submit data, views, and arguments, orally or in writing, at said hearing.

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

Fiscal and Economic Impact Statement For Administrative Rules Rule Title: Monthly Reporting in Food Stamps

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
The cost in FY 85/86 is \$2,500 (\$1250 state and \$1250 federal). Food stamp coupons are 100 percent federally funded.
- 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)
Approximately 42,000 food stamp households will no longer have to monthly report. Eligibility workers would better utilize this time to process cases in a timely manner and to reduce erroneous issuance of benefits.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
There is no effect on competition and employment.

Marjorie T. Stewart
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, proposes to delete the provision which requires prior authorization for certain elective surgeries to be reimbursed under the Medical Assistance Program.

Summary

In an effort to prevent unnecessary surgeries being reimbursed by Medicaid, in January 1983, a requirement for prior authorization by the Office of Family Security for 35 elective surgical procedures was implemented. Medical review for the necessity of

these surgeries was accomplished by submittal of a request form and additional medical documentation if requested retroactively when performed on an emergency basis. A recent study by the agency determined that this prior authorization requirement did not significantly reduce the number of surgeries performed as nearly all requests met the medical necessity criteria. Therefore, as the impact of this requirement is negligible in comparison to the substantial administrative costs incurred in the review process, the requirement for prior authorization is being deleted. Review of surgeries on a post payment basis shall continue in accordance with federal requirements.

Comments

Interested persons may submit written comments to the following address: Marjorie T. Stewart, Assistant Secretary, Box 94065, Baton Rouge, LA 70804. She is the person responsible for responding to inquiries regarding this proposed rule. A copy of the proposed rule and its fiscal and economic impact statement is available for review in each local Office of Family Security.

Notice of Public Hearing

A public hearing on this proposed rule will be held on November 6, 1985 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.

Proposed Rulemaking

Effective for services or admissions on or after December 20, 1985, the Medical Assistance Program shall delete the provision which requires prior authorization for certain elective surgical procedures as found in the Title XIX State Plan, Attachment 3.1A, Item 5.

The provision being deleted was originally published in the December 20, 1982, *Louisiana Register* (Volume 8, Number 12, page 650).

Regulatory Exception

Upon final state approval of this proposed rule, implementation shall be dependent on the approval of the Health Care Financing Administration (HCFA). Disapproval of this proposal by HCFA will automatically cancel the provisions of this rule and current policy will remain in effect.

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

Fiscal and Economic Impact Statement For Administrative Rules Rule Title: Delete Prior-Authorized Surgeries

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
The costs for the physician who reviewed the prior authorizations will not be eliminated as we are implementing cost containment policy which will require he review requests for inpatient surgeries that can be performed at an ambulatory surgical center or on an outpatient basis.
- 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 government units.
- 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.

Marjorie T. Stewart
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

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

The Department of Health and Human Resources, Office of Family Security, proposes to add 221 drugs to the Louisiana Maximum Allowable Cost reimbursement regulations of the Pharmacy Program.

Summary

The Louisiana Maximum Allowable Cost (LMAC) reimbursement regulations currently cover 408 multiple source drugs. The Medical Assistant Program proposes to include 221 additional drugs, now readily available from multiple sources, under LMAC reimbursement regulations. This revision has been implemented

by Emergency Rule effective September 15, 1985, which was published in the *Louisiana Register*, Vol. 11, No. 9, September 20, 1985. This proposed rule amends the Louisiana Maximum Allowable Cost (LMAC) rule published in the *Louisiana Register*, Vol. 11, No. 6, June 20, 1985, pp. 637.

Comments

Interested persons may submit written comments through November 6, 1985, to the following address: Marjorie T. Stewart, Assistant Secretary, Box 44065, Baton Rouge, LA 70804. She is the person responsible for responding to inquiries regarding this proposed rule. A copy of the proposed rule and its fiscal and economic impact statement is available for review in each local Office of Family Security.

Notice of Public Hearing

A public hearing on this proposed rule will be held on November 6, 1985, 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.

Proposed Rulemaking

PROPOSED RULE

Louisiana Maximum Allowable Costs (LMAC's) for reimbursement under Title XIX are amended to include the following multiple source drugs:

1. Aminophylline	25.000 mg/lml	Injection
2. Aminophylline	100.000 mg	Enteric coated tablet
3. Aminophylline	100.000 mg	Tablet
4. Aminophylline	200.000 mg	Tablet
5. Aminophylline	200.000 mg	Enteric coated tablet
6. Aminophylline	250.000 mg	Suppository
7. Aminophylline	500.000 mg	Suppository
8. Anistrophine Methylobromide	50.000 mg	Tablet
9. Atropine Sulfate	1.000 %	Ointment - OPTH
10. Atropine Sulfate	1.000 %	Solution - OPTH
11. Atropine Sulfate	400.000 mcg/lml	Injection
12. Atropine Sulfate	500.000 mcg/lml	Injection

13.	Belladonna	300.000 mcg/ml	Tincture
14.	Benzthiazide	50.000 mg	Tablet
15.	Betamethasone Benzoate	.025 %	Cream
16.	Betamethasone Benzoate	.025 %	Ointment
17.	Bethamethasone Valerate	.100 %	Cream
18.	Bethamethasone Valerate	.100 %	Ointment
19.	Bethanechol Chloride	5.000 mg	Tablet
20.	Bethanechol Chloride	10.000 mg	Tablet
21.	Bethanechol Chloride	25.000 mg	Tablet
22.	Bethanechol Chloride	50.000 mg	Tablet
23.	Calcium Gluconate	100.000 mg/ml	Injection
24.	Cefadroxil Monohydrate	1.000 Gm	Tablet
25.	Cefadroxil Monohydrate	500.000 mg	Capsule
26.	Chloramphenicol	.500 %	Solution
27.	Chloramphenicol	1.000 %	Ointment - OPTH
28.	Chloramphenicol	250.000 mg	Capsule
29.	Chlormezaone	100.000 mg	Tablet
30.	Chlormezaone	200.000 mg	Tablet
31.	Chloroquine Phosphate	250.000 mg	Tablet
32.	Collagenase	250.000 u/1Gm	Ointment
33.	Corticotropin	40.000 u/vial	Injection
34.	Corticotropin Repository	40.000 u/ml	Injection
35.	Corticotropin Repository	80.000 u/ml	Injection

36.	Cyclothiazide	2.000 mg	Tablet
37.	Dexamethasone	6.000 mg	Tablet
38.	Dexamethasone Acetate	8.000 mg/ml	Injection
39.	Dexamethasone Sodium Phosphate	24.000 mg/ml	Injection
40.	Dexchlorpheniramine Malente	4.000 mg	Extended Release Tab.
41.	Dexchlorpheniramine Maleate	6.000 mg	Extended Release Tab.
42.	Dicyclomine HCL	10.000 mg/ml	Injection
43.	Dienestrol	.010 %	Cream
44.	Diflorasone Diacetate	.050 %	Cream
45.	Diflorasone Diacetate	.050 %	Ointment
46.	Dimenhydrinate	50.000 mg/ml	Injection
47.	Doxycycline Hyclate	50.000 mg	Capsule
48.	Doxycycline Hyclate	100.000 mg	Capsule
49.	Dyphylline	200.000 mg	Tablet
50.	Dyphylline	400.000 mg	Tablet
51.	Epinephryl Borate	.500 %	Viscous Sol. - OPTH
52.	Epinephryl Borate	1.000 %	Viscous Sol. - OPTH
53.	Ergoloid Mesylates	1.000 mg	Soluble Tablet
54.	Ergoloid Mesylates	500.000 mcg	Tablet
55.	Ergoloid Mesylates	500.000 mcg	Soluble Tablet
56.	Ergotamine Tartrate Combination Ergotamine Tartrate Caffeine	1.000 mg 100.000 mg	Tablet
57.	Erythromycin Estolate	125.000 mg/5ml	Suspension
58.	Erythromycin Estolate	250.000 mg	Capsule
59.	Erythromycin Estolate	250.000 mg/5ml	Suspension

60.	Erythromycin Ethylsuccinate	200.000 mg/5ml	Suspension
61.	Erythromycin Ethylsuccinate	400.000 mg	Tablet
62.	Estradiol Cypionate	5.000 mg/ml	Injection
63.	Estradiol Valerate	10.000 mg/ml	Injection
64.	Estradiol Valerate	20.000 mg/ml	Injection
65.	Estradiol Valerate	40.000 mg/ml	Injection
66.	Estrogens Esterified	1.250 mg	Tablet
67.	Estrogens Esterified	2.500 mg	Tablet
68.	Estrogens Esterified	625.000 mcg	Tablet
69.	Estrone	2.000 mg/ml	Injection
70.	Estrone	5.000 mg/ml	Injection
71.	Estrone Estrogenic Substances	2.000 mg/ml	Injection
72.	Ethaverine HCL	100.000 mg	Tablet
73.	Fluphenazine HCL	10.000 mg	Tablet
74.	Flurandrenolide	.050 %	Lotion
75.	Gentamicin Sulfate	.300 %	Ointment - OPTH
76.	Gentamicin Sulfate	10.000 mg/ml	Injection
77.	Gentamicin Sulfate	40.000 mg/ml	Injection
78.	Glycopyrrolate	1.000 mg	Tablet
79.	Glycopyrrolate	2.000 mg	Tablet
80.	Griseofulvin	125.000 mg	Tablet
81.	Homatropine Hydrobromide	2.000 %	Solution - OPTH
82.	Homatropine Hydrobromide	5.000 %	Solution - OPTH
83.	Hydralazine HCL Combination Hydralazine HCL	25.000 mg	Tablet

	Hydrochlorothiazide	15.000 mg	
84.	Hydralazine HCL Combination		Capsule
	Hydralazine HCL	25.000 mg	
	Hydrochlorothiazide	25.000 mg	
85.	Hydralazine HCL Combination		Capsule
	Hydralazine HCL	50.000 mg	
	Hydrochlorothiazide	50.000 mg	
86.	Hydralazine HCL Combination		Capsule
	Hydralazine HCL	100.000 mg	
	Hydrochlorothiazide	50.000 mg	
87.	Hydrochlorothiazide Combination		Tablet
	Hydrochlorothiazide	50.000 mg	
	Reserpine	125.000 mcg	
88.	Hydrocortisone	.250 %	Suspension
89.	Hydrocortisone	.500 %	Suspension
90.	Hydrocortisone	1.000 %	Cream
91.	Hydrocortisone	1.000 %	Ointment
92.	Hydrocortisone	1.000 %	Suspension
93.	Hydrocortisone	2.500 %	Ointment
94.	Hydrocortisone	2.500 %	Cream
95.	Hydrocortisone	25.000 mg/ml	Injection
96.	Hydrocortisone	50.000 mg/ml	Injection
97.	Hydrocortisone Acetate Combination		Ointment
	Hydrocortisone	1.000 %	
	Neomycin Sulfate	.500 %	
98.	Hydrocortisone Acetate	50.000 mg/ml	Injection
99.	Hydrocortisone Sodium Succinate	100.000 mg	Injection
100.	Hydrocortisone Sodium Succinate	250.000 mg	Injection
101.	Isoetharine HCL	.125 %	Solution
102.	Isoetharine HCL	.200 %	Solution
103.	Isoetharine HCL	.250 %	Solution
104.	Isoetharine HCL	1.000 %	Solution

105.	Isoproterenol HCL	200.000 mcg/ml	Injection
106.	Isosorbide Dinitrate	5.000 mg	Chewable Tablet
107.	Isosorbide Dinitrate	10.000 mg	Chewable Tablet
108.	Isosorbide Dinitrate	40.000 mg	Extended Release Tab.
109.	Isosorbide Dinitrate	40.000 mg	Extended Release Cap.
110.	Labetalol	200.000 mg	Tablet
111.	Labetalol	300.000 mg	Tablet
112.	Liothyronine Sodium	25.000 mcg	Tablet
113.	Liothyronine Sodium	50.000 mcg	Tablet
114.	Metaproterenol Sulfate	5.000 %	Solution
115.	Methandriol Dipropionate	50.000 mg/ml	Injection
116.	Methenamine Hippurate	1.000 Gm	Tablet
117.	Methenamine Mandelate	250.000 mg/5ml	Suspension
118.	Methocarbamol Combination Methocarbamol Aspirin	400.000 mg 325.000 mg	Tablet
119.	Methyclothiazide	2.500 mg	Tablet
120.	Methyclothiazide	5.000 mg	Tablet
121.	Methylprednisolone	4.000 mg	Tablet
122.	Methylprednisolone Acetate	40.000 mg/ml	Injection
123.	Methyprednisolone Acetate	80.000 mg/ml	Injection
124.	Methylprednisolone Sodium Succinate	40.000 mg	Injection
125.	Methylprednisolone Sodium Succinate	125.000 mg	Injection
126.	Methyltestosterone	10.000 mg	Soluble Tablet
127.	Methyltestosterone	25.000 mg	Tablet
128.	Metoclopramide HCL	10.000 mg	Tablet
129.	Metolazone	2.500 mg	Tablet

130.	Metolazone	5.000 mg	Tablet
131.	Metolazone	10.000 mg	Tablet
132.	Nandrolone Decanoate	50.000 mg/1ml	Injection
133.	Nandrolone Decanoate	100.000 mg/1ml	Injection
134.	Nandrolone Phenpropionate	25.000 mg/1ml	Injection
135.	Nandrolone Phenpropionate	50.000 mg/1ml	Injection
136.	Neomycin Sulfate	500.000 mg	Tablet
137.	Neostigmine Methylsulfate	1.000 mg/1ml	Injection
138.	Nirtofurazone	.200 %	Ointment
139.	Nitrofurazone	.200 %	Solution
140.	Nitroglycerin	2.500 mg	Extended Release Cap.
141.	Nitroglycerin	6.000 mg	Extended Release Cap.
142.	Nitroglycerin	6.500 mg	Extended Release Cap.
143.	Nitroglycerin	9.000 mg	Extended Release Cap.
144.	Nortriptyline HCL	10.000 mg	Capsule
145.	Nortriptyline HCL	25.000 mg	Capsule
146.	Orphenadrine Citrate	30.000 mg/1ml	Injection
147.	Orphenadrine Citrate	100.000 mg	Tablet
148.	Oxtriphylline	100.000 mg	Tablet
149.	Oxtriphylline	100.000 mg/5ml	Solution
150.	Oxtriphylline	200.000 mg	Tablet
151.	Oxytetracycline HCL	250.000 mg	Capsule
152.	Papaverine HCL	60.000 mg	Tablet
153.	Papaverine HCL	100.000 mg	Tablet
154.	Papaverine HCL	200.000 mg	Tablet
155.	Penicillin G Potassium Buffered	250,000.000 u	Tablet
156.	Penicillin G Potassium		

	Buffered	800,000.000 u	Tablet
157.	Perphenazine Combination Perphenazine Amitriptyline HCL	2.000 mg 10.000 mg	Tablet
158.	Perphenazine Combination Perphenazine Amitruptyline HCL	2.000 mg 25.000 mg	Tablet
159.	Perphenazine Combination Perphenazine Amitriptyline HCL	4.000 mg 10.000 mg	Tablet
160.	Perphenazine Combination Perphenazine Amitriptyline HCL	4.000 mg 25.000 mg	Tablet
161.	Phenazopyridine HCL	200.000 mg	Tablet
162.	Potassium Chloride	750.000 mg	Extended Release Tab.
163.	Potassium Iodide	1.000 g/ml	Solution
164.	Prednisolone	5.000 mg	Tablet
165.	Prednisolone Acetate	1.000 %	Suspension OPTH
166.	Prednisolone Acetate	25.000 mg/ml	Injection
167.	Prednisolone Acetate	50.000 mg/ml	Injection
168.	Prednisolone Acetate	100.000 mg/ml	Injection
169.	Prednisolone Phosphate Sodium	20.000 mg/ml	Injection
170.	Prednisolone Tebutate	20.000 mg/ml	Injection
171.	Primidone	250.000 mg	Tablet
172.	Probenecid Combination Probenecid Colchicine	500.000 mg 500.000 mcg	Tablet
173.	Procainamide HCL	500.000 mg	Extended Release Tab.
174.	Progesterone	50.000 mg/ml	Injection
175.	Progesterone in Oil	50.000 mg/ml	Injection
176.	Progesterone in Oil	100.000 mg/ml	Injection
177.	Promazine HCL	50.000 mg/ml	Injection

178.	Promethazine HCL	50.000 mg/ml	Injection
179.	Propoxyphene HCL	32.000 mg	Capsule
180.	Propoxyphene Napsylate Combination Propoxyphene Napsylate Acetaminophen	100.000 mg 650.000 mg	Tablet
181.	Propranolol HCL	10.000 mg	Tablet
182.	Propranolol HCL	20.000 mg	Tablet
183.	Propranolol HCL	40.000 mg.	Tablet
184.	Propranolol HCL	80.000 mg	Tablet
185.	Rauwolfia Serpentina	50.000 mg	Tablet
186.	Rauwolfia Serpentina	100.000 mg	Tablet
187.	Rifampin	300.000 mg	Capsule
188.	Sulfacetamide Sodium	10.000 %	Solution
189.	Sulfadiazine	500.000 mg	Tablet
190.	Sulfamethoxazole	1.000 Gm	Tablet
191.	Sulfamethoxazole	500.000 mg	Tablet
192.	Sulfasalazine	500.000 mg	Tablet
193.	Testosterone	25.000 mg/ml	Injection
194.	Testosterone	50.000 mg/ml	Injection
195.	Testosterone	100.000 mg/ml	Injection
196.	Testosterone Cypionate	100.000 mg/ml	Injection
197.	Testosterone Cypionate	200.000 mg/ml	Injection
198.	Testosterone Enanthate	100.000 mg/ml	Injection
199.	Testosterone Enanthate	200.000 mg/ml	Injection
200.	Testosterone Propionate	50.000 mg/ml	Injection
201.	Testosterone Propionate	100.000 mg/ml	Injection
202.	Tetracaine HCL	.500 %	Solution
203.	Tetracycline HCL	250.000 mg	Tablet

204.	Tetracycline HCL	500.000 mg	Tablet
205.	Theophylline	80.000 mg/15ml	Solution
206.	Theophylline Anhydrous	27.000 mg/5ml	Solution
207.	Thioridazine HCL	200.000 mg	Tablet
208.	Triamcinolone	2.000 mg	Tablet
209.	Triamcinolone	4.000 mg	Tablet
210.	Triamcinolone	8.000 mg	Tablet
211.	Triamcinolone Acetonide	40.000 mg/1ml	Injection
212.	Triamcinolone Diacetate	40.000 mg/1ml	Injection
213.	Trichlormethiazide	4.000 mg	Tablet
214.	Trifluoperazine HCL	1.000 mg	Tablet
215.	Trifluoperazine HCL	2.000 mg	Tablet
216.	Trifluoperazine HCL	5.000 mg	Tablet
217.	Trifluoperazine HCL	10.000 mg	Tablet
218.	Trifluoperazine HCL	10.000 mg/1ml	Solution
219.	Trimethoprim	100.000 mg	Tablet
220.	Tripelennamine HCL	50.000 mg	Tablet
221.	Tripolidine HCL	1.250 mg/5ml	Solution

Regulatory Exception

Upon final state approval of this proposal, implementation shall be dependent on the approval of the Health Care Financing Administration (HCFA). Disapproval of this proposal by HCFA will automatically cancel the provisions of this rule and current policy will remain in effect.

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

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: LMAC Addition of 221 Drugs**

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

Implementation of this proposed rule will result in estimated savings to the Pharmacy Program as follows: \$1,317,971 in 1985-86, including \$474,865 state and

\$843,106 federal; \$1,935,183 in 1986-87, including \$700,343 state and \$1,234,840 federal; and \$2,012,590 in 1987-88, including \$728,356 state and \$1,284,234 federal.

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

Implementation of this proposed rule will result in a reduction of \$843,106 in federal funding in FY 85-86; \$1,234,840 in FY 86-87; and \$1,284,234 in FY 87-88.

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

This proposed rule will reduce program reimbursement to providers statewide by \$1,317,971 in FY 85-86; \$1,935,183 in FY 86-87; and \$2,012,590 in FY 87-88.

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

There is no known effect on competition and employment.

Marjorie T. Stewart
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, proposes to adopt the following rule in the Support Enforcement Program:

PROPOSED RULE

Effective January 1, 1986, the Department of Health and Human Resources, Office of Family Security, shall implement a method for an annual notice of collection of assigned support to current and former AFDC recipients as mandated by Federal Regulation 45 CFR 302.54.

To implement this plan effective January 1, 1986, Support Enforcement Services shall send an annual notice to each current and former AFDC recipient, containing the total amount of assigned support payments collected during the previous year. This notice will also include amounts collected, amounts paid to the payee and, in the event of multiple payors, payments collected from each absent parent.

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

A public hearing on the proposed rule will be held on November 6, 1985, in the Louisiana State Library Auditorium, 760 Riverside North, 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.

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

Fiscal and Economic Impact Statement For Administrative Rules Rule Title: Collections Notice

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

Implementation costs will include operating services and supplies. This will include forms printing, postage for mailing notices, and manual material needed for staff. Costs are estimated to be \$5,687 for SFY 85/86, \$6122 for SFY 86/87, and \$6,610 for SFY 87/88.

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 estimated costs and/or economic benefits to directly affected persons or non-governmental groups.

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

No effect on competition and employment.

Marjorie T. Stewart
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, proposes to adopt the following rule in the Support Enforcement Program.

PROPOSED RULE

Effective January 1, 1986, the Department of Health and Human Resources, Office of Family Security, shall implement procedures for making information available to consumer reporting agencies as authorized by R.S. 46:56 (D), (F)(4), (F)(5) and (M) and Federal Regulation 45 CFR 303.105.

The Support Enforcement Program will release to consumer reporting agencies upon written request and the payment of a fee, the payment histories maintained by the department for child or spousal support obligations. The request shall state the purpose for which the information is being requested. The fee represents the agency's cost of relaying the information.

The agency shall provide an advance notice to the absent parent regarding the proposed release of the information and inform the absent parent of the methods available for contesting the accuracy of the information. The agency shall comply with required procedural due process before releasing the information.

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

A public hearing on the proposed rule will be held on November 6, 1985 in the Louisiana State Library Auditorium, 760 Riverside North, 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.

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

Fiscal and Economic Impact Statement For Administrative Rules Rule Title: Release of Payment History to Consumer Reporting Agencies

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

Implementation costs include the cost for form printing, envelopes, postage, and manual material needed for the staff. The cost for implementation is \$453 in FY 85/86, \$978 in FY 86/87 and \$1,056 in FY 87/88.

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

It is projected that revenue collections to the state will be increased by collection of \$2.50 per inquiry for a total of approximately \$1,250 in FY 85/86, \$2,100 in FY 86/87 and \$2,915 in FY 87/88. The funds will be deposited as Income Not Available.

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

The only cost would be to the consumer reporting agency in the form of a \$2.50 fee. The absent parent would not be required to pay this fee.

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

There will be no effect on competition and employment.

Marjorie T. Stewart
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

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

The Department of Health and Human Resources, Office of Family Security, proposes to adopt the following rule in the Support Enforcement Program:

PROPOSED RULE

Effective January 1, 1986, the Department of Health and Human Resources, Office of Family Security, shall implement the collection of spousal support as mandated by Federal Regulations 45 CFR 302.17 and 302.31.

In order to qualify for spousal support, the following must be met by the payee:

- A. A prior child support order has been established.
- B. The child and spouse are living in the same household.
- C. The child support obligation established is being enforced under the state's IV-D Plan.

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

A public hearing on the proposed rule will be held on November 6, 1985, 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.

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

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

Rule Title: Security Spousal Support

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

The cost of implementing this proposed rule will be very minimal in terms of operating services and supplies. Only expense for manual material will be incurred. Other expenditures will involve child support payments to Non-AFDC families and to AFDC families as required by Deficit Reduction Act (DEFRA) as well as collection incentives to district attorneys. Implementation costs are estimated to be \$237,004 in FY 85/86, \$512,400 in FY 86/87 and \$552,600 in FY 87/88.

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

Revenue collections to the state will be increased by approximately \$297,600 in FY 85/86, \$643,200 in FY 86/87, and \$693,600 in FY 87/88. These funds will be generated through an increase in both Non-AFDC and AFDC collections.

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

None, there will be no change in the costs to payors or the benefits to payees resulting from this rule allowing collection by Support Enforcement Services.

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

There will be no estimated effect on competition and employment.

Marjorie T. Stewart
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

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

The Department of Health and Human Resources, Office of Family Security, proposes to adopt the following rule in the Support Enforcement Program:

PROPOSED RULE

Effective 1/1/86 the Department of Health and Human Resources, Office of Family Security, will send advance notices relative to interception of state tax refunds from delinquent child support payors as mandated by Federal Regulation, 45 CFR 303.102.

The Office of Family Security will send an advance notice to each appropriate absent parent owing past due child support whose name will be submitted for interception of his state tax refund. This notice will advise the absent parent of his right to administrative review if the state tax information is contested.

The Office of Family Security will send an advance notice to the custodial parent for Non-AFDC cases to advise that any intercepted state tax refund will first satisfy unreimbursed AFDC and foster care maintenance payments paid to the family.

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

A public hearing on the proposed rule will be held on November 6, 1985 in the Louisiana State Library Auditorium, 760 North 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.

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

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

Rule Title: State Tax IV-D

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

Estimated implementation costs total \$8,817 for SFY 85/86, \$9,414 for SFY 86/87 and \$10,167 for SFY 87/88.

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

No revenue effect is expected.

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

There is no effect projected.

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

There is no effect on competition and employment.

Marjorie T. Stewart
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Health and Human Resources
Office of Management and Finance
Division of Policy, Planning and Evaluation**

The Department of Health and Human Resources, Office of Management and Finance, Division of Policy, Planning and Evaluation proposes to adopt the following changes to the policies and guidelines for Section 1122 capital expenditure reviews to be effective December 20, 1985. The amendments are:

1) In the Definitions section, changing Page 4, Number 16, Sentence 2 to read "To change from one classification to another requires a full review when a capital expenditure is involved."

2) In the section on Expenditures and Changes Subject to Review, changing Page 5, Paragraph 5, Sentence 1 to read "A 'reclassification' of 1122 approved beds which requires a capital expenditure is subject to a full review. If, when a reclassification without capital expenditure is made, DPPE determines that the intent of the original application was to circumvent the Section 1122 program, the subsequent reclassification may be subject to review based on the capital expenditure from the original project."

These changes are made in response to a new federal interpretation.

Interested persons may submit written comments on the proposed changes until November 15, 1985 at the following address: Joseph Ross, Division of Policy, Planning and Evaluation, 200 Lafayette Street, Suite 406, Baton Rouge, La. 70801.

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

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

Rule Title: Section 1122 Policies and Guidelines

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

Unlimited reclassifications of health facility beds may lead to an oversupply of certain types of beds in some areas of the state. There is evidence that an oversupply and resulting underutilization of beds can increase the cost of health care which would increase Medicaid costs. The magnitude of this effect is currently impossible to estimate.

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

No significant changes are anticipated.

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

See #1 above.

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

An oversupply of certain types of health care facility

beds would increase competition but the effect of this is impossible to estimate.

Sandra L. Robinson
Secretary and State Health Officer

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Health and Human Resources
Office of Management and Finance
Division of Policy, Planning and Evaluation**

The Department of Health and Human Resources, Office of Management and Finance, Division of Policy, Planning and Evaluation proposes to adopt the following changes to the policies and guidelines for Section 1122 capital expenditure reviews to be effective December 20, 1985. The amendment is in the section on Evidence of Obligation/Expiration of Approval, changing Page 12, Sentence 1 of Number 1a to read "The commencement of construction by a date specified in the contract."

This change deletes a revision made effective August 20, 1985 and provides for a reversion to the original rule made effective April 20, 1985.

Interested persons may submit written comments on the proposed changes until November 15, 1985 at the following address: Joseph Ross, Division of Policy, Planning and Evaluation, 200 Lafayette Street, Suite 406, Baton Rouge, La. 70801.

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

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Evidence of Obligation**

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 government units.

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.

Sandra L. Robinson
Secretary and State Health Officer

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

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

The Department of Health and Human Resources, Office of Preventive and Public Health Services, proposes to adopt the following rule pursuant to LSA - R.S. 40:33 and LSA - R.S. 40:41 as amended by Act 811 of 1985 and pertaining to release of birth

rosters to local, city and parish supervisors of child welfare and attendance.

Proposed Rule

To protect the integrity of vital records and ensure their proper use, the state registrar of vital records shall disclose information in accordance with the provisions set forth hereinunder:

1. All birth rosters released to city and parish supervisors of child welfare and attendance shall remain the property of Vital Records Registry.

2. The rosters shall be requested in writing by the supervisor charged with enforcing school attendance and that person shall be responsible for the roster while it is in his/her custody. Vital Records Registry shall be notified when a change in the supervision occurs.

3. The rosters shall retain the seal of confidentiality while in the custody of supervisors and shall not be considered public records under R.S. 44:1 et seq.

4. The rosters are not transferable, shall not be duplicated and shall be utilized only for administrative purposes; they shall not be divulged or shared with any other person or city or parish entity, public or private.

5. Annual rosters will be available beginning May 1, 1986, reflecting calendar year 1985 with subsequent rosters becoming obtainable May 1 of each year thereafter.

6. Upon completion of enforcement procedures, the rosters shall be returned to the Vital Records Registry.

7. Recipients of the rosters shall sign an agreement holding Department of Health and Human Resources, Office of Preventive and Public Health Services harmless for any breach in confidentiality set forth hereinabove.

Interested persons may submit written comments on the proposed rules to Daneta Daniel Bardsley, Ed.D., Office of Preventive and Public Health Services, Box 60630, New Orleans, LA 70160, phone: (504)568-5052.

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

Fiscal and Economic Impact Statement For Administrative Rules Rule Title: Birth Rosters

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There are no implementation costs to be considered.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
This rule will not affect revenue collections.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
There are no estimated costs and/or economic benefits to directly affected persons or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
There is no estimated impact on competition and employment.

Daneta Daniel Bardsley
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

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

Effective December 20, 1985 the Department of Health and Human Resources-Office of Preventive and Public Health Services intends to implement procedures as mandated by R.S. 40:31.2 and R.S. 40:1299.111-.117 which establish a Central Registry of Congenital Anomalies and Spinal Cord Dysfunctions in the Office of Preventive and Public Health Services.

The purpose of this rule is to insure prompt referral to the state health officer of all persons residing in Louisiana born with congenital anomalies or spinal cord dysfunctions. These referrals are made in order that all such persons may obtain referrals to appropriate rehabilitative services rendered by existing state agencies, departments, and other organizations and individuals.

In the course of its operations each licensed public or private hospital or each licensed physician in the course of his private medical practice shall report to the state health officer any case of the following congenital anomalies:

1. Spina Bifida
2. Hydrocephalus
3. Cleft Palate/Cleft Lip
4. Club Foot
5. Severe anomalies of the heart and circulatory system
6. Debilitating Deformity
7. Absence of Limbs
8. Neurofibromatosis
9. Spinal Cord Dysfunctions

These reports are to be sent to: Central Registry of Congenital Anomalies and Spinal Cord Dysfunctions, Box 60630-Room 607, New Orleans, LA 70160.

The report required shall not be filed unless written permission has first been obtained from the person for whom a report is prepared or in the case of a minor, from a parent or guardian of the person for whom a report is prepared, except in those instances of acquired spinal injury, in which instances reporting to the Central Registry is mandatory. The report form entitled "Central Registry of Congenital Anomalies and Spinal Cord Dysfunctions" (see Form A) shall be used for all reports.

All information received is kept confidential.

Persons admitted to the Central Registry will receive the following services:

1. Information regarding the availability of community services and programs including parent support groups.
2. Information regarding printed materials available through established agencies.
3. Information regarding advances in medical progress and research.
4. Notification of new laws as they become known, affecting the handicapped.
5. Information about federal benefits and programs.

A person's name will be removed from the Central Registry upon oral or written request. A person's name will also be removed if information is received that the client has moved from Louisiana or expired.

INQUIRIES:

All inquiries should be directed to: Central Registry of Congenital Anomalies and Spinal Cord Dysfunctions, Box 60630-Room 607, New Orleans, LA 70160.

Interested persons may submit comments on the proposed rule to the following address: Daneta Daniel Bardsley, Ed.D., Assistant Secretary, Office of Preventive and Public Health Services, Box 60630, New Orleans, LA 70160.

CENTRAL REGISTRY OF CONGENITAL ANOMALIES AND SPINAL CORD DYSFUNCTIONS

1.	INFORMATION ON PERSON TO BE REGISTERED	Last Name		First Name		Second Name		Date of Birth: Month		Day	Year	
		Sex	Race		Usual Residence Street							
		City or Town		Parish		State	Zip Code		Area Code	Telephone		
2.	FOR PERSONS UNDER 2 YRS. OLD ONLY	Hospital of Birth		City	Parish	State	Hospital Number		Age of Mother at Birth _____ years			
3.	DIAGNOSIS	CIRCLE APPROPRIATE DIAGNOSIS(ES)										
		1. Spina Bifida	7. Cleft Palate & Lip		11. Spinal Cord							
		2. Hydrocephalus	8. Neurofibromatosis		a. Acquired Injury, Cause: _____							
		3. Club Foot	9. Absence of Limbs		Onset _____ Level of Dysfunction _____							
		4. Heart/Circulatory	10. Debilitating Deformity		b. Tumor							
		5. Cleft Palate			c. Other Spinal Cord Dysfunctions							
		6. Cleft Lip										
							(SPECIFY)		(SPECIFY)			
4.	ATTENDING PHYSICIAN	Signature and Address of Attendant								Date of Signature		
5.	INFORMATION ON PARENT OR RESPONSIBLE PERSON	Last Name		First Name		Second Name		Relationship to Registrant				
		Street (Usual Residence — if same as registrant put "same")										
		State	Zip Code		Area Code	Telephone						
6.	AUTHORIZED SIGNATURE (No signature needed for reporting acquired spinal cord injury)	I certify that I wish this information to be reported to the State Health Officer.					Relationship (circle appropriate number)		Date of Signature			
							1. Parent					
							2. Guardian					
							3. Self					
		Signature										
7.	REPORTER	Signature		Title		Area Code	Telephone		Date			
8.	REMARKS											

DHHR — OFFICE OF PREVENTIVE AND PUBLIC HEALTH SERVICES (Rev. 3/85)

Original to Registry

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

There will be no estimated effect on competition and employment.

Daneta Daniel Bardsley
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

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

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no estimated implementation costs to state or local governmental units due to the adoption of this rule.
- 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 estimated costs and/or economic benefits to directly affected persons or non-governmental groups.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

NOTICE OF INTENT

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

Effective December 20, 1985 the Department of Health and Human Resources, Office of Preventive and Public Health Services proposes to adopt on October 20, 1985 uniform rules of procedure to comply with the U.S. Department of Agriculture, Food and Nutrition Service, Commodity Supplemental Food Program (CSFP) provisions for individual participant and local agency fair hearings in accordance with 7 CFR 247.

The Commodity Supplemental Food Program provides nutritious supplemental foods donated by the U.S. Department of Agriculture (USDA) and nutrition education to eligible, low-income pregnant, breastfeeding and postpartum women; infants; and children (up to six years of age) who are vulnerable to malnutrition. For definition of the aforementioned terms, refer to 7 CFR 247.2. The program, operational only in Orleans Parish, is fed-

erally funded through USDA and receives an annual appropriation from the Louisiana State Legislature to help defray food distribution costs.

Federal regulations 7 CFR 247.3 mandate delegation of authority to a state agency. The Nutrition Section, Office of Preventive and Public Health Services (OPPHS), Department of Health and Human Resources (DHHR) serves as the approved state agency. The state agency is responsible for all program operations and shall administer the program in accordance with the requirements of 7 CFR 247; FMC 74-4; OMB circulars A-90, A-95, A-102, A-110; and 7 CFR 250 Subchapter B where applicable.

An annual state plan which describes program operations and procedures must be submitted to USDA by the state agency. This state plan and the above cited federal documents are available for review by any interested party at the Nutrition Section Office, OPPHS, 325 Loyola Avenue, Room 405, New Orleans, LA 70112.

The state agency may enter into agreement with a local agency to implement the program. Federal regulations, 7 CFR 247.2 define a local agency as a public or private non-profit agency which enters into an agreement with the state agency to administer the program at the local level. A local agency determines the eligibility of applicants, distributes supplemental foods, and provides nutrition education to eligible, low-income persons, either directly or through another agency with which it has entered into a written agreement in accordance with 7 CFR 247.6. Local agency written agreements with another agency require state agency approval.

When OPPHS, DHHR, enters into an agreement with an approved local agency, the local agency shall provide program benefits effectively and efficiently and comply with 7 CFR 247 and the state plan.

The uniform procedures for fair hearings shall include the following:

A. *Individual Participant*—Any individual may appeal a state or local agency action which results in the denial or termination of program benefits to the individual. Since the local agency is responsible for program implementation, uniform procedures for participant fair hearings shall be promulgated by that agency in accordance with 7 CFR 247.20.

B. *Local Agency*—The state agency shall provide a hearing procedure whereby a local agency adversely affected by a state action may appeal.

1. The right to appeal shall be granted when:
 - a. the local agency's application to participate in the program is denied, or
 - b. the local agency participation is terminated, or
 - c. the local agency contract is not renewed by the state agency, or when
 - d. any other adverse action affects local agency participation. The adverse action shall be postponed until a hearing decision is reached.

2. The state agency hearing procedure provides the local agency:

a. *Opportunity to appeal*—The local agency which desires to appeal a state agency decision must state and mail its written appeal request to the state agency within 15 calendar days after determination of the adverse action described in B.1.a.-d, above.

b. *Hearing process*—Hearings are governed by the procedure set forth in the Louisiana Administrative Procedure Act, R.S. 49:950 et seq. and as mandated by federal regulations, 7 CFR 247.22.

c. *Postponement of adverse actions*—Adverse actions are postponed until a hearing decision is reached.

d. *Opportunity to reschedule*—A hearing date may be rescheduled upon written request to the state agency which within its discretion may or may not grant the request.

Interested persons may submit written comments to Daneta Daniel Bardsley, Ed.D., Assistant Secretary, Office of Preventive and Public Health Services, Box 60630, New Orleans, LA 70160.

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

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Uniform Procedures for CSFP
Program Fair Hearings**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
The Louisiana CSFP Program is administratively funded by USDA; supplemental foods issued to eligible participants are donated by USDA; the State Legislature appropriates an annual sum to help defray food distribution costs at the local level; this rule will not increase costs to state or local governmental units.
- 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)
The program provides eligible recipients with nutritious supplemental foods on a monthly issuance basis.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
The rule will not effect competition or employment.

Daneta Daniel Bardsley
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

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

The Department of Health and Human Resources, Office of Preventive and Public Health Services, is adopting the following rule in compliance with R.S. 49:962, that section of the Administrative Procedure Act which requires agencies to "provide by rule for the filing and prompt disposition of petitions for declaratory orders and rulings as to the applicability of any statutory provision or any rule or order of the agency":

Declaratory Orders and Rulings

1. The Office of Preventive and Public Health Services (OPPHS) shall entertain petitions for declaratory orders and rulings as to the applicability of any statutory provision, the enforcement of which is under the jurisdiction of this agency, or any rule or order of this agency, as required by R.S. 49:962.

2. The jurisdiction of OPPHS is defined by R.S. 36:258, R.S. 40:4, and R.S. 40:5.

3. Any person desiring a declaratory ruling or order of the kind set forth above shall forward his or her petition to the assistant secretary, Office of Preventive and Public Health Services, Box 60630, New Orleans, LA 70160.

4. The petition shall be legibly typed on white paper and

NOTICE OF INTENT
Department of Health and Human Resources
Office of Preventive and Public Health Services

Acting under the authority derived from R.S. 40:4, 40:5, and 40:1141-1151 in addition to an assumption of primacy for the Federal Safe Drinking Water Act granted in 1977 by the U.S. Environmental Protection Agency the Office of Preventive and Public Health Services (OPPHS) conducts a program for the regulation of public water supplies in order to protect the public against disease transmitted through water supplied for drinking, cooking and washing purposes. OPPHS staff provide technical assistance and guidance to managers of water systems which must function in compliance with federal program requirements and to persons with individual private water supplies. OPPHS regulations pertaining to the certification of public water supply operators pursuant to R.S. 40:1141-1151 are published separately.

Procedures used to enforce OPPHS Regulations embodied in Chapter 12 of the Louisiana State Sanitary Code are described in Chapter 1 of that Code. Chapter 12 of the State Sanitary Code, entitled "Water Supplies," includes requirements pertaining to permits to construct and operate public water supplies, approval of plans for new supplies or modifications to existing supplies, the operation of supplies, water quality monitoring, standards of water quality, record keeping, reporting requirements, and public notification requirements.

Services to public water supplies shall include plans review; both routine and investigative monitoring/inspection of water quality for bacteriological, chemical and radiological contaminants; technical and emergency advisory assistance to public water supplies. Although public water supplies are not charged for these services, these activities are limited by budgetary restraints, staff workload, and similar factors affecting the prioritization of program activities. Requests for services by operators of public water supplies shall be made to the OPPHS district engineering offices.

Limited services to the owners of individual private water supplies may include technical advice, inspection of construction, water sampling (bacteriological), and evaluation of wells/springs/cisterns. These services may be provided free of charge when program resources are available. Sampling and analysis in the OPPHS laboratories for chemical or radiological contamination is available only when the OPPHS district engineer determines that a need exists. Such may be evidenced by a physician's request or by the proximity of the water supply to a pollution source. Sampling and analysis in the OPPHS laboratories for biological contamination (including the coliform test) may be available on request except when, in the judgment of the parish health unit's chief sanitarian, repeat sampling would be redundant. Requests for services by owners of individual private water supplies shall be made to the local parish health unit.

Several other regulatory programs have an impact on drinking water, including pollution control programs of the Louisiana Department of Environmental Quality, the Office of Conservation in the Louisiana Department of Natural Resources, and the Office of Public Works in the Louisiana Department of Transportation and Development.

Comments regarding the proposed rule should be addressed to: Daneta Daniel Bardsley, Ed.D., Assistant Secretary, Office of Preventive and Public Health Services, Department of Health and Human Resources, Box 60630, New Orleans, LA 70160. A public review hearing will be held on November 5, 1985 at 10 a.m. at 325 Loyola Avenue, Room 511, New Orleans, to hear comments on the rule.

shall be worded in a clear and concise manner. The petition shall set forth with specificity and particularity the factual situation giving rise to the inquiry and the statutes or rules of which interpretation is sought. The petition shall be signed by the petitioner or by an attorney at law acting on his or her behalf. The petition shall include the mailing address of the petitioner as well as that of his or her attorney, if any.

5. Upon receipt of a petition which is not in proper form, the assistant secretary shall promptly return the petition to the petitioner, who may resubmit it in proper form.

6. Upon receipt of a petition that is in proper form, the assistant secretary shall forward same to the OPPHS program administrator most closely connected with the subject matter of the request. That administrator shall prepare and sign a declaratory ruling or order and submit same to the assistant secretary. The assistant secretary shall promptly approve or disapprove the declaratory ruling or order. If approved, he or she shall immediately forward it to the secretary and state health officer for his, her or their approval and signing as provided in R.S. 40:2. If disapproved, it shall be returned to the program administrator for reconsideration.

7. When approved by the secretary and state health officer, the declaratory ruling or order shall be returned to the assistant secretary who shall cause it to be sent to the petitioner by certified mail, return receipt requested, and by regular mail. In no event shall more than 90 days elapse between the time a petition in proper form is received by the assistant secretary and the time the declaratory ruling or order is mailed to the petitioner.

8. If the petitioner is dissatisfied with the declaratory ruling or order, he or she may petition for reconsideration. A reconsideration may be granted if, in the assistant secretary's opinion, there is good cause. If the petitioner is still dissatisfied following reconsideration or following a denial of reconsideration, he or she may seek judicial review as provided in R.S. 49:962-964.

Interested persons may submit comments on this proposed rule to Dr. Daneta Daniel Bardsley, Assistant Secretary, Office of Preventive and Public Health Services, Department of Health and Human Resources, Box 60630, New Orleans, LA 70160.

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

Fiscal and Economic Impact Statement
For Administrative Rules

Rule Title: Declaratory Orders/Rulings

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

There are neither costs nor savings to state or local governmental units connected with this intended action.

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 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.

Daneta Daniel Bardsley
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

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

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Drinking Water Program (DWP)**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no costs or 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.
- 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.

Daneta Daniel Bardsley
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Health and Human Resources
Office of Preventive and Public Health Service**

The Department of Health and Human Resources, Office of Preventive and Public Health Services in accordance with the Louisiana Administrative Procedure Act, R.S. 49:950-970 proposes to adopt, effective December 20, 1985, a rule on fluoridation of community water supplies and the grant program to assist communities in the implementation and maintenance of a fluoridated water system.

Interested persons may request copies of the proposed rules and direct written inquiries to Dr. Daneta D. Bardsley, Assistant Secretary, Office of Preventive and Public Health Services, Room 611, 325 Loyola Avenue, Box 60630, New Orleans, LA 70160.

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

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

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There are no estimated implementation costs because the program is currently in operation.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There is no effect on revenue collections of State or Local governments.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)

Although there is no way to assess the total economic benefits, it has been estimated that for every dollar expended on fluoridation, fifty dollars is saved in dental maintenance services.

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

There is no estimated effect on competition or employment.

Daneta Daniel Bardsley
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Health and Human Resources
Office of Preventive and Public Health Services
Food and Drug Control Unit**

In accordance with provisions of the Administrative Procedure Act (R.S. 49:953 B), the Department of Health and Human Resources, Office of Preventive and Public Health Services, Food and Drug Control Unit intends to implement the following proposed rule:

PROPOSED RULE

Effective September 3, 1985, the Department of Health and Human Resources, Office of Preventive and Public Health Services, Food and Drug Control Unit, in order to implement the provisions of LSA R.S. 40:627 and 628 as amended by Act 344 of the Louisiana Legislature of 1985, has adopted an emergency rule relative to the establishment of revised registration procedures and cancellation of previous registration procedures adopted by rules promulgated on August 20, 1983 and January 20, 1984. These rules established criteria for establishing late registration penalty fees and the establishment of four registration categories and staggering of expiration dates of certificates. Pro-rated fees for each category were also established. The emergency rule has amended and re-enacted rules 2.215, 2.216 and 2.217 in accordance with the codification system in the "State of Louisiana Food, Drug and Cosmetic Laws and Regulations" dated September 1968 (the 'Red Book').

2.214 PRODUCT REGISTRATION PROCEDURE

In accordance with the provisions of LSA R.S. 40:627 and 628 and in order to establish revised procedures for the annual registration of products, 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 of each year. Certificates of registration will be issued to each firm for a period of one year expiring on July 31 of each year. The staggering of expiration dates of certificates will be discontinued and consolidated into one expiration date on July 31, 1986 and this consolidation will continue annually thereafter. The four registration categories, as established by previous rule of January 20, 1984, will be eliminated thus placing all firms into the same registration period of August 1 thru July 31 of the following year. The current expiration dates for the four registration categories are as follows:

Category 1	January 31
Category 2	April 30
Category 3	July 31
Category 4	October 31

In order to implement a smooth transition from staggered expiration dates to one annual expiration date, The Food and Drug Control Unit shall extend the expiration dates of the current registration certificates from each registration category, excluding category 3, to the July 31, 1986 expiration date. Thus, certificates of registration for categories 1, 2, and 4 expiring on January 31 and April 30, 1986 and October 30, 1985 respectively, will automatically be extended until July 31, 1986.

For the purposes of avoiding confusion on the part of in-

dustry with respect to the filing of correct registration fees, the Food and Drug Control Unit shall waive the submission of applications for registration and registration fees for those firms in categories 1, 2, and 4 which would otherwise be prorated over periods of three, six and nine months.

This rule will allow a smooth transition into the revised registration fee schedule as provided by Act 344 of the 1985 Legislative Session which amended LSA R.S. 40:627(D) of The Food and Drug Law. The new fee schedule is effective as of February 1, 1986, however, the new fees will not be collected until August 1, 1986. Registration fees as provided by the amended law are as follows:

Each manufacturer, packer, or proprietor shall be assessed an annual examination and investigation charge of not more than ten dollars for any one separate and distinct product registered, up to a maximum of \$100. Registration fees for products will be assessed as outlined in the following schedule:

Number of Products	Registration Fee	Registration Certificate Description
1	\$ 10	A
2	20	B
3	30	C
4	40	D
5	50	E
6	60	F
7	70	G
8	80	H
9	90	I
10	100	J
More than 10	100	J

Notification of renewal of certificates and revised Examination and Investigation Fee schedules will be made known to certificate holders in categories 1, 2, and 4 by way of a letter to each firm announcing the proposed changes in fees and extension of certificates. Certificates of category 3 firms will not be affected in that certificates in that category currently expire on July 31 of each year.

2.219 LATE REGISTRATION PENALTY FEES

The late registration penalty fees as required by LSA R.S. 40:627(D) will be revised effective February 1, 1986 in accordance with Act 344 of the 1985 Legislature. Late registration penalty fees currently assessed are \$100 per product with a maximum penalty fee of \$500 for any one firm during the calendar year. Thus, late penalty fees are as follows:

Number of Products	Penalty Fee
1	\$100
2	\$200
3	\$300
4	\$400
5	\$500
More than 5	\$500

The revised penalty fees for late registration will be subject to implementation effective February 1, 1986 but assessment of the fees will not be initiated in that the current certificates will automatically be extended by this proposed rule.

2.216 LATE REGISTRATION PENALTY - NEW FIRMS

The late penalty fees will be assessed to new firms found doing business in Louisiana which, after being duly notified and allowing 45 days to respond to first notifications, do not remit the appropriate application and fees within 45 days after having been sent a final notification.

2.217 PENALTY FEE ASSESSMENT

The late registration penalty fees as established by Act 344

of the 1985 Louisiana Legislature will assess, effective February 1, 1986, each manufacturer, packer, or proprietor a penalty of ten dollars for failure to register each separate and distinct product annually. The penalty assessed shall be in addition to the examination and investigation charge (registration fee).

Late penalty fees shall be assessed as follows:

Number of Products Registered	Penalty Fee
1	\$ 10
2	20
3	30
4	40
5	50
6	60
7	70
8	80
9	90
10	100
More than 10	100

Late registration penalty fees, effective February 1, 1986, will be imposed on those firms which fail to submit an application for registration and registration fees on or before August 1 of each year. However, a grace period of 45 days will be given to all firms extending the deadline for receipt of applications and fees to September 15 of each year. A final notice reminder letter will be sent to all firms on or about September 1 of each year thus serving notice to firms 15 days prior to implementing penalty fees denoted above.

Interested persons may submit comments to the following address: Daneta Daniel Bardsley Ed.D., Assistant Secretary, Office of Preventive and Public Health Services, Box 60630, New Orleans, LA 70160, Phone 504/568-5052(Linc:621-5052).

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

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

Rule Title: Food and Drug Rule Registration

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

Food, drug, cosmetic and prophylactic device registration is only a part of the duties and responsibilities of the Food and Drug Control Unit. While there will be no additional costs to implement this rule there may be savings in that personnel will be able to devote more work time to other important projects and functions in the Food and Drug Program.

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

Because of the proposed extension of expiration dates of certificates of registration in categories I, II and IV and the waiving of fee collection from firms in these categories for six, three and nine months respectively, it is estimated that state revenue collections from this source will be reduced by approximately \$11,992 during 1985-86.

The increase in the registration schedule, and a change in the penalty fee, as required by Act 344 of 1985, will bring in an additional \$136,004 during the registration period of 1986-87 and in future years.

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

Manufacturers, packers, distributors or proprietors of

foods, drugs, cosmetics and prophylactic devices will not have to pay pro-rated fees which only confuse and create problems. Also, firms may needlessly be placed in a situation in which a late registration penalty fee would be warranted. Also, time would be allotted to this agency to duly notify and inform private industry affected by this rule of the upcoming increases in fees as required by Act 344 of 1985.

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

It is estimated that there will be no effect on competition and employment by this proposed action.

Daneta Daniel Bardsley
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

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

Effective December 20, 1985 the Department of Health and Human Resources (DHHR), Office of Preventive and Public Health Services (OPPHS) intends to formally adopt the policies and procedures used in the operation of the State Handicapped Children's Services Program (HCS) in accordance with the Administrative Procedure Act R.S. 46:950-970. These policies and procedures will specifically cover eligibility criteria, physical conditions treated under this program, types of services and other related subjects, pursuant to R.S. 40:31.2 and 40:299.111-120.

Interested persons may submit comments or review these proposed changes at the following address: Daneta Daniel Bardsley, Ed.D., Assistant Secretary, Office of Preventive and Public Health Services, Department of Health and Human Resources, 325 Loyola Avenue, Room 607, New Orleans, LA 70112.

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

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Handicapped Children's Services**

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

There are no additional costs or savings to state or local governmental units because of the adoption of this rule.

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

This program actively pursues the collection of third party payments (i.e. private medical insurance) whenever possible. Approximately \$1,200,000 is budgeted from this source of payment. The program also utilizes Medicaid reimbursements for services rendered to Early Periodic Screening, Diagnosis and Treatment Program eligible children.

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

Each year approximately 18,000 families are assisted in attaining specialized long term medical rehabilitation services for their chronically physically handicapped children.

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

There will be no change in the effect on competition and employment.

Daneta Daniel Bardsley
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

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

In compliance with the Louisiana Administrative Procedure Act, the Department of Health and Human Resources (DHHR), Office of Preventive and Public Health Services (OPPHS), Louisiana High Blood Pressure Control Program (LHBPCP) plans to adopt the following regulations for persons receiving high blood pressure control services in all of its units and service sites.

In 1984, the Legislature passed Act 701 enacting R.S. 40:2481-2483 to provide a statewide High Blood Pressure Control Program (LHBPCP), under the auspices of the Office of Preventive and Public Health Services.

The goal of the LHBPCP is to reduce morbidity and mortality associated with hypertension and its complications (heart disease and stroke) through a comprehensive preventive system. Services are targeted to high risk population 14 years of age and older. The program provides services in six areas: (1) client education, (2) screening/rescreening, (3) counseling, (4) follow-up, (5) monitoring and (6) direct referral to physician and hospital for diagnosis and treatment. Additionally, the program provides support services to the medical community in identifying hypertensives and, once diagnosed, assists it in controlling blood pressure by facilitating patient compliance. The program may assist the patient in maintaining the medical regimen provided by his/her physician.

Interested persons may submit comments to proposed rule at the following address: Daneta Daniel Bardsley, Ed.D., Assistant Secretary, Office of Preventive and Public Health Services, Department of Health and Human Resources, Box 60630, New Orleans, LA 70160.

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

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: La. High Blood Pressure Control
Program (LHBPCP)**

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

There will be no costs or 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.

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 due to the adoption of this rule.

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

There is no estimated impact on competition and employment.

Daneta Daniel Bardsley
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

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

The Department of Health and Human Resources, Office of Preventive and Public Health Services proposes to adopt on December 20, 1985, the following rule concerning home care services:

Any resident of Louisiana, (exclusive of Orleans and Plaquemines Parishes), who is essentially homebound, 21 years of age or older and in need of skilled nursing services ordered by a physician, may receive home care services. Services shall only be provided to clients who do not have third party coverage (i.e., Medicare, Medicaid or private insurance), and who meet financial eligibility guidelines established by the Office of Preventive and Public Health Services.

ELIGIBILITY CRITERIA

Homebound—Clients shall be considered essentially homebound if they are unable to leave their home, or place of residence, without the aid of supportive devices such as crutches, canes, walkers or wheelchairs, the use of special transportation, the assistance of another person, or if they have a condition which is such that leaving their home is medically contraindicated.

21 Years of Age—Clients must be 21 years of age or older in order to receive home care services.

Skilled Nursing Services—Clients must be in need of skilled nursing services in order to receive home care services. These services shall be provided by a registered professional nurse (public health nurse) or a licensed practical nurse under the direct supervision of a registered nurse. All services shall be provided in accordance with the written orders of a physician licensed to practice in the State of Louisiana. Under normal circumstances, clients will be limited to two skilled nursing visits per week. Exceptions to this limit shall only be allowed for medical emergencies, or if the client's physician deems additional visits are medically necessary.

Third Party Coverage—Home care services shall only be provided to clients who do not have third party coverage. Such coverage includes Medicare (Part A or Part B), Medicaid, (Title XIX Medical Assistance administered by the Office of Family Security), or private insurance (Blue Cross/Blue Shield or other commercial third party insurance coverage). Clients who are eligible for Medicare coverage (Part A or Part B) who have been denied coverage for home health services by the Medicare fiscal intermediary, shall be considered eligible for home care services. Clients who are eligible for home health services under Medicaid, but who have exhausted their 50-visit limitation, shall be considered eligible for home care services.

Financial Eligibility Guidelines—Home care services shall be provided only to clients whose family income does not exceed the following financial eligibility guidelines:

Family Size	Monthly Income
1	\$1,642
2	\$1,877
3	\$2,212
4	\$2,450
5	\$2,509
6	\$2,571
7	\$2,574

Other Services—Medical social worker and nutritional counseling services will be provided to clients when ordered by the attending physician.

Medical Supplies—Routine medical supplies used by OPPHS staff in the treatment of clients will be provided free of charge.

Durable Medical Equipment—Items of equipment such as:

hospital beds, wheelchairs, walkers, commode chairs, and other equipment which can withstand repeated use and is primarily and customarily used in the home to serve a medical purpose, are not provided to clients.

Transportation for Medical Care—Transportation for medical care is not provided to clients.

Providers of Services—All services will be provided free of charge to clients by nursing and ancillary staff of the local parish health units, and the regional offices of the Office of Preventive and Public Health Services.

Service Area—Statewide, except for Orleans and Plaquemines Parishes.

Places of Service—All services will be provided in the client's home or place of residence (other than a nursing home).

Clients or members of client's family, client's physician, or any health care facility, may request home care services by contacting the local parish health unit in their areas.

Comments concerning this rule may be submitted to Daneta Daniel Bardsley, Ed.D., Assistant Secretary, Office of Preventive and Public Health Services, Box 60630, New Orleans, LA 70160.

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

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Home Care Services Program**

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

Home Care Services will be provided by existing nursing and ancillary staff of the parish health units and/or regional offices of Office of Preventive and Public Health Services. Therefore, implementation costs will be negligible.

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

Home Care Services will be provided free of charge to persons who meet established eligibility criteria. Therefore, there will be no effect on revenue collections.

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

Since Home Care Services will be provided free of charge, residents of Louisiana who are without third party medical insurance coverage and financially unable to pay for needed services, will be the primary beneficiaries of this program.

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

There is no effect on competition and employment.

Daneta Daniel Bardsley
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

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

The Department of Health and Human Resources (DHHR), Office of Preventive and Public Health Services (OPPHS) intends to adopt regulations to be used in the following programs administered by the Maternal and Child Health Section (MCH) in accordance with the Administrative Procedure Act: Child Health

Services, Maternity Services, Communicative Disorders, Eye Anomalies, and Sudden Infant Death Syndrome Program. Published rules for other MCH Programs are found in Volume II, Number 6 (Genetics); Volume 11, Number 2 (Hemophilia); Volume 10, Number 7, (Northwest Louisiana Adolescent Family Life Project), and Volume 11, Number 11 (Dental Services) of the *Louisiana Register*.

Interested persons may submit written comments or obtain copies of these regulations from Daneta Daniel Bardsley, Ed.D., Assistant Secretary, Office of Preventive and Public Health Services at 325 Loyola Avenue, Room 613, New Orleans, LA, (Box 60630, New Orleans, LA 70160).

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

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Maternal & Child Health**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There are no implementation costs estimated.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
No changes in revenue collections are expected.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
There are no costs or economic benefits to non-governmental groups. There are no charges to patients; however, reimbursement for eligible clients is received from Early Periodic Screening Diagnosis and Treatment (EPSDT) and Headstart. Patients derive the economic benefits of free medical care.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
There is no estimated effect on competition and employment.

Daneta Daniel Bardsley
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

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

The Department of Health and Human Resources in accordance with the Louisiana Administrative Procedure Act, R.S. 49:950-970 intends to adopt the following rule of the Office of Preventive and Public Health Services (OPPHS) plans review and approval process. The purpose of this rule is to specify the duties of OPPHS engineering services and parish health units in the plans review and approval process.

A. Plans Reviewed by the Parish Sanitarian

The builder/owner/developer responsible for the following entities shall submit plans and specifications to the parish health unit for review and approval. The review and approval of plans and specifications are the responsibility of the parish sanitarian. This responsibility does not preclude district or regional engineer assistance if requested by the parish sanitarian. Plans and specifications must be submitted to the parish health unit for the following entities:

1. Food Services establishments, including but not limited to: restaurants, bars, groceries, school cafeterias, departments of institutions and mobile food processors or vendors.
2. Water supplies of less than 3,000 gallons per day.

3. Sewerage facilities which handle less than 3,000 gallons per day.

Plans listed in Section B submitted to a parish health unit shall be forwarded to OPPHS district engineering services staff for review and approval. Parish sanitarians, after approving plans, shall notify the builder/owner/developer in writing that the plans are approved and will be maintained for three years in the parish health unit. These plans will be used by the parish sanitarian to determine if facilities are built in accordance with approved specifications.

Parish sanitarians, after disapproving plans, shall notify the builder/owner/developer in writing of defects which resulted in the disapproval. The builder/owner/developer may correct the cited defects and resubmit the revised plans for review.

The parish sanitarian may store relevant sections of the plan. Other sections may be returned to the builder/owner/developer. The parish sanitarian shall, at the end of three years, offer in writing to return the plans to the builder/owner/developer. If the builder/owner/developer does not claim them within 30 calendar days, the plans shall be destroyed.

B. Plans Reviewed by the District Engineer

There shall be four OPPHS District areas. District 1 consists of State Planning Regions I and III. District 2 consists of State Planning Regions II and VI. District 3 consists of State Planning Regions IV and V, and District 4 consists of State Planning Regions VII and VIII.

The following plans shall be submitted by the builder/owner/developer to the district engineers (or to the parish health unit which will forward them to the district engineer) for review.

1. State Projects
2. Jails
3. Schools
4. Institutions
5. Hospitals
6. Nursing Homes
7. Public Swimming Pools
8. Public Water facilities greater than 3,000 per day
9. Public Sewerage facilities greater than 3,000 per day

District engineers, after approving the plans, shall notify the builder/owner/developer in writing that the plans are approved and will be forwarded to the parish health unit for keeping.

District engineers, after disapproving plans, shall notify the builder/owner/developer in writing of failings or defects. The builder/owner/developer may correct the cited deficiencies and resubmit the revised plans for review.

A major defect is a defect that is an imminent health hazard. A minor defect is a defect that is a potential health hazard but not an imminent health hazard. A letter explaining the defect will be sent if the defect is minor. If the defect is major, that part of the reviewed plans will have to be redrawn.

All parties involved - the builder/owner/developer, the Regional Engineer, and the Parish Sanitarian - will notify in writing all other parties of suggested plan changes.

Interested persons may submit comments on the proposed rules to: Daneta Daniel Bardsley, Ed.D., Office of Preventive and Public Health Services, Box 60630, New Orleans, LA 70160.

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

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

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no costs or 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.

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.

Daneta Daniel Bardsley
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

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

Effective December 20, 1985, the Department of Health and Human Resources-Office of Preventive and Public Health Services (OPPHS) intends to formally adopt the rules used in the operation of the Supplemental Security Income/Disabled Children's Program (SSI-DCP), administered by the Handicapped Children's Services Program (HCSP).

These rules are adopted pursuant to the Public Health Service Act Title XIX, Section 1905 as amended by the Omnibus Budget Reconciliation Act of 1981, PL 97-35. (Maternal Child Health Block Grant)

The purpose of the SSI-DCP program is to provide rehabilitation services for blind and disabled children under the age of 16 receiving benefits under Title XVI.

All referrals shall be made from the Federal Supplemental Security Income Program through the Louisiana Data Exchange to the HCSP Central Office on a quarterly basis. The information is then subdivided into regional packets for distribution to the appropriate HCSP offices.

Services are available in the following targeted areas: Baton Rouge HCS regional office, Teche HCS regional office, Lake Charles HCS regional office, Alexandria HCS regional office, Monroe HCS regional office and Shreveport HCS regional office.

First priority is given to referred children whose disability enables them to be eligible for the Handicapped Children's Services Program.

Second priority is given to children under seven years of age whose family may need assistance in understanding the disability and making the best use of case management.

All children are referred on to the Child Search Coordinators to assure prompt planning for their acceptance into the education system.

Children with conditions not treated in the HCSP shall be referred to other state or private agencies when appropriate depending on the needs of the child as revealed by the multidisciplinary team's assessment.

Services provided consist of:

1. team evaluation;
2. family counseling;
3. case management;
4. HCSP services as appropriate; and
5. special services (limited)

Services needed by a child which cannot be met thru any other resources, which may include medical, social, educational,

developmental, or rehabilitation services may be provided on a case-by-case basis where medically necessary or appropriate.

Interested persons may submit comments on the proposed changes at the following address: Daneta Daniel Bardsley, Ed.D., Assistant Secretary, Office of Preventive and Public Health Services, Department of Health and Human Resources, Box 60630, New Orleans, LA 70160.

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

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Supplemental Security Disabled
Children's Program**

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

There are no additional costs or savings to state or local governmental units because of the adoption of this rule.

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

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

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

An estimated 6,834 very poor families with severely handicapped children under 18 years of age benefit directly from the case management and other services currently provided by this program.

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

There will be no change in the effect on competition and employment by this proposed action.

Daneta Daniel Bardsley
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

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

The Tuberculosis Control Program provides evaluation, treatment and followup for tuberculosis cases, suspected cases, and contacts to cases residing in the state of Louisiana. Persons infected with tuberculosis, without active disease, who are at increased risk of future disease due to age or medical condition, are eligible for evaluation, treatment and followup.

Clinical evaluation services shall be provided in each OPPHS region. Followup services, including patient education, sputum collection, patient monitoring for anti-tuberculosis drug side effects, anti-tuberculosis drug delivery, contact and suspect identification and referral for evaluation, shall be available through local public health units.

The reporting and investigation of tuberculosis cases and suspected cases, and investigation for the identification of cases, suspected cases and contacts is provided for in Chapter II, Sections 2:001 - 013 of the State Sanitary Code.

The quarantining of an infectious case to protect the public health is provided for in Chapter II, Sections 2:014 - 2:019 of the State Sanitary Code. Violations of quarantine are punishable under R.S. 40:6.

Interested persons may submit comments to Daneta Dan-

iel Bardsley, Ed.D., Assistant Secretary, Office of Preventive and Public Health Services, Box 60630, New Orleans, LA 70160.

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

Fiscal and Economic Impact Statement For Administrative Rules

Rule Title: Louisiana Tuberculosis Control Program

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
This rule will not increase or decrease costs to the state or local governmental units as all activities specified in the rule are currently being carried out.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no effect on revenue collections.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
There are no estimated costs as there is no charge to patients or contacts served by the Tuberculosis Control Program. Citizens of the state will benefit by receiving tuberculosis control services.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
There is no estimated impact on competition and employment.

Daneta Daniel Bardsley
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

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

To protect the public from vaccine preventable diseases, the Office of Preventive and Public Health Services (OPPHS) administers the Vaccine Preventable Disease Program. The purpose of this Program is to prevent the occurrence and transmission of disease through immunization, surveillance, epidemiology, surveys and mass immunizations in outbreak and low protection locations.

Immunization delivery service is available to each individual in Louisiana. There are no eligibility requirements for the public to obtain these services. All persons in the state may be considered to be at risk of infection although the target population are individuals susceptible to the following vaccine preventable diseases: Diphtheria, Tetanus, Pertussis, Poliomyelitis, Rubeola, Rubella and Mumps.

When an individual seeks immunization services, an immunization record is completed. The patient, parent or guardian, as appropriate, is required to execute an informed consent form. Each time the patient returns to the health unit for an additional immunization the patient, parent or guardian, as appropriate, is required to execute an informed consent form. The signed portion of the consent form is retained and filed by the health unit; the remainder of the informed consent form is returned to the patient for reference.

A public health nurse shall review the consent form with the patient, parent or guardian, as appropriate, to discuss the illness, the risks, contraindications, and side effects of the vaccine and to answer any questions.

These program activities are authorized and/or mandated by LSA - R.S. 40:5.

Comments regarding the proposed rule should be addressed to: Daneta Daniel Bardsley, Ed.D., Assistant Secretary, Office of Preventive and Public Health Services, Department of Health and Human Resources, Box 60630, New Orleans, LA 70160.

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

Fiscal and Economic Impact Statement For Administrative Rules

Rule Title: Vaccine Preventable Disease Section

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There are no additional costs or savings to state or local government units due to the adoption of this rule.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
This rule will not have any effect on revenue collections.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
Through the use of vaccines all persons in the state will benefit by not being infected by the diseases, therefore being able to lead a healthier and more productive life.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
There will be no estimated effect on competition and employment.

Daneta Daniel Bardsley
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

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

The Office of Preventive and Public Health Services (OPPHS) administers the Venereal Disease Control Program to protect the public against sexually-transmitted (i.e., venereal) diseases. The purpose of the program is to prevent death, disability and social loss by reducing and preventing the incidence of sexually transmitted diseases through treatment of infected patients and the identification of potentially infectious patients and their medical evaluation.

There are no eligibility requirements for the public to obtain these services. All persons in the state may be considered to be at risk of infection, although the target population is usually considered to be sexually active persons between the ages of 14 and 45. Minors may be examined and treated for venereal disease in Louisiana without the consent of parents or guardians. This mandate is contained in R.S. 40:1065.1 under minor's consent for treatment of venereal diseases.

The first step in the control of venereal disease is its rapid identification, followed by notification to the local health authority that a case of disease exists within the particular jurisdiction so that prevention or containment measures can be enacted. These program-related activities are authorized and/or mandated by LSA-R.S. 40:1061-1068 and Chapter II of the Louisiana State Sanitary Code concerning the reporting of venereal disease. To summarize the codal provisions, it is the duty of every physician practicing medicine in the state of Louisiana to report to the State Health Of-

ficer, through the health unit of the parish or municipality wherein such physician practices, any case of reportable disease (including sexually transmitted diseases) which he is attending. The report shall be made promptly at the time the physician first visits, examines or prescribes for the patient, and such report shall state the name, age, sex, race, place where the patient is to be found, nature of the disease and date of onset. OPPHS does not follow-up private patients unless requested to by or with the permission of the private physicians. Venereal disease records are confidential and every effort shall be made to ensure the confidentiality even in the clinical setting. The authority for the confidential nature of sexually transmitted disease records is contained in R.S.44:3.

OPPHS conducts four basic activities pertaining to the control of venereal disease: (1) clinic services, which involve testing, diagnosis, and treatment of persons seen in the clinics; (2) epidemiology, which is the location and early treatment of sexual contacts of persons who have venereal disease; (3) screening, as a mechanism to discover infections in certain populations; and (4) education, primarily of patients, as to the nature of their disease. OPPHS administers these services through health units in all 64 parishes.

OPPHS recommendations for treatment of venereal disease patients were published in the *Sexually Transmitted Disease Control Manual*, revised April, 1984. This document was authored by the Venereal Disease Control Section of DHHR/OPPHS. Copies of the manual can be obtained from the VD Control Section, Box 60630, New Orleans, LA 70160.

Comments may be submitted to Daneta Daniel Bardsley, Ed.D., Assistant Secretary, Office of Preventive and Public Health Services, Box 60630, New Orleans, LA 70160.

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

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Venereal Disease Control**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There are no agency implementation costs nor savings as all activities specified in the rule are currently being carried out.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
This rule will not have any effect on revenue collections.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
Through the treatment and epidemiology of persons infected with venereal disease the state will benefit by not having as many people infected thereby allowing the citizens of the state to lead a healthier and more productive life.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
There is no effect on competition and employment as no new activities will be carried out.

Daneta Daniel Bardsley
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

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

The Department of Health and Human Resources, Office

of Preventive and Public Health Services proposes to adopt the following rule pursuant to LSA - R.S. 40:33 and LSA - R.S. 40:41 and pertaining to disclosure of marriage records on file in the Vital Records Registry.

Proposed Rule

Pursuant to LSA - R.S. 40:41C, persons seeking to obtain copies of Orleans parish marriage records, which are the only marriage records on file in the vital records registry, are not required to demonstrate a tangible interest; however, space, personnel, and equipment limitations and the fragile conditions of many of these records make direct access to the document impractical. The requestor shall provide the names of the bride and groom and date of the marriage, thereby enabling registry staff to retrieve and certify a copy. The fee set forth in LSA - R.S. 40:40 is applicable.

Interested persons may submit written comments on the proposed rules to Daneta Daniel Bardsley, Ed.D., Office of Preventive and Public Health Services, Box 60630, New Orleans, LA 70160, phone: (504)568-5052.

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

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

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There are no implementation costs to be considered.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
This rule will not affect revenue collections.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
There are no estimated costs and/or economic benefits to directly affected persons or non-governmental groups.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
There is no estimated impact on competition and employment.

Daneta Daniel Bardsley
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

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

The Department of Health and Human Resources, Office of Preventive and Public Health Services, proposes to adopt the following rule pursuant to LSA - R.S. 40:33 and the Administrative Procedure Act and pertaining to program guidelines having general applicability which prescribe program requirements appropriate to the vital records registry.

A. REQUIREMENTS FOR CERTIFIED RECORDS SOLICITED THROUGH THE MAILS

Certified copies of records in the custody of the State Registrar may be purchased by writing to Vital Records, Box 60630, New Orleans, LA 70160. Release of these records is possible when the requirements as set forth in R.S. 40:32 et seq. are met. When writing, the requestor shall:

1. Indicate his/her relationship to the person named in the document.

2. Provide the necessary identifying information to enable vital records personnel to locate the document:

Births—\$6 long form, \$3 short form:

- a. name of registrant
- b. date
- c. city or parish of birth
- d. maiden name of mother
- e. name of father

Deaths—\$5:

- a. name of deceased
- b. date of death
- c. city or parish of death

Marriage—\$5:

(Note: Only records pertaining to a license purchased in Orleans parish are available through the registry. In all parishes, except Orleans, certified copies of marriage certificates may be obtained from the clerk of court in the parish of license purchase.)

- a. name of bride
- b. name of groom
- c. date of marriage

Payment must be made either by check or money order; the registry cannot accept responsibility for cash sent through the mails.

B. REQUIREMENTS FOR CERTIFIED RECORDS SOLICITED AT THE SERVICE COUNTER

Certified copies may be purchased by the requestor appearing in person at 325 Loyola Avenue, Room 103, between the hours of 8:15 a.m. and 4 p.m. Mondays through Fridays. The requestor must complete a form supplying the pertinent information enumerated in Section A, sign the form signifying that he/she has met the tangible interest requirements set forth in R.S. 40:41C and paid the collectable fee as set forth in R.S. 40:40. Payment must be made in cash or by check or money order.

C. REQUIREMENTS FOR OBTAINING A LICENSE TO MARRY IN NEW ORLEANS, LOUISIANA

Application for license may be made by either party, (Both parties need not be present.) One of the applicants must be a resident of Orleans parish. See C.C. Art. 100.

A 72-hour waiting period is required by R.S. 9:203 between time of issuance of license and the ceremony. Permission to waive waiting period may be granted by a judge of the First City Court and must be attached to the returned license.

As required by R.S. 9:242, certified copies of birth records shall be presented for both parties. (This requirement may be waived by a judge of the First City Court for those born outside Louisiana.) The certified copy of birth certificate shall be one issued by the proper vital statistics registration authority of the city, state, or county of birth. The raised seal or stamp of the agency or authority issuing the certificate must be fixed thereto.

Marriage between a male and female under age 18 is prohibited by R.S. 9:208, unless as specified below. Applicants over the age of 16 but less than 18 will need the signed consent of both parents or an order from a judge of juvenile court. Females under age 16 will be issued a license only upon the written order of the juvenile court judge.

A medical certificate is required of both parties and must be issued by a physician licensed to practice in the state of Louisiana. Said certificate must be dated within 10 days of the date of application stating that the parties have been examined and are free of all venereal diseases as provided in R.S. 9:241.

If either party has been divorced, a certified copy of the final decree of divorce shall be presented to the issuing officer. See C.C. Art. 93.

A certified copy of a death certificate shall be presented

when a widow or widower is applying for a license to marry. See C.C. Art. 93.

A marriage license expires and becomes invalid 30 days after date issued as set forth in R.S. 9:206.

The fee for issuance of a marriage license is five dollars payable by cash, check or money order as set forth in R.S. 40:40.

D. REQUIREMENTS FOR PURCHASE OF BURIAL TRANSIT PERMITS

When appearing in proper person, burial transit permits may be purchased at a cost of two dollars by licensed funeral directors and embalmers, as well as others authorized to do so by the State Health Officer acting as permitted by R.S. 40:5, when the conditions listed hereinunder are met:

1. The death certificate must be completed as set forth in R.S. 40:34. If the entire certificate is completed, a burial transit permit is issued.

2. In cases wherein the certificate preparer fails to present a duly completed and executed certificate for reasons beyond his control, a tentative permit may be issued with the understanding that the certificate will be completed as quickly as humanly possible.

3. If certified copies of the completed certificate are required at the point the permit is issued, the funeral director or embalmer must complete an application and pay fees as set forth in R.S. 40:40.

E. REQUIREMENTS FOR REGISTRATION OF CHILDREN BORN OUTSIDE OF HOSPITALS

In addition to requirements set forth in R.S. 40:45B, registration shall occur in the parish health unit with the person in attendance appearing in proper person.

F. REQUIREMENTS FOR CERTIFICATE ALTERATIONS FOLLOWING NAME CHANGE JUDGMENTS

Attention is called to R.S. 13:4751 through R.S. 13:4755, concerning "change of name". In addition to other requirements set forth therein, certain requisites must be met if the birth record on file in the vital records registry is to reflect the results of proceedings under the name change statute. Complete identifying personal data on the petitioner is essential.

The data shall include:

- a. petitioner's name at birth
- b. birth date
- c. birthplace
- d. mother's maiden name
- e. father's name

The identifying data shall be included in a certified copy of the judgment presented to the Registry, or if not in the judgment, in the petition, in which case a certified copy of both petition and judgment must be furnished.

G. REQUIREMENTS TO BE MET WHEN THERE IS NO RECORD OF MARRIAGE ON FILE

When it develops that a license was issued in Orleans parish and a record of the marriage is not on file in the registry, the procedure appearing below shall be followed in the order listed.

1. Should the officiant have the original record of marriage in his possession, the registry will record same.

2. Should the officiant have a duplicate original in his possession containing his certification and all required signatures, the registry will record same.

3. Should the original keepsake copy furnished to the bride and groom be available, that document along with an authentic act executed by the officiant and a completed marriage record (PHS-5A) will support a recording of the marriage in the registry. In cases wherein only a photostat of the keepsake copy is available, at least one witness to the ceremony must execute an authentic act as well.

4. In the event items 1-3 cannot be applied and a duplicate license is available in registry files, that duplicate may be made available to the bride and groom. All requirements for purchase of a license shall be waived with the exception of the medical one. The completed record shall be recorded and the date of the marriage shall be a date subsequent to the date the duplicate was released to the bride and groom.

Interested persons may submit written comments on the proposed rules to Daneta Daniel Bardsley, Ed.D., Office of Preventive and Public Health Services, Box 60630, New Orleans, LA 70160, Phone: (504)568-5052.

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

Fiscal and Economic Impact Statement For Administrative Rules

Rule Title: Program Guidelines

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There are no implementation costs to be considered.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
This rule will not affect revenue collections.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
There are no estimated costs and/or economic benefits to directly affected persons or non-governmental groups.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
There is no estimated impact on competition and employment.

Daneta Daniel Bardsley
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

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

The Department of Health and Human Resources, Office of Preventive and Public Health Services, proposes to adopt the following rule pursuant to LSA - R.S. 40:33 and LSA - R.S. 40:59 and pertaining to proofs to be submitted by any applicant for an alteration of a certificate on file in the vital records registry.

Proposed Rule

All documents submitted to accomplish alterations to vital records in the custody of the State Registrar shall be certified, true copies of the original instrument. No alteration may be made to an original signature. All alterations shall be effected as set forth in Volume 9 Number 5, page 324 of the *Louisiana Register* dated May 20, 1983.

CERTIFICATE OF LIVE BIRTH

Last Name—Obvious errors in spelling may be altered by a baptismal record or letter issued by the delivering hospital or midwife from their medical records.

A complete change of surname can be made with an acknowledgment of paternity or act of legitimation for illegitimate births; the parents marriage application for legitimate births; a name change judgment will suffice in all instances.

First and Second Names—Between birth and 12 years of age, these names may be altered by an affidavit executed by the

mother and father (if a father's name appears on the certificate) or the survivor of them or the parent having legal custody or a baptismal certificate or delivering hospital record.

The names of persons over 12 years of age may be altered by a five year old record containing the registrant's facts of birth, e.g., school record, marriage application, baptismal certificate, application for a social security number or voter registration record.

Date of Birth—In instances where the request for alteration encompasses a period of less than one calendar year, a hospital statement or baptismal certificate (if baptism occurred during the first year) may be utilized to alter this item. Note that this is possible only where the new birth date is prior to the file date shown on the certificate.

Hour of birth, this birth, order of birth, place of birth, date of birth, date of signature and the Section entitled "Information for Medical and Health Use Only"—Items appearing in or under these listed designations will require a statement signed by the hospital administration, attending physician or midwife.

Sex—In cases of erroneous classification at birth, this item may be altered by hospital, attending physician or midwife records, an early school record or marriage application.

Other requests for alteration relating to sex will be processed as set forth in LSA - R.S. 40:62 and 40:62-1.

Father and mother of child—Information pertaining to the mother and father listed on the certificate may be altered with the parent(s)' birth certificate(s), marriage application or child's baptismal certificate.

Race—In the absence of definitive statutory or jurisprudential guidelines, a request for race alteration must be handled on a case by case basis with the applicant submitting documents pertaining to his/her ancestry to support the change. The state registrar or his representative will offer suggestions or assistance in an attempt to reach an amicable solution.

DELAYED CERTIFICATE OF BIRTH

All alterations to this document shall be predicated upon an order from a court of competent jurisdiction. If the alteration pertains to date of birth, the order shall be issued by Civil District Court for the Parish of Orleans.

CERTIFICATE OF DEATH

The coroner of the parish where death occurred can cause alteration of any item on a death certificate, when that request is communicated on his letterhead with his original signature. Otherwise, alterations may be effected upon presentation of proofs appearing hereinbelow.

Last Name, parents and birthplace—Alterations to the last name shall be predicated upon the birth certificate of the deceased (if available), a baptismal certificate or the parents' marriage application.

First, second name, date of birth and sex—These items may be altered by a five year old record containing the registrant's facts of birth, e.g., school record, marriage application, baptismal certificate, application for a social security number or voter registration record.

Date, place and hour of death—Alterations of these sections will require a written statement of the attending physician or coroner.

Surviving spouse—Where a name of a spouse does not appear on the certificate, it may be added with the marriage application and affidavit executed by the surviving spouse that he/she has not remarried. In the event a request is made to the Registry to displace the name of a spouse shown on the certificate, the Registry may consider an order from a court of competent jurisdiction.

Usual occupation, kind of business or industry and usual

residence of deceased—An affidavit executed by the informant will cause this section to be amended.

Cause of death, death due to external violence and physician's certification—Alterations to these sections can only occur after receipt of a written statement of the attending physician or coroner submitted on his letterhead and containing his original signature.

Type of disposition and name and location of cemetery—Alteration to this section shall be supported by a statement signed by the sexton.

CERTIFICATE OF MARRIAGE

Only those marriage records on file in the vital records registry representing the purchase of a license in Orleans parish are addressed in this section. Requests for alterations to other marriage records should be brought to the attention of the clerk of court in the parish of license purchase.

Information pertaining to the bride or groom extracted from the birth certificate presented upon application for license may be altered by an amended birth certificate or an order issued by a court of competent jurisdiction.

Data pertaining to usual residence can be altered with an affidavit executed by the affected marriage participant.

INACTIVE FILES

At the expiration of six months, all files which do not evidence activity during that period shall be closed and all documents submitted shall be returned to the customer.

Interested persons may submit written comments on the proposed rules to Daneta Daniel Bardsley, Ed.D., Office of Preventive and Public Health Services, Box 60630, New Orleans, LA 70160, phone: (504)568-5052.

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

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

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There are no implementation costs to be considered.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
This rule will not affect revenue collections.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
There are no estimated costs and/or economic benefits to directly affected persons or non-governmental groups.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
There is no estimated impact on competition and employment.

Daneta Daniel Bardsley
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

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

A. Overview (General):

The Water Quality Program of Department of Health and Human Resources (DHHR) is administered by the Office of Preventive and Public Health Services (OPPHS). Program-related

activities are authorized, delineated and/or mandated by LSA-R.S. Title 40 and other related statutes, the Louisiana State Sanitary Code, and Memorandums of Understanding. The purpose of the Water Quality Program is to regulate sewage treatment, sanitary sewerage disposal and other water and wastewater matters in order to safeguard the general public health.

B. Administrative Procedures (Specific):

Services rendered by OPPHS in response to Water Quality Program responsibilities are public health-oriented in nature. Program services are offered upon request and are governed by program priorities. Program regulations, as are detailed in Chapters 1, 13, and 16 of the Louisiana State Sanitary Code, generally constitute the basis for the majority of the activities attributable to Water Quality Program. Among these activities are responsibilities for plans review, permitting, approvals, facilities and premises inspections, surveillance, sample collections, laboratory and field testing, complaint investigations, code compliance assurance and related enforcement. OPPHS may respond to requests from other state and federal agencies, such as the U.S. Army Corps of Engineers and the La. Department of Natural Resources, for comments and/or letters of objection or no objection pertaining to proposed developments or activities which require the approval of such agencies prior to their initiation. Comments or letters of objection or no objection shall be based upon the substantive criteria contained in the Sanitary Code and in any other applicable DHHR regulations. Pursuant to LRS 48:385 and other state or federal statutory requirements, DHHR may respond to petitions or other opportunities for review or consideration in matters requiring consent or denial of consent, as appropriate. Such considerations shall be based upon the substantive criteria contained in the Sanitary Code and other applicable DHHR regulations.

All Water Quality Program services are free of charge. While verbal requests for services may be honored, written requests may be required. Requests shall be conveyed to the chief sanitarian of the parish health unit having jurisdiction over the parish in which the service is to be rendered. Final disposition with respect to service requests shall be made by the DHHR secretary or designee.

Comments regarding the proposed rule should be addressed to: Daneta Daniel Bardsley, Ed.D., Assistant Secretary, Office of Preventive and Public Health Services, Department of Health and Human Resources, Box 60630, New Orleans, LA 70160. A public review hearing will be held on November 5, 1985 at 10 a.m. at 325 Loyola Avenue, Room 511, New Orleans to hear comments on the proposed rule.

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

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

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
No additional costs or savings are anticipated to state or local governmental units.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
Revenue collections of state or local governmental units will not be affected as a result of the implementation of this rule.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
No additional costs and/or economic benefits are anticipated as a result of the implementation of this rule.

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

No discernible effects on competition and employment are anticipated as a result of the implementation of this rule.

Daneta Daniel Bardsley
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Natural Resources
Office of Forestry**

The Office of Forestry, in accordance with Act 591 of 1970, plans to increase its fees to be collected at Indian Creek Recreation Area as follows:

	Current	Proposed
Regular Camping	\$7/night	\$10/night
Primitive Camping	\$4/night	\$ 7/night
Entry Fees	\$2/car + 25¢/person over 4	\$ 2/car + 50¢/person over 6

The Office of Forestry will hold a hearing at 1 p.m. on Monday, November 4, 1985, at the Alexander State Forest, Woodworth, Louisiana.

Interested parties will be given an opportunity to present views and comments at the meeting. Written comments may be submitted to Michael P. Mety, State Forester, Office of Forestry, Box 1628, Baton Rouge, Louisiana 70821.

Michael P. Mety
State Forester

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

Rule Title: Fees: Indian Creek Recreation Area

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

There will be no implementation costs to any state or local governments because existing staff can handle the workload.

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

The estimated effect on revenue collections will be approximately \$45,000 to the state, all of which will be utilized to cover necessary major repairs and increased operating costs.

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

Additional costs will be borne by those who utilize the Indian Creek Recreation Area. The costs will be as follows:

	Current	Proposed
Regular Camping	\$7/night	\$10/night
Primitive Camping	\$4/night	\$ 7/night
Entry Fees	\$2/car + 25¢/person over 4	\$ 2/car + 50¢/person over 6

The funds will be used to carry out road repairs, general camp/day use grounds, and day-to-day operations which should benefit users.

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

There will be no anticipated effect on either competition or employment as other campgrounds are either at this level of fees or plan to increase by next year.

W. D. Mercer
Associate State Forester

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Natural Resources
Office of the Secretary**

Fishermen's Gear Compensation Fund

In accordance with Louisiana Revised Statutes 49:950 et seq., the Administrative Procedure Act and R.S. 56:700.1 through 56:700.5, the Fishermen's Gear Compensation Fund, notice is hereby given by the Department of Natural Resources that the balance in the Fishermen's Gear Compensation Fund has reached less than one hundred thousand dollars, and as provided in R.S. 56:700.2, an additional fee will be assessed on December 20, 1985. The fee will be in the amount of three hundred dollars per state mineral lease and three hundred dollars per state right-of-way. The fee will apply to all leases and rights-of-way located in the Coastal Zone of Louisiana.

Any questions or comments relative to this fee should be directed to Edward M. Wagner, Jr., Administrator, Fishermen's Gear Compensation Fund, P.O. Box 44124, Capitol Station, Baton Rouge, LA 70804. Telephone (504) 342-4600, and should be received by November 20, 1985.

Edward M. Wagner, Jr.
Administrator

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

Rule Title: Fee Notice

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

There will be no additional implementation costs (savings) to state or local governmental units being that existing staff can handle the related workload.

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

This assessment will generate approximately \$600,000 for use in paying claims against the fund. The additional revenues will result from a \$300 assessment per state mineral lease and per state right-of-way.

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

The assessment will affect the petroleum exploration and transmission industry. Failure to assess the fees will result in failure of the program to function as intended by the legislature. (i.e., the payment of damaged gear claims by Louisiana fishermen.)

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

There will be no effect on competition and employment, being that this rule simply announces a fee authorized by an act of the legislature.

F. Carl Rowan
Undersecretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Public Safety and Corrections
Corrections Services**

The Louisiana Department of Public Safety and Corrections, Corrections Services, advertises its intent to amend its regulation relative to the adult offender furlough policy.

Interested persons may submit written comments on the

proposed amendments at the following address: Joan Hunt, Attorney, Department of Public Safety and Corrections, Box 94304, Baton Rouge, LA 70804.

C. Paul Phelps
Secretary

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

Rule Title: Adult Offender Furloughs (30-7)

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no implementation costs to the state.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no effect on revenue collections.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
There will be no estimated costs and/or economic benefits to directly affected persons or non-government groups.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
There is no estimated effect on competition and employment.

C. Paul Phelps
Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Public Safety and Corrections
Corrections Services**

The Louisiana Department of Public Safety and Corrections, Corrections Services, advertises its intent to publish a regulation establishing a policy regarding escorted trips of adult inmates outside the confines of the institutions.

Interested persons may submit written comments on the proposed regulation at the following address: Joan Hunt, Attorney, Department of Public Safety and Corrections, Box 94304, Baton Rouge, LA 70804.

C. Paul Phelps
Secretary

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

Rule Title: Escorted Inmate Absences

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no implementation costs to the state.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no effect on revenue collections.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
There will be no estimated costs and/or economic benefits to directly affected persons or non-government groups.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
There is no estimated effect on competition and employment.

C. Paul Phelps
Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Public Safety and Corrections
Corrections Services**

The Louisiana Department of Public Safety and Corrections, Corrections Services, advertises its intent to publish a regulation establishing a policy regarding escorted trips of state inmates outside the confines of the parish jail or multi-parish prison.

Interested persons may submit written comments on the proposed regulation at the following address: Joan Hunt, Attorney, Department of Public Safety and Corrections, Box 94304, Baton Rouge, LA 70804.

C. Paul Phelps
Secretary

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

**Rule Title: Escorted Inmate Absences for
State Inmates in Parish Jails and
Multi-Parish Prisons**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no implementation costs to the state.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no effect on revenue collections.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
There will be no estimated costs and/or economic benefits to directly affected persons or non-government groups.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
There is no estimated effect on competition and employment.

C. Paul Phelps
Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Public Safety and Corrections
Corrections Services**

The Louisiana Department of Public Safety and Corrections, Corrections Services, advertises its intent to publish a regulation establishing a policy regarding escorted trips of state inmates off of the grounds of the community rehabilitation centers.

Interested persons may submit written comments on the proposed regulation at the following address: Joan Hunt, Attorney, Department of Public Safety and Corrections, Box 94304, Baton Rouge, LA 70804.

C. Paul Phelps
Secretary

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Escorted Inmate Absences for State
Inmates in Community Rehabilitation Centers**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no implementation costs to the state.

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

There will be no effect on revenue collections.

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

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

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

There is no estimated effect on competition and employment.

C. Paul Phelps
Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Public Safety and Corrections
Corrections Services**

The Louisiana Department of Public Safety and Corrections, Corrections Services, advertises its intent to publish a regulation establishing the policy and procedures for obtaining medical furloughs from the department.

Interested persons may submit written comments on the proposed regulation at the following address: Joan Hunt, Attorney, Department of Public Safety and Corrections, Box 94304, Baton Rouge, LA 70804.

C. Paul Phelps
Secretary

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

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

There will be no implementation costs to the state.

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

There will be no effect on revenue collections.

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

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

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

There is no estimated effect on competition and employment.

C. Paul Phelps
Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Revenue and Taxation
Sales Tax Section**

The Department of Revenue and Taxation advertises its intent to adopt a regulation which prescribed a standardized format for reporting local sales and use taxes.

Interested persons may submit their written comments on the proposed regulation to the following address: R. Charles Brad-

ley, Jr., Director, Sales Tax Section, Louisiana Department of Revenue and Taxation, Box 3863, Baton Rouge, LA 70821. A public hearing for the purpose of hearing objections to and comments on this proposed regulation will be held on October 31, 1985, at 10 a.m., in the second floor conference room of the Department of Revenue and Taxation, which is located at 330 North Ardenwood Drive, Baton Rouge, LA.

The text of the proposed regulation is as follows:

Proposed Regulation

Louisiana Revised Statutes 33:2713.1, 2737(G), and 2741.1 provide that the secretary of Revenue and Taxation shall adopt a standard sales and use tax reporting format for use by all local taxing jurisdictions in the state. The format herewith adopted is that which was adopted by the Board of Directors of the Louisiana Association of Tax Administrators and approved by the executive boards of the Louisiana Municipal Association, the Police Jury Association of Louisiana, and the Louisiana School Board Association.

The adopted format will consist of 25 numbered format lines for single-column forms, and 26 numbered format lines for multiple-column forms. The lines and the necessary headings will appear in the following order:

SALES AND USE TAX RETURN

1. Gross Sales of Tangible Personal Property, Leases, Rentals and Services as Reported to the State of Louisiana.

ALLOWABLE DEDUCTIONS

2. Sales for Resale
3. Cash Discounts, Sales Returns & Allowances
4. Sales Delivered or Shipped Outside This Jurisdiction
5. Sales of Gasoline and Motor Fuels
6. Sales to U.S. Government and State of Louisiana Other Deductions Authorized by Law (explain briefly)

7.

8.

9.

10.

11. Total Allowable Deductions (Lines 2 thru 10)

COMPUTATION OF SALES AND USE TAX

12. Adjusted Gross Sales (line 1 minus line 11)
13. Adjusted Gross Sales in Each Jurisdiction (applies only if multiple-column form used—will be blank for single-column forms)

14. Purchases Subject to Use Tax in Each Jurisdiction

15. Total (line 13 plus line 14)

16. Tax (% line 15)

17. Excess Tax Collected

18. Total (line 16 plus line 17)

19. Vendor's Compensation (% of line 18—deductible only when payment is not delinquent)

20. Net Tax Due (line 18 minus line 19)

21. Delinquent Penalty (5% of tax for each 30 days or fraction thereof of delinquency, not to exceed 25% in the aggregate)

22. Interest

23. Total Tax, Penalty, and Interest Due

24. Tax Debit or Credit (authorized memo must be attached)

25. Total Amount Due (line 23 plus or minus line 24)

26. Remittance Attached (applies only if multiple-column form used—will be blank for single-column forms)

The above format lines are required and must appear on the return in the same sequence as they appear above. None of these lines may be omitted from the return. Additional format lines may be added, however, as needed. Governing authorities which are authorized to collect an advance tax on sales made by whole-

salers, manufacturers, jobbers, and suppliers, under the provisions of R.S. 47:306(B)(7) and 306(C), will substitute the following four format lines for format lines 19 and 20 above.

19. (a) Vendor's compensation (% of line 18—deductible only when payment is not delinquent)

(b) Advance Sales Tax Credit (amount of local tax paid on purchases for resale at retail)

(c) Total of 19 (a) and (b)

20. Net Tax Due (line 18 minus line 19 (c))

In addition to the foregoing, all local sales and use tax returns shall contain all elements necessary for proper administration and collection of the tax, such as a notice of the return due and delinquent dates, and a declaration of accuracy and correctness by the reporting taxpayer along with the appropriate spaces for the taxpayer or his paid preparer to sign and date the return. The returns may be printed on paper of any color and size which is compatible with local requirements, and may be printed thereon in any arrangement necessary and with as many columns as necessary.

Local taxing jurisdictions may implement use of the new format at any time that the new return forms become available, or whenever supplies of the existing form have been exhausted; but in no case shall the new format be implemented later than the reporting period of January 1987.

Shirley McNamara
Secretary

Fiscal and Economic Impact Statement For Administrative Rules

Rule Title: Reporting Format for Local Sales and Use Tax

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

There will be no cost and no savings to the Department of Revenue and Taxation.

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

In that the act requires the format sales tax report to include a space for showing the Louisiana state sales tax account number, the new format may result in a slight increase in registration compliance by dealers, with a negligible increase in Revenue collections.

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

The act allows all political subdivisions until January 1, 1987 to begin the use of the new format. All existing supplies of the present forms in use should be depleted in that time, thus creating no new or additional cost for local governmental bodies. Although an amount cannot be determined, taxpayers with multijurisdictional operations may derive some savings in administrative costs as a result of having a single, standard tax format to remit taxes to each jurisdiction, as opposed to multiple forms.

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

There will be no effect on competition or employment.

R. C. Bradley, Jr.
Director

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Transportation and Development Board of Registration for Professional Engineers and Land Surveyors

In accordance with R.S. 49:950, et seq, notice is hereby given that the Louisiana State Board of Registration for Professional Engineers and Land Surveyors intends to revise its bylaws in its entirety. These revisions are an effort by the board to clarify the present bylaws so that they are better understood. A copy of these bylaws may be obtained by contacting Paul L. Landry, P. E., Executive Secretary, Board of Registration for Professional Engineers and Land Surveyors, 1055 St. Charles Avenue, Suite 415, New Orleans, Louisiana. Telephone (504) 568-8450.

Interested persons may submit written comments or offer amendments to the proposed bylaws to the board office at 1055 St. Charles Avenue, Suite 415, New Orleans, Louisiana 70130, at any time prior to November 15, 1985. The board proposes to consider and take action on the adoption of these bylaws at a meeting in its office at 11 a.m. on November 19, 1985.

By order of the Louisiana State Board of Registration for Professional Engineers and Land Surveyors.

Paul L. Landry, P. E.
Executive Secretary

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

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

There are no estimated implementation costs or savings to the Board.

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)

None.

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

These changes in the bylaws will have no effect on competition or employment.

Paul L. Landry
Executive Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The Louisiana Wildlife and Fisheries Commission advertises its intent to establish and permit a special 71-day commercial fishing season allowing the use of nets in Lake Bruin, Tensas Parish, Louisiana, for the period beginning at sunrise December 20, 1985 and to close at sunset February 28, 1986.

The use of nets in Lake Bruin will be limited to:

Freshwater gill nets and trammel nets greater than or having at least a minimum mesh of 3½" bar and 7" stretched.

Freshwater fish seines greater than or having at least a minimum mesh of 2" bar or 4" stretched.

Commercial fishermen will be required to obtain a special permit from the Louisiana Department of Wildlife and Fisheries to

fish with nets in Lake Bruin during this special season and will also submit a monthly catch report to the department.

Net fishing will be permitted during daylight hours only, except that trammel and gill nets can remain set overnight but fish captured may be removed during daylight hours only.

Interested persons may submit written comments on the proposed commercial fishing season at the following address: J. Burton Angelle, Secretary, Department of Wildlife and Fisheries, Box 15570, Baton Rouge, LA 70895.

J. Burton Angelle
Secretary

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

Rule Title: Lake Bruin - Commercial Fishing Season

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
Not applicable. Tensas Parish enforcement agents are presently employed to patrol Lake Bruin as part of their routine duty in Tensas Parish. Whether or not this special season is implemented will not affect their present job description, duties and cost.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
State sales tax will be collected on commercial fish sold. However, this will be a minimal amount.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
This special commercial fishing season will provide employment and a source of revenue to commercial fishermen who take advantage of this program.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
This special season will provide employment and revenue to those fishermen who partake in it, thereby relieving unemployment problems in that area.

Mary Mitchell
Chief Fiscal Officer

David W. Hood
Legislative Fiscal Analyst

Administrative Code Update

ADMINISTRATIVE CODE UPDATE

July 1985 to September 1985

Volume	Title	Section	Effect	Location
1	1	103	Amended	LR 11:856
1	1	105	Amended	LR 11:856
2	7	8809	Amended	LR 11:682
2	7	8835-8871	Repealed	LR 11:682
2	7	8873-8889	Repealed	LR 11:683

Potpourri

POTPOURRI

**Department of Agriculture
Office of Agricultural and Environmental Sciences
Apiary Law**

Notice of Quarantine
Honey Bee Trachael Mite

In accordance with the provisions of the Louisiana Apiary Law and by virtue of the authority of the state entomologist under the provisions of R.S. 3:2304 and LAC 7:11915, notice is hereby given that the state entomologist for the Department of Agriculture has confirmed the presence of the highly contagious honey bee trachael mite in the state of Louisiana and has established a quarantine to prevent the spread of the mite.

Extensive sampling and testing have confirmed the mite's presence in a certain geographically restricted area. The state entomologist has imposed a quarantine against any and all movement of restricted material, except by special permit, within or out of the following area in order to protect the apiary industry:

That portion of Iberia Parish in T 12 S, R 7 E, lying west of Highway 344 and north of Highway 86.

That portion of Iberia Parish in T 12 S, R 6 E, lying east of Highway 31 and north of Highway 86, connected by Highway 182.

That portion of Iberia Parish in T 11 S, R 6 E, east of Highway 31 and south of Highway 347, bounded by a line following Highway 31 to the parish line, following parish line in a northeasterly direction to Highway 347, then following Highway 347 southeastward to the intersection with Highway 86.

That portion of Iberia Parish in T 11 S, R 7 E, lying south of an imaginary line from the intersection of Highway 347 and Highway 86, to a point where Highway 344 crosses the T 11 S-T 12 S dividing line, the starting point.

Restricted articles include colonies of bees, nuclei, comb or combless packages of bees, queens, used or secondhand beekeeping fixtures or equipment, and anything that has been used in operating an apiary.

Under the authority of R.S. 3:2304, the state entomologist, his agents, and employees shall inspect the above-mentioned restricted articles for the purpose of ascertaining if any bees are infected with honey bee trachael mites and may require the destruction of any bees or beekeeping fixtures or equipment that may be infected.

This quarantine shall remain in effect indefinitely until such time that it is amended or repealed.

John W. Impson
State Entomologist

Bob Odom
Commissioner

POTPOURRI

**Department of Health and Human Resources
Cancer and Lung Trust Fund Board**

The deadline for accepting proposals for cancer research grants is November 27, 1985. Applications will be accepted for the following proposals: 1) To establish a consortium of institutions interested in cancer research and cancer research and cancer control activities, 2) original research on cancer with direct application to Louisiana populations, 3) reduction of exposure to tobacco smoke in Louisiana, and 4) ground pollution and cancer in Louisiana. Applications may be obtained by mail from Box 60630, Room 305, New Orleans, LA 70160. Applications may also be

obtained at the following Office of Preventive and Public Health Services Locations:

State Office Building Room 305 325 Loyola Avenue New Orleans, LA 70112 (504) 568-2606	Room 612 302 Jefferson Street Lafayette, LA 70501 (318) 264-5311
2913 Betin Street Monroe, LA 71201 (318) 362-5222	4240 Legion Street Lake Charles, LA 70601 (318) 491-2040
206 E. Third Street Thibodaux, LA 70301 (504) 446-0431	State Office Building Fifth Floor 1525 Fairfield Avenue Shreveport, LA 71130
1220 Main Street Baton Rouge, LA 70802 (504) 342-1616	1335 Jackson Street Alexandria, LA 71301 (318) 487-5262

Additional information may be obtained by contacting Vincent Giuffre, (504) 568-2606.

Pelayo Correa, M.D.
Chairman

POTPOURRI

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, is making the following changes in rulemaking which has previously been published:

1. Limitation on inpatient hospital services - The notice of intent, published in the September 20, 1985, *Louisiana Register* (Volume 11, Number 9, pages 901-902) which eliminates the provision for additional days beyond the 15-day limit is being withdrawn. No final rule will be published.

2. Personal care needs allowance - The notice of intent, published in the September 20, 1985, *Louisiana Register* (Volume 11, Number 9, pages 906-907) which reduces the personal care needs allowance from \$40 to \$25 is being withdrawn. A new notice of intent is being prepared which will reduce the personal care needs allowance from \$40 to \$35.

3. Louisiana maximum allowable cost regulations - The final rule, published in the September 20, 1985, *Louisiana Register*, (Volume 11, Number 9, pages 865-866) which allows the pharmacy program to include covered drugs under Louisiana maximum allowable cost regulations as they are identified as multiple source drugs is being withdrawn. This rule cannot be implemented because of a notice of intent was not published as required by R.S. 49:953.

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

POTPOURRI

Department of Natural Resources Fishermen's Gear Compensation Fund

In accordance with the provisions of the Fishermen's Gear Compensation Fund, R.S. 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 42 completed claims, amounting to \$51,461.67, were received during the month of September, 1985. During the same

month, 28 claims, amounting to \$30,719.79 were paid. The following is a list of the paid claims:

Claim No. 83-1129 Pershing Perrin	Claim No. 85-2263 John Mialjevich
Claim No. 84-1987 Ricky DeJean	Claim No. 85-2305 Kenneth Marrero
Claim No. 84-2191 Raliegh Lasseigne	Claim No. 85-2322 Ted Melancon
Claim No. 84-2214 Isadore Dardar	Claim No. 85-2331 Harry L. Phillips
Claim No. 84-2252 Kenneth R. Adams, Jr.	Claim No. 85-2343 August M. Bertoniere
Claim No. 85-2289 Carl Landen	Claim No. 84-1736 Kenneth J. Lefebvre
Claim No. 85-2315 Ellis J. Adams	Claim No. 84-2166 Kenneth R. Adams, Jr.
Claim No. 85-2329 Harry L. Phillips	Claim No. 84-2208 John Mialjevich
Claim No. 85-2341 Eddie Williams, Sr.	Claim No. 84-2251 Kenneth R. Adams, Jr.
Claim No. 85-2370 John Bergeron	Claim No. 85-2288 Carl Landen
Claim No. 84-1632 Roland Ronquille	Claim No. 85-2309 Kenneth R. Adams, Jr.
Claim No. 84-2148 Tony Goutierrez	Claim No. 85-2327 Anthony George Troups
Claim No. 84-2206 Paul J. Robeaux, Sr.	Claim No. 85-2338 Joe Higgins III
Claim No. 84-2224 Michael J. Russell	Claim No. 85-2354 Brian K. Plaisance

Hearings scheduled for the month of November, 1985 are as follows:

Tuesday, November 5, 1985, at 10:30 a.m. in the L.S.U. Cooperative Extension Service Office, Cameron Parish Court House, Cameron, LA:

CLAIM NO. 85-2307

Ashful Authement, of Cameron, LA, while trawling on the vessel, "MISS BECKY," in the Gulf of Mexico, west of Calcasieu Pass, at approximate LORAN-C readings of 26,645.0 and 46,974.3, Cameron Parish, encountered an unidentified submerged obstruction on January 10, 1985, at approximately 2 p.m., causing damage to his two 35 foot trawls. Amount of Claim: \$511.50

CLAIM NO. 85-2349

Jim Richard, Sr., of Delcambre, LA, while trawling on the vessel, "JIMBO," in the Gulf of Mexico, south of Lighthouse Pt. at LORAN-C readings of 27,370.0 and 46,940.0, Iberia Parish, encountered submerged pilings on May 11, 1985, at approximately 10 a.m., causing damage to his vessel and loss of his 40 foot balloon trawl. Amount of Claim: \$5,000

CLAIM NO. 85-2442

Phillip A. Cantrelle, of Lake Arthur, LA, while trawling on the vessel, "MEAN MACHINE," in the Gulf of Mexico, south of East Timbalier Island, at LORAN-C readings 28,268.8 and 46,823.7, Terrebonne Parish, encountered submerged pilings on June 10, 1985, at approximately 2:30 p.m., causing loss of his 50 foot trawl. Amount of claim: \$1,294.98

CLAIM NO. 85-2443

Phillip A. Cantrelle, of Lake Arthur, LA, while trawling on

the vessel, "MEAN MACHINE," in the Gulf of Mexico, west of Belle Pass, at LORAN-C readings of 28,306.3 and 46,827.0, Lafourche Parish, encountered a submerged section of 4 inch pipe on June 17, 1985, at approximately 8:15 a.m., causing loss of his 50 foot trawl. Amount of Claim: \$929.77

CLAIM NO. 85-2462

Ronald Gaspard, of Cameron, LA, while trawling on the vessel, "CAPT. RONNIE," in the south end of Calcasieu Lake, Cameron Parish, encountered an unidentified submerged obstruction on June 7, 1985, at approximately 6:30 a.m., causing loss of his 40 foot trawl. Amount of Claim: \$595

CLAIM NO. 85-2463

Ronald Gaspard, of Cameron, LA., while trawling on the vessel, "CAPT. RONNIE," east of the Calcasieu Ship Channel in Calcasieu Lake, Cameron Parish, encountered a submerged pipe or piling on June 12, 1985, at approximately 7 a.m., causing damage to his 40 foot trawl. Amount of Claim: \$80

CLAIM NO. 85-2464

Ronald Gaspard, of Cameron, LA, while trawling on the vessel, "CAPT. RONNIE," in the south end of Calcasieu Lake, Cameron Parish, encountered an unidentified submerged obstruction on June 14, 1985, at approximately 9 a.m., causing damage to his trawl. Amount of Claim: \$80

CLAIM NO. 85-2541

Fernand Authement, of Cameron, LA, while trawling on the vessel, "MARLIN," in the Calcasieu Ship Channel, Cameron Parish, encountered a submerged vessel on June 20, 1985, at approximately 7 a.m., causing loss of his 50 foot trawl, doors, and chain. Amount of Claim: \$1,837.35

Thursday, November 7, 1985, at 1:30 p.m., in the Police Jury Office, 8201 West Judge Perez Drive, in Chalmette, LA:

CLAIM NO. 84-1633

Roland Ronquille, of LaPlace, LA, while trawling on the vessel, "LIL TOOT," on the south side of Turtle Bay, Jefferson Parish, encountered a submerged section of pipe on June 17, 1984, causing loss of his 50 foot trawl. Amount of Claim: \$525

CLAIM NO. 84-2117

Terry P. Ryan, of Kenner, LA, while trawling on the vessel "CAPT. RYAN," in Lake Pontchartrain, west of the causeway, at LORAN-C readings of 28,626.5 and 47,050.0, Jefferson Parish, encountered an unidentified submerged obstruction on October 24, 1984, at approximately 10 a.m., causing loss of his 50 foot trawl. Amount of Claim: \$500

CLAIM NO. 84-2118

Terry P. Ryan, of Kenner, LA, while trawling on the vessel, "CAPT. RYAN," in Lake Pontchartrain, south of Pass Manchac, at LORAN-C readings of 13,070.0 and 68,080.0, St. John Parish, encountered an unidentified submerged obstruction on November 2, 1984, at approximately 9 a.m., causing loss of his 50 foot trawl. Amount of Claim: \$499

CLAIM NO. 84-2225

Henry Martin, of Braithwaite, LA, while trawling on the vessel, "LADY LINDA," in East Bay at LORAN-C readings of 28,841.5 and 46,772.6, Plaquemines Parish, encountered an unidentified submerged obstruction on December 10, 1984, at approximately 9:30 a.m., causing loss of his 65 foot trawl and boards. Amount of Claim: \$2,273.70

CLAIM NO. 84-2226

Henry Martin, of Braithwaite, LA, while trawling on the vessel, "LADY LINDA," in East Bay, south of Picayune Bayou, at approximate LORAN-C readings of 28,932.5 and 46,779.5, Plaquemines Parish, encountered an unidentified submerged ob-

struction on December 13, 1984, at approximately 4 p.m., causing loss of his 65 foot siamese trawl. Amount of Claim: \$1,216.40

CLAIM NO. 84-2245

Nicholas J. Mones, Sr. of Chalmette, LA, while trawling on the vessel, "LADY DEBBIE," southeast of Mozambique Pt., Plaquemines Parish, encountered an unidentified submerged obstruction on December 19, 1984, at approximately 10 a.m., causing loss of his 65 foot trawl. Amount of Claim: \$1,200

CLAIM NO. 85-2277

Felix Salvador Rotolo, of New Orleans, LA, while trawling on the vessel, "ITALLION STALLION," in Chef Menteur Pass, near the entrance to Lake Borgne, Orleans parish, encountered an unidentified submerged obstruction on December 20, 1984, at approximately 10 a.m., causing loss of his trawl. Amount of Claim: \$650

CLAIM NO. 85-2320

Carl Landen, of Gonzales, LA, while trawling on the vessel, "MISS GLADYS," in the Gulf of Mexico, south of Joseph Harbor Bayou at LORAN-C readings of 26,953.6 and 46,954.3, Cameron Parish, encountered an unidentified submerged obstruction on March 26, 1985, at approximately 7:10 a.m., causing loss of his 50 foot trawl, doors, and bridle. Amount of Claim: \$1,697.34

CLAIM NO. 85-2347

The crew of Louisiana Bunkers, Inc., Mandeville, LA, while menhaden fishing on the vessel, "SEA LEADER," in the Gulf of Mexico, 2¾ miles east of Belle Pass and ¼ mile offshore, encountered an unidentified submerged obstruction on April 29, 1985, at approximately 9:30 a.m., causing damage to his menhaden nets. Amount of Claim: \$1,957.30

CLAIM NO. 85-2355

James Daspit, of Pearl River, LA, while trawling on the vessel, "COUNTRY GIRL," in the Gulf of Mexico south of Quatre Bayou Pass, at approximate LORAN-C readings of 26,824.0 and 46,868.0, Plaquemines Parish, encountered an unidentified submerged obstruction on May 16, 1985, at approximately 7:30 a.m., causing loss of his 40 foot trawl. Amount of Claim: \$593.82

CLAIM NO. 85-2358

John S. Domingo, of St. Bernard, LA, while trawling on the vessel, "CAPT. JOHN," in the Chandeleur Sound, northeast of Holmes Island, at approximate LORAN-C readings of 29,200.0 and 47,010.0, St. Bernard Parish, encountered an unidentified submerged obstruction on May 21, 1985, at approximately 2:15 p.m., causing loss of his 55 foot trawl, tickler chain and lazy line. Amount of Claim: \$1,088.90

CLAIM NO. 85-2374

Joseph Parrett, of Chalmette, LA, while trawling on the vessel, "MR. SCHLITZ," in Lake Pontchartrain, south of Big Point, at LORAN-C readings of 28,861.2 and 47,062.9, St. Tammany Parish, encountered an unidentified submerged obstruction on May 27, 1985, at approximately 7:30 a.m., causing loss of his 35 foot trawl. Amount of Claim: \$300

CLAIM NO. 85-2375

Joseph Parrett, of Chalmette, LA, while trawling on the vessel, "MR. SCHLITZ," in Lake Pontchartrain, southwest of South Point, at LORAN-C readings of 28,808.5 and 47,047.9, Orleans Parish, encountered an unidentified submerged obstruction on May 28, 1985, at approximately 8 a.m., causing loss of his trawl. Amount of Claim: \$750

CLAIM NO. 85-2392

Charles Robin, Jr., of St. Bernard, LA, while trawling on the vessel, "ELLIE MARGARET," in Morgan Harbor, west of Comfort Island, St. Bernard Parish, encountered an unidentified

submerged metal obstruction on June 5, 1985, at approximately 9:30 p.m., causing damage to his vessel. Amount of Claim: \$2,296.04

CLAIM NO. 85-2393

Harry Friese, of St. Bernard, while trawling on the vessel, "CAPT. SNAKE," in Shell Island Lake, near the cut to Fishing Smack Bay, St. Bernard Parish, encountered a submerged tree limb on June 5, 1985, at approximately 4 p.m., causing loss of his 50 foot trawl, lazy line, and tickler chain, and damage to his kangaroo tail. Amount of Claim: \$908.64

CLAIM NO. 85-2394

Gerald J. Dugas, of Slidell, while trawling on the vessel, "HONCHO," in Lake Pontchartrain, northeast of South Point, at approximate LORAN-C readings of 28,858.0 and 47,059.5, St. Tammany Parish, encountered an unidentified submerged obstruction on May 29, 1985, at approximately 2 p.m., causing loss of his trawl. Amount of Claim: \$575

CLAIM NO. 85-2417

Gary J. Treuil, of Metairie, while trawling on the vessel, "DAWN MIST," in Lake Borgne, north of Bayou Magill, St. Bernard Parish, encountered an unidentified submerged obstruction on May 20, 1985, at approximately 11 a.m., causing damage to his trawl and try net. Amount of Claim: \$330.04

CLAIM NO. 85-2418

Gary J. Treuil, of Metairie, while trawling on the vessel, "DAWN MIST," in Lake Pontchartrain, north of South Point, at approximate LORAN-C readings of 28,838.0 and 47,058.0, Orleans Parish, encountered an unidentified submerged obstruction on June 1, 1985, at approximately 9 a.m., causing loss of his trawl. Amount of Claim: \$625

CLAIM NO. 85-2423

Roland Edward Navarro, of Meraux, LA, while trawling on the vessel, "MISS WOZZIE," in Breton Sound, northeast of Little Battledore Island, at LORAN-C readings of 28,980.2 and 46,924.9, Plaquemines Parish, encountered a submerged section of pipe on June 6, 1985, at approximately 4:30 a.m., causing loss of his 65 foot trawl. Amount of Claim: \$1,138.05

CLAIM NO. 85-2424

Roland Edward Navarro, of Meraux, LA, while trawling on the vessel, "MISS WOZZIE," in Breton Sound, northeast of Little Battledore Island, at LORAN-C readings of 28,966.5 and 46,919.9, Plaquemines Parish, encountered a submerged section of pipe on June 3, 1985, at approximately 9 p.m., causing loss of his 65 foot trawl. Amount of Claim: \$1,405.32

CLAIM NO. 85-2425

Tony Guerra, Jr., of St. Bernard, while trawling on the vessel, "SANTA MARIA," in Breton Sound, between Deadman Island and Catfish Point, St. Bernard Parish, encountered submerged pipe and steel on June 15, 1985, at approximately 4:00 a.m., causing loss of his trawl and boards. Amount of Claim: \$1,310.60

CLAIM NO. 85-2426

Tony Guerra, Jr., of St. Bernard, while trawling on the vessel, "SANTA MARIA," in Eloi Bay, between Deadman Island and Catfish Point, St. Bernard Parish, encountered a submerged steel obstruction on June 14, 1985, at approximately 1 a.m., causing loss of his 45 foot trawl. Amount of Claim: \$580

CLAIM NO. 85-2431

Roland G. Navarro, of Meraux, LA, while trawling on the vessel, "VALLEY LIGHT," in Breton Sound, northeast of Little Battledore Island, at LORAN-C readings of 29,039.9 and 46,896.9, Plaquemines Parish, encountered an unidentified submerged obstruction on June 7, 1985, at approximately 4:15 a.m., causing loss

of his 50 foot trawl, tickler chain and lazy line. Amount of Claim: \$1,022.45

CLAIM NO. 85-2432

Roland G. Navarro, of Meraux, LA, while trawling on the vessel, "VALLEY LIGHT," in Breton Sound, west of the Breton Islands at LORAN-C readings of 29,060.7 and 46,905.3, Plaquemines Parish, encountered an unidentified submerged obstruction on June 9, 1985, at approximately 10 p.m., causing loss of his 50 foot trawl and tickler chain. Amount of Claim: \$1,022.45

CLAIM NO. 85-2448

Dennis Treitler, of St. Bernard, LA, while traveling on the vessel, "LA-9362-AR," in Lake Eloi, on the southwest side of the lake, St. Bernard Parish, encountered an unidentified submerged obstruction on June 10, 1985, at approximately 10 a.m., causing damage to his boat motor. Amount of Claim: \$2,090.74

CLAIM NO. 85-2452

George J. France, of Slidell, LA, while trawling on the vessel, "LA-5265-BG," in Lake Pontchartrain west of Bayou Liberty, at approximate LORAN-C readings of 28,847.0 and 47,069.4, St. Tammany Parish, encountered a submerged piling on May 24, 1985, at approximately 8 a.m., causing damage to his vessel. Amount of Claim: \$225

CLAIM NO. 85-2453

George J. France, of Slidell, LA, while trawling on the vessel, "LA BRINA JO," in Lake Pontchartrain west of the Interstate Bridge, at approximate LORAN-C readings of 28,881.0 and 47,060.0, St. Tammany Parish, encountered an unidentified submerged obstruction on May 28, 1985, at approximately 11 a.m., causing loss of his 50 foot trawl. Amount of Claim: \$680

CLAIM NO. 85-2454

George J. France, of Slidell, LA, while trawling on the vessel, "LA BRINA JO," in Lake Pontchartrain, north of Big Cedar Bayou, at approximate LORAN-C readings of 28,874.0 and 47,044.5, Orleans Parish, encountered an unidentified submerged obstruction on June 8, 1985, at approximately 9 a.m., causing damage to his trawl. Amount of Claim: \$260

CLAIM NO. 85-2469

Tracy R. Alfonso, of St. Bernard, LA, while trawling on the vessel, "STACIE LYNN," in Breton Sound, south of Mozambique Pt., Plaquemines Parish, encountered an unidentified submerged obstruction on June 23, 1985, at approximately 11 p.m., causing loss of his 50 foot trawl. Amount of Claim: \$827

CLAIM NO. 85-2470

Ricky R. Robin, of St. Bernard, LA, while trawling on the vessel, "LIL RICK," in Breton Sound, at LORAN-C readings of 29,031.4 and 46,908.3, Plaquemines Parish, encountered an unidentified submerged obstruction on June 5, 1985, at approximately 10 p.m. causing loss of his two sets of trawls, doors, and lazy line. Amount of Claim: \$3,700

CLAIM NO. 85-2472

Rodney Weiskopf, Sr., of Braithwaite, LA, while trawling on the vessel, "KURT N GENE," in Lake Pontchartrain, north of South Pt., at approximate LORAN-C readings of 28,846.0 and 47,056.5, Orleans Parish, encountered an unidentified submerged metal obstruction on June 27, 1985, at approximately 6 p.m., causing loss of his 55 foot trawl, try net and try net boards. Amount of Claim: \$1,170.87

CLAIM NO. 85-2487

Kenneth R. Adams, Jr., of New Orleans, LA, while trawling on the vessel, "SHANNA BABY," in Lake Borgne, 1¼ miles northeast of Proctor Pt., St. Bernard Parish, encountered a sunken quarter boat on June 27, 1985, at approximately 1:30 a.m., caus-

ing loss of his 45 foot trawl, tickler chain and lazy line. Amount of Claim: \$792.50

CLAIM NO. 85-2488

Kenneth R. Adams, Jr., of New Orleans, LA, while trawling on the vessel, "SHANNA BABY," in Lake Borgne, three miles east of Alligator Pt., at approximate LORAN-C readings of 28,933.0 and 47,027.2, St. Bernard Parish, encountered a submerged tree on June 28, 1985, at approximately 4 a.m., causing loss of his 45 foot trawl and tickler chain. Amount of Claim: \$757.50

CLAIM NO. 85-2489

James Daspit, of Pearl River, LA, while trawling on the vessel, "COUNTRY GIRL," in Lake Pontchartrain west of the Lakefront Airport, at approximate LORAN-C reading of 28,705.0 and 47,027.4, Orleans Parish, encountered an unidentified submerged obstruction on July 2, 1985, at approximately 6 a.m., causing loss of his trawl. Amount of Claim: \$534.15

CLAIM NO. 85-2495

Irving J. Blanchard, Sr., of Ysloskey, LA, while trawling on the vessel, "MR. RANDOLPH," in Breton Sound, south of Deadman Island, at LORAN-C readings of 29,037.7 and 46,959.3, St. Bernard Parish, encountered a submerged pile of iron on June 29, 1985, at approximately 1:30 a.m., causing loss of two 50 foot trawls, one set of trawl boards and a tickler chain. Amount of Claim: \$2,283.60

CLAIM NO. 85-2508

Arnold J. Rodriguez, Violet, LA, while trawling on the vessel, "OUR GRAND KIDS," in Breton Sound, east of Mozambique Pt., at LORAN-C readings of 28,966.4 and 46,935.3, St. Bernard Parish, encountered an unidentified submerged obstruction on June 28, 1985, at approximately 1:35 a.m., causing loss of his trawl and boards. Amount of Claim: \$2,956.40

CLAIM NO. 85-2526

Malcolm J. Assevado, of St. Bernard, LA, while trawling on the vessel, "LADY CYNTHIA," in Morgan Harbor, near White Log Lake, St. Bernard Parish, encountered a submerged section of drill pipe or flow line on June 8, 1985, at approximately 1 a.m., causing damage to his vessel. Amount of Claim: \$3,604

CLAIM NO. 85-2545

Percy Jeanfreau, of Braithwaite, LA, while trawling on the vessel, "SINGING RIVER," in Hopedale Lagoon, St. Bernard Parish, encountered a section of 8 inch pipe on July 4, 1985, at approximately 5 p.m., causing damage to his vessel. Amount of Claim: \$1,463.15

CLAIM NO. 85-2546

Royce C. Perez, Sr., of St. Bernard, LA, while trawling on the vessel, "SPANISH MOSS," in Morgan Harbor, near White Log Lake, St. Bernard Parish, encountered an unidentified submerged metal obstruction on July 2, 1985, at approximately 5 a.m., causing damage to his vessel. Amount of Claim: \$1,453.45

CLAIM NO. 85-2556

William Stander, of St. Bernard, LA, while trawling on the vessel, "KRISTEN MARIE," in Lake Borgne, east of Alligator Point, at LORAN-C readings of 28,937.0 and 47,026.0, St. Bernard Parish, encountered an unidentified submerged iron obstruction on July 10, 1985, causing loss of his 50 foot trawl and boards. Amount of Claim: \$1,292.08

CLAIM NO. 85-2557

Raymond Gilham, of Metairie, LA, while trawling on the vessel, "LA-2201-AP," in Lake Pontchartrain, west of the Lakefront Airport, at approximate LORAN-C readings of 28,708.0 and 47,031.4, Orleans Parish, encountered submerged treated timber bolted together on July 17, 1985, at approximately 10 a.m., causing loss of his trawl. Amount of Claim: \$590

CLAIM NO. 85-2564

Gary J. Treuil, of Metairie, LA, while trawling on the vessel, "DAWN MIST," in Lake Pontchartrain, west of the Lakefront Airport, at approximate LORAN-C readings of 28,676.0 and 47,032.0, Orleans Parish, encountered an unidentified submerged obstruction on June 19, 1985, at approximately 2 a.m., causing loss of his 50 foot trawl. Amount of Claim: \$692.25

CLAIM NO. 85-2565

Gary J. Treuil, of Metairie, LA, while trawling on the vessel, "DAWN MIST," in Lake Pontchartrain, northwest of South Pt., at approximately LORAN-C readings of 28,810.0 and 47,054.0, Orleans Parish, encountered an unidentified submerged obstruction on July 2, 1985, at approximately 4 a.m., causing loss of his 50 foot trawl. Amount of Claim: \$829

CLAIM NO. 85-2566

Gary J. Treuil, of Metairie, LA, while trawling on the vessel, "DAWN MIST," in Lake Pontchartrain, west of the Causeway, at approximate LORAN-C readings of 28,685.0 and 47,064.5, encountered an unidentified submerged obstruction on July 15, 1985, causing loss of his trawl. Amount of Claim: \$829

CLAIM NO. 85-2579

Richard Luscly, of Reggio, LA, while trawling on the vessel, "RICHARD'S PRIDE," in Lake Fortuna, west of Raccoon Island, encountered a submerged section of pipe on July 17, 1985, at approximately 1:30 p.m., causing loss of his trawl. Amount of Claim: \$628.26

CLAIM NO. 85-2592

Louis F. Molero, Jr., of St. Bernard, LA, while trawling on the vessel, "CAPT. JIM," in Morgan Harbor Pass, north of Pt. Paulina, St. Bernard Parish, encountered a submerged diesel engine on July 8, 1985, at approximately 2 p.m., causing loss of his 50 foot trawl. Amount of Claim: \$724.85

CLAIM NO. 85-2648

Benjamin S. Johnson, of St. Bernard, LA, while trawling on the vessel, "INVADER," in Breton Sound, south of Deadman Island, in the Mississippi River - Gulf Outlet Channel, at LORAN-C readings of 29,017.2 and 46,946.2, St. Bernard Parish, encountered an unidentified submerged obstruction on August 7, 1985, at approximately 10 a.m., causing loss of his 50 foot trawl and boards. Amount of Claim: \$1,042.40

Friday, November 8, 1985, at 9:30 a.m., in the Lafitte City Hall, Lafitte, LA:

CLAIM NO. 84-2163

Leon J. Harvey, Sr., of Lafitte, LA, while trawling on the vessel, "GUIDING LIGHT," in East Bay, east of Burrwood, at LORAN-C readings of 28,857.8 and 46,774.0, Plaquemines Parish, encountered an unidentified submerged obstruction on November 6, 1984, at approximately 6:45 p.m., causing loss of his trawl doors. Amount of Claim: \$1,170

CLAIM NO. 84-2234

Marcello Reynon, Jr., of Marrero, LA, while trawling on the vessel "LADY CRESHIA," in Cat Bay, at the mouth of Quatre Bayou Pass, Plaquemines Parish, encountered a submerged steel tank on November 15, 1984, at approximately 4:30 p.m., causing loss of his 50 foot trawl. Amount of Claim: \$560

CLAIM NO. 84-2235

Marcello Reynon, Jr., of Marrero, LA, while trawling on the vessel, "LADY CRESHIA," in the Gulf of Mexico, between Northeast and Southeast Passes, at approximate LORAN-C readings of 29,054.0 and 46,798.8, Plaquemines Parish, encountered an unidentified submerged obstruction on December 15, 1984, at approximately 9:30 a.m., causing loss of his 50 foot trawl, 12 foot test trawl and test trawl boards. Amount of Claim: \$743.63

CLAIM NO. 85-2281

Allen Wiseman, of Harvey, LA, while trawling on the vessel, "MIDNIGHT SPECIAL," in the Gulf of Mexico, east of Whiskey Pass, at LORAN-C readings of 28,066.7 and 46,829.7, Terrebonne Parish, encountered a submerged section of casing pipe on January 15, 1985, at approximately 11:30 a.m., causing loss of one 50 foot trawl and damage to two 50 foot trawls. Amount of Claim: \$1,631

CLAIM NO. 85-2293

Randy P. Dufrene, Jr., of Lafitte, LA, while trawling on the vessel, "LADY KAREN," in the Gulf of Mexico, one mile west of Grand Isle Sea Buoy, Jefferson Parish, encountered an unidentified submerged obstruction on January 7, 1985, at approximately 11 a.m., causing loss of his 55 foot trawl, trawl boards, tickler chain, and lazy line. Amount of Claim: \$1,537.14

CLAIM NO. 85-2410

August E. Despaux, Jr., of Barataria, LA, while trawling on the vessel, "THERESA ANN," in Bay Ronquille, north of Quatre Bayou Pass, Plaquemines Parish, encountered an unidentified submerged obstruction on June 8, 1985, at approximately 5:30 p.m., causing loss of his 50 foot trawl, try net, tickler chain and lazy line. Amount of Claim: \$748.38

CLAIM NO. 85-2415

Jules J. Alexie, Jr., of Lafitte, LA, while trawling on the vessel, "LA-6527-AZ" in an unnamed body of water, 150 to 200 yards off the bank, Lafourche Parish, encountered a submerged stump or log on June 11, 1985, at approximately 4:30 p.m., causing damage to his vessel. Amount of Claim: \$1,738.05

CLAIM NO. 85-2422

Michael A. Adam, of Lafitte, LA, while trawling on the vessel, "SEA SCAVENGER," in the Gulf of Mexico, north of North Pass, at LORAN-C readings of 29,110.6 and 46,835.1, Plaquemines Parish, encountered an unidentified submerged obstruction on June 11, 1985 at approximately 5 a.m., causing loss of his 45 foot trawl, boards, bridle and chain. Amount of Claim: \$2,749.86

CLAIM NO. 85-2477

Robert J. Bychurch, of Westwego, LA, while trawling on the vessel, "LA-8927-BB," in Lake Salvadore, at the entrance to Bayou Villars, Jefferson Parish, encountered an unidentified submerged obstruction on June 28, 1985, at approximately 9:30 a.m., causing damage to his 25 foot trawl. Amount of Claim: \$378

CLAIM NO. 85-2478

Ronald Thomassie, of Lafitte, LA, while trawling on the vessel, "CHRIS-RON-ED," in the Gulf of Mexico, west of the Grand Isle Sea Buoy, at LORAN-C readings of 28,567.9 and 46,855.7, Jefferson Parish, encountered an unidentified submerged obstruction on June 18, 1985, at approximately 10 a.m., causing loss of two 40 foot trawls, test trawl and boards. Amount of Claim: \$1,713.40

Tuesday, November 12, 1985, at 10 a.m., in the L.S.U. Cooperative Extension Service Office, 511 Roussel Street, Houma, LA:

CLAIM NO. 85-2291

Wayne Boudwin, of Houma, LA, while trawling on the vessel, "CAPT. WAYNE," in the Gulf of Mexico, south of Holly Beach, at approximate LORAN-C readings of 26,602.0 and 46,978.3, Cameron Parish, encountered an unidentified submerged obstruction on January 3, 1985, at approximately 8:30 a.m., causing loss of his 45 foot balloon trawl and tickler chain. Amount of Claim: \$777.51

CLAIM NO. 85-2325

Joseph G. Verdin, of Dulac, LA, while trawling on the vessel, "MATHILDA LYNN," in Bayou Grand Caillou, at the Houma

Navigational Canal, Terrebonne Parish, encountered a submerged log on March 24, 1985, at approximately 4:25 p.m., causing damage to his vessel. Amount of Claim: \$2,721.61

CLAIM NO. 85-2364

Houston Trahan, of Chauvin, LA, while trawling on the vessel, "REBECCA LYNN," in Lake Felicite, near the center of the lake, Terrebonne Parish, encountered an unidentified submerged obstruction on May 25, 1985, at approximately 8:30 a.m., causing loss of his 50 foot trawl. Amount of Claim: \$1,035.20

CLAIM NO. 85-2399

Percy Boudouin, Jr., of Houma, LA, while trawling on the vessel, "POKEY AND CHERYL," in the Gulf of Mexico, south of Caminada Pass, at approximate LORAN-C readings of 28,482.0 and 46,849.0, Jefferson Parish, encountered an unidentified submerged obstruction on June 1, 1985, at approximately 3 p.m., causing loss of his 45 foot trawl and tickler chain. Amount of Claim: \$684.20

CLAIM NO. 85-2438

Oswald J. Broussard, of St. Martinville, LA, while trawling on the vessel, "CAPT. BOBBY," in Bayou Jack, 100 to 150 feet from the Intracoastal Waterway, Vermilion Parish, encountered an unidentified submerged obstruction on June 17, 1985, at approximately 10 a.m., causing the sinking of his vessel. Amount of Claim: \$5000

CLAIM NO. 85-2455

Houston Trahan, of Chauvin, LA, while trawling on the vessel, "REBECCA LYNN," in Lake Barre, at the northeast corner of the lake, Terrebonne Parish, encountered a submerged heavy iron and wood obstruction on June 22, 1985, at approximately 7:30 a.m., causing loss of his 50 foot trawl. Amount of Claim: \$694.50

CLAIM NO. 85-2474

Joseph Rodrigue, of Dulac, LA, while trawling on the vessel, "LA-1204-AY," in Lake Pelto, near Bay Round, Terrebonne Parish, encountered an unidentified submerged obstruction on June 27, 1985, at approximately 11:45 a.m., causing loss of his 46 foot trawl. Amount of Claim: \$477.72

CLAIM NO. 85-2612

Hanson J. Breaux, of Pierre Part, LA, while trawling on the vessel, "LA-4949-BF," in Lake Mechant, east of Grand Pass, Terrebonne Parish, encountered an unidentified submerged metal obstruction on May 20, 1985, at approximately 6:15 a.m., causing damage to his vessel. Amount of Claim: \$4,112.76

Tuesday, November 12, 1985, at 1:30 p.m., in the L.S.U. Cooperative Extension Service Office, Greater Lafourche Port Commission Building, Highway 308, Galliano, LA:

CLAIM NO. 84-1880

Alvin Charpentier, of Cut Off, LA, while trawling on the vessel, "CAPT. ALVIN," in the Gulf of Mexico, southeast of Bay Champagne, at LORAN-C readings of 28,392.7 and 46,834.8, Lafourche Parish, encountered an unidentified submerged obstruction on July 27, 1984, at approximately 3:30 p.m., causing loss of his 60 foot trawl, 16 foot try net and try net boards. Amount of Claim: \$1,374.77

CLAIM NO. 84-2032

Webb Cheramie, Jr., of Grand Isle, LA, while trawling on the vessel, "MASTER WAYNE," in the Gulf of Mexico, south of Caminada Pass, at approximate LORAN-C readings of 28,486.0 and 46,849.3, Jefferson Parish, encountered an unidentified submerged obstruction on October 10, 1984, at approximately 5 a.m., causing damage to his trawl. Amount of Claim: \$502.40

CLAIM NO. 84-2130

Lawrence Charpentier, of Cut Off, LA., while trawling on the vessel, "THUNDER BAY," in the Gulf of Mexico, south of Isles Dernieres, at LORAN-C readings of 27,970.6 and 46,829.8, Terrebonne Parish, encountered an unidentified submerged obstruction on November 5, 1984, at approximately 9 a.m., causing loss of his 60 foot trawl, lazy line and tickler chain. Amount of Claim: \$1,127.57

CLAIM NO. 84-2131

Webb Cheramie, Jr., of Grand Isle, LA, while trawling on the vessel, "MASTER WAYNE," in the Gulf of Mexico, south of Grand Isle, at approximate LORAN-C readings of 28,523.0 and 46,854.5, Jefferson Parish, encountered a submerged piling or foundation on October 26, 1984, at approximately 9:30 p.m., causing loss of his 90 foot trawl. Amount of Claim: \$1,573.44

CLAIM NO. 85-2336

Joseph A. Cheramie, of Cut Off, LA, while trawling on the vessel, "CATHY CHERAMIE," in the Gulf of Mexico, east of Belle Pass, at LORAN-C readings of 28,357.2 and 46,830.3, Lafourche Parish, encountered an unidentified submerged obstruction on April 30, 1985, at approximately 12 p.m., causing loss of his 50 foot balarina trawl. Amount of Claim: \$800.57

CLAIM NO. 85-2337

Joseph A. Cheramie, of Cut Off, LA, while trawling on the vessel, "CATHY CHERAMIE," in the Gulf of Mexico, east of Bay Champagne, at LORAN-C readings of 28,409.4 and 46,837.5, Lafourche Parish, encountered an unidentified submerged obstruction on May 1, 1985, at approximately 9:30 a.m., causing loss of his 50 foot balarina trawl. Amount of Claim: \$870.85

CLAIM NO. 85-2350

Terry Perez, Sr., of Cut Off, LA, while trawling on the vessel, "CAPT. JOSH," in the Gulf of Mexico, east of Barataria Pass, at LORAN-C readings of 28,589.6 and 46,862.4, Jefferson Parish, encountered an unidentified submerged obstruction on May 13, 1985, at approximately 11 a.m., causing loss of his 50 foot trawl, ticker chain and easy line. Amount of Claim: \$1,119.76

CLAIM NO. 85-2359

Florena A., and Joe Billiot, of Galliano, LA, while trawling in the vessel, "CAPT. ED," in Bay Desesperes and Bay Tambour, Jefferson Parish, encountered unidentified submerged obstructions on May 20, 1985, at approximately 9 a.m. and 4:00 p.m., causing loss of one trawl and damage to one trawl. Amount of Claim: \$1,086.61

CLAIM NO. 85-2382

Rufus A. Deroche, of Cut Off, LA, while trawling on the vessel, "LA SHOUCHE," in Timbalier Bay, east of Calumet Island, Lafourche Parish, encountered an unidentified submerged obstruction on May 27, 1985, at approximately 1:30 p.m., causing loss of his 48 foot trawl and tickler chain. Amount of Claim: \$928

CLAIM NO. 85-2400

Wilbert A. Danos, of Cut Off, LA, while trawling on the vessel, "BABY RUTH," in Terrebonne Bay, east of Pt. Meshe, Terrebonne Parish, encountered an unidentified submerged obstruction on June 8, 1985, at approximately 9:30 a.m., causing loss of his 50 foot balloon trawl. Amount of Claim: \$729.48

CLAIM NO. 85-2401

Wilbert A. Danos, of Cut Off, LA, while trawling on the vessel, "BABY RUTH," in the Gulf of Mexico, west of Whiskey Pass, at LORAN-C readings of 27,972.1 and 46,831.2, Terrebonne Parish, encountered an unidentified submerged obstruction on May 7, 1985, at approximately 12 noon, causing loss of his 50 foot balloon trawl. Amount of Claim: \$729.48

CLAIM NO. 85-2403

Steven Charpentier, of Galliano, LA, while trawling on the vessel, "CAPT. STEVEN," in the Gulf of Mexico, south of Barataria Pass, at LORAN-C readings of 28,567.3 and 46,855.8, Jefferson Parish, encountered an unidentified submerged obstruction on May 28, 1985, at approximately 10 a.m., causing loss of his trawl. Amount of Claim: \$941.10

CLAIM NO. 85-2404

Calvin A. Cheramie, of Galliano, LA, while trawling on the vessel, "MR FOX," in Lake Borgne, east of Alligator Pt., at LORAN-C readings of 28,935.2 and 47,030.0, St. Bernard Parish, encountered a submerged oyster boat on May 23, 1985, at approximately 9:30 a.m., causing loss of his trawl, tickler chain and lazy line. Amount of Claim: \$961.55

CLAIM NO. 85-2456

Ella T. Schexneider, of Golden Meadow, LA, while trawling on the vessel, "JOELLA," in Little Lake, at the southern end of the lake, Lafourche Parish, encountered an unidentified submerged obstruction on June 5, 1985, at approximately 2:25 p.m., causing loss of his 50 foot trawl and boards. Amount of Claim: \$1,299.88

CLAIM NO. 85-2499

Benton Pitre, of Cut Off, LA, while trawling on the vessel, "LADY LINDA," in Quarantine Bay, near Raccoon Pt., Plaquemines Parish, encountered an unidentified submerged obstruction on June 13, 1985, at approximately 8:05 a.m., causing damage to his trawl. Amount of Claim: \$252.74

CLAIM NO. 85-2500

Benton Pitre, of Cut Off, LA, while trawling on the vessel, "LADY LINDA," in Quarantine Bay, near Raccoon Pt., Plaquemines Parish, encountered an unidentified submerged obstruction on June 16, 1985, at approximately 12:30 a.m., causing loss of his 50 foot trawl, tickler chain and lazy line. Amount of Claim: \$1,055.59

CLAIM NO. 85-2517

James A. Danos, of Cut Off, LA, while trawling on the vessel, "RUTH," in Barataria Bay, northwest of St. Mary's Point, Plaquemines Parish, encountered an unidentified submerged obstruction on July 2, 1985, at approximately 8 a.m., causing loss of his trawl. Amount of Claim: \$775.99

CLAIM NO. 85-2530

Dudley Terrebonne, of Cut Off, LA., while trawling on the vessel, "CAPT. DUD," in the Gulf of Mexico, south of Barataria Pass, at LORAN-C readings of 28,568.0 and 46,855.7, Jefferson Parish, encountered an unidentified submerged obstruction on June 17, 1985, at approximately 4:30 p.m., causing damage to his 58 foot trawl. Amount of Claim: \$458.33

CLAIM NO. 85-2651

Farrell Charpentier, of Galliano, LA., while trawling on the vessel, "CAPT. FARREL," in Breton Sound, north of Breton Islands, in the Channel, at LORAN-C readings of 29,068.7 and 46,925.8, Plaquemines Parish, encountered an unidentified submerged metal obstruction on August 8, 1985, at approximately 10:45 p.m., causing loss of his 62 foot trawl, tickler chain and lazy line. Amount of Claim: \$972.22

Any written objections to these claims must be received by the close of business on November 4, 1985. Any person may submit evidence or make objections in person at the hearings. Written comments should be mailed to: B. Jim Porter, Secretary, Department of Natural Resources, Box 44124, Capitol Station, Baton Rouge, LA 70804.

B. Jim Porter
Secretary

POTPOURRI

**Department of Natural Resources
Office of Conservation
Injection & Mining Division**

DOCKET NUMBER UIC 85-30

In accordance with the laws of the State of Louisiana, and with particular reference to the provisions of R.S. 30:4, notice is hereby given that the commissioner of conservation will conduct a public hearing at 11 a.m., Thursday, November 21, 1985, in the Police Jury Meeting Room, second floor of the Courthouse Building, located on Trivoli St., in Abbeville, Louisiana.

At such hearing the commissioner of conservation or his designated representative will hear testimony relative to the application of Newpark Waste Treatment Systems, Inc., Box 54024, Lafayette, LA 70505-4024. The applicant intends to operate a commercial nonhazardous oilfield waste storage and treatment facility in Section 86, Township 14 South, Range 3 East, Vermilion Parish, Louisiana.

Prior to authorizing the use of this facility for treatment of nonhazardous oilfield waste, the commissioner of conservation must find that the applicant has met all the requirements of State-wide Order No. 29-B (August 1, 1943, as amended).

The application is available for inspection by notifying Mr. Carroll D. Wascom, Office of Conservation, Injection & Mining Division, Room 253 of the Natural Resources Building, 625 North Fourth St., Baton Rouge, LA. Verbal information may be received by calling him at 504/342-5515.

All interested persons will be afforded an opportunity to present data, views or arguments, orally or in writing, at said public hearing. Written comments which will not be presented at the hearing must be received no later than 4:45 p.m., November 28, 1985, at the Baton Rouge Office. Comments should be directed to: Commissioner of Conservation, Box 44275, Baton Rouge, LA

70804-4275, Re: Docket No. UIC 85-30, Commercial Treatment Facility, Vermilion Parish.

Herbert W. Thompson
Commissioner of Conservation

Errata

ERRATA

**Department of Health and Human Resources
Office of Management and Finance
Division of Policy, Planning and Evaluation**

It has been determined by DHHR that the amendment to the 1122 Policies and Guidelines Section on Evidence of Obligation/Expiration of Approval (Page 12, Number 1(a), Sentence 1) published on August 20, 1985 as a final rule, goes beyond the notice of intent published on June 20, 1985. This section of the rule as published (*Louisiana Register* p. 772, Section 3(a)) reads as follows:

“a) Changing Page 12, Sentence 1 of number 1a to read Commencement of Construction date. This date shall be no later than 12 months from the date of the Notice of Conformity or 18 months from such date if an extension to submit evidence of obligation was granted.’”

The correct version is in effect immediately and reads as follows:

“a. The commencement of construction by a date specified in the Contract.”

The corrected version of the rule is also published in another section of this *Louisiana Register* as a notice of intent.

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

**CUMULATIVE INDEX
(Volume 11, Number 10)**

1985

<i>Pages</i>	<i>Issue</i>
1— 76	January
81— 195	February
201— 308	March
315— 504	April
511— 601	May
611— 665	June
675— 736	July
747— 821	August
831— 926	September
935—1037	October

AGRICULTURE DEPARTMENT

Agriculture and Environmental Sciences, Office of

- Advisory Commission on Pesticides, 45N, 219R, 379N, 643N, 731P, 835ER, 886N, 942R, 943R
- Apiary, 127N, 207ER, 517R, 835ER, 941ER, 1030P
- Feed Commission, 46N, 219R, 751ER, 790N, 943R
- Fertilizer Commission, 886N
- Horticulture Commission, 46N, 305P, 317R, 596P, 664P
- Quarantine Programs
 - Citrus canker, 596P
 - Crop pests, diseases, 47N, 317R
 - Southern pine beetle, 750ER, 835ER
- Repeal rules, 47N, 229R, 323R
- Seed Commission
 - Plant breeder, 579N, 682R
 - Repeals rules, 579N, 682R, 683R
- State Entomologist
 - Crop pests and diseases, 817P
- Structural Pest Control Commission, 48N, 323R

Agro-Consumer Services, Office of

- Agricultural Commodities Commission, 49N, 229R
- Milk Testing and Bonding Program, 49N
- Repeal rules, 47N, 229R

Animal Health Services, Office of

- Livestock Sanitary Board, 49N, 230R, 380N, 615R
- Meat and Poultry Inspection Program, 50N, 247R

Horticulture Commission

- Floristry exam, 817P

Marketing, Office of

- Market Commission
 - Fruits and Vegetables Division, 50N, 248R
- Repeal rules, 47N, 229R

- Breath and blood alcohol analysis (see Public Safety and Corrections Department, Office of State Police)
- Cancer and Lung Trust Fund Board (see Health and Human Resources Department)
- Certified Public Accountants (see Commerce Department)

CIVIL SERVICE DEPARTMENT

- Civil Service Commission**, 677ER, 707N, 707N, 982N
- Ethics for Elected Officials, Board of**, 982N

COMMERCE DEPARTMENT

- Auctioneer Licensing Board**, 130N, 335R
- Certified Public Accountants, Board of**
 - Amendments to LAC 11-9, 260N, 757R, 983N
 - Tax Accounting Principles hearing, 76P

Commerce and Industry, Office of

- Economic Development Support Fund, 751ER
- Enterprise Zone, 95R, 189CR
- Industrial Ad Valorem Tax, 97R, 189CR
- Industrial Assistance, 791N, 944R
- Local Economic Development Support Fund, 793N
- Restoration Tax Abatement, 98R, 189CR
- Tax Exemptions on Property, 99R, 189CR, 792N

Cosmetology, Board of

- Reporting hours, 51N

Examiners of Interior Designers, Board of, 134N, 339R

Financial Institutions, Office of

- Bank holding companies, 84ER
- Branch banking, 90ER
- Effectiveness of rules, 92ER

Licensing Board for Contractors, 51N, 341R

Motor Vehicle Commission

- Rules of operation, 3ER, 70CR, 262N, 517R

Racing Commission

- Cancelled claiming race, 795N
- Concession services, 6R
- Drug, not permitted, 514ER
- Drugs affecting performance; guarding horse, 794N
- Entry after excused, 263N, 615R
- Exclusions and ejections, 136N, 518R
- Glass containers, 6R
- Horsemen's bookkeeper, 887N
- Jockey fee schedule, 888N
- Mandatory penalties, 6R
- Medication, 513ER, 514ER, 794N, 794N
- Meeting notice, 189P
- Quineila, 4ER, 264N, 616R
- Responsibility of accreditation, 263N, 615R
- Super Six, 514ER, 795N
- Sweepstakes, 207ER, 265N
- Trifecta, 4ER, 207ER, 264N, 616R

Real Estate Commission

- Advertising, 644N
- Certified money, 6R, 70CR
- Interstate land sales, 644N
- Licensee names/trade names, 644N, 816CR
- Out-of-state broker cooperation, 644N, 758R
- Used Motor Vehicles and Parts Commission, 70CR
- Waivers, 6R, 70CR

- Community Development Block Grant (see Urban and Community Affairs Department)
- Conservation, Office of (see Natural Resources Department)
- Contractors, Licensing Board of (see Commerce Department)
- Cosmetology, Board of (see Commerce Department)

CULTURE, RECREATION AND TOURISM DEPARTMENT

Black Culture, Division of

- Grant guidelines, 983N

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**

Cultural Development, Office of

Division of the Arts, 341R, 580N, 677ER, 796N
 Division of Historic Preservation, 580N, 683R

Library Examiners, Board of, 53N, 250R**Secretary, Office of**

Rescinds rules, 580N, 685R

State Library, Office of

Rescinds rules, 580N

State Museum, Office of

Accessions/Deaccessions, 582N, 685R
 Loan policy, 137N, 518R
 Public Access, 581N, 582N, 683R, 684R

State Parks, Office of

Fee changes, 54N, 250R
 Posting Properties, 100R
 Rescinds rules, 580N

Deferred Compensation Commission (see Treasury Department)

EDUCATION DEPARTMENT**Elementary and Secondary Education, Board of**

ABE/GED Instructors, 394N, 685R
 Adult education, 583N, 759R
 Advanced leave, 7R
 Ancillary certificate validity, 890N
 Assessment teacher, 266N, 617R
 Athletic scholastic requirements, 7R
 Basic Skills Test, 92ER
 Bulletin 741, 7R, 394N, 395N, 395N, 646N, 685R, 686R, 708N, 848R, 848R, 945R, 984N
 Bulletin 746, 7R, 685R
 Bulletin 1739, 649N, 848R
 Class size, ratios, 797N
 Computer Curriculum Guide, 649N, 848R
 Computer Science, 584N
 Computer teaching requirements, 7R
 Cosmetology, 649N
 Elective courses, 7R
 Elementary School, studies and time requirements, 752ER, 797N
 Employment permits, temporary, 753ER, 799N
 English credits, 141N, 521R
 Environmental Science, 137N, 520R
 Exceptional children, 252R
 Fine Arts, 584N, 759R
 Foreign Language Specialists, 396N, 686R
 High School Credit, 138N, 520R, 617R
 Migrant State Plan, 396N, 686R
 Minimum age for kindergarten, 265N, 617R
 NTE scores, 100R
 National Guard credit, 7R
 Noncertified school personnel, 752ER, 798N
 Non-public school, 138N, 617R
 Non-residents, 5ER
 Nutrition, 650N, 849R
 Performance standards, 139N, 520R
 Physical education, 583N, 758R
 Practical Nursing, 397N, 686R
 Proficiency exam, 140N, 520R
 Remedial Programs (Bulletin 1566), 398N, 685R
 School bus drivers, 252R
 Special school principal, 209ER, 266N, 618R
 Special school superintendent, 209ER, 267N, 618R

Speech, language and hearing specialist certificates, 752ER, 799N

Student activities, 7R

Systems accreditation, 140N, 520R

Talented, Definition of, 252R

Teacher certification, 5ER, 55N, 341R, 397N, 583N, 759R

Termination, demotion, 800N

Textbook publishers, 988N

Textbooks, 7R, 650N, 849R, 987N

Three hundred sixty minute class day, 395N, 686R, 760R

Voc.-Tech. director, 800N

Voc.-Tech. fees, 139N, 617R

Voc.-Tech. field trips/training activities, 888N

Voc.-Tech., new schools, 889N

Voc.-Tech. force policy, 889N

Voc.-Tech. grievance procedure, 890N

Voc.-Tech. sabbatical leaves, 798N

Voc.-Tech. State Plan, 585N, 760R

Voc.-Tech. student attendance, 798N

Voc.-Tech. student suspension/expulsion, 986N

World Geography, 988N

Professional Improvement Program (PIP), Committee

Course requirement, 209ER

Proprietary School Commission, 267N, 267N, 521R, 521R, 801N, 945R**Superintendent of Education**

Bunkie Youth Center, 515ER

Supervisors of Southern University, Board of

Fees, 7R, 650N

Tenure, 7R

Elderly Affairs, Office of (see Governor's Office)

Emergency Medical Technician (see Health and Human Resources Department, Office of Hospitals)

Engineers and Land Surveyors, Board of Registration for Professional (see Transportation and Development Department)

ENVIRONMENTAL QUALITY DEPARTMENT**Air Quality and Nuclear Energy, Office of**

Air Quality Division

Ambient air quality, 663CR

Asbestos in schools, 56N, 305CR

Emission inventories, 271N, 529R

Emission standards, 268N, 522R, 593CR

Fee system, 8R, 269N, 522R, 593CR

NSPS regulations, 270N, 529R, 593CR, 651N, 760R

Numbering regulations, 271N, 529R

PSD regulation, 398N, 663CR, 760R

Section 22.0, 15R

VOC regulations, 271N, 529R, 593CR

Nuclear Energy Division

Fee schedule, 271N, 522R, 593CR

Solid and Hazardous Waste, Office of

Hazardous Waste Division, 1050N, (Dec. 1984), 686R, 988N

Fee schedule, 272N, 532R, 594CR

Underground storage tanks, 989N

Solid Waste Management Division

Fees, 273N, 533R

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**

Water Resources, Office of

Construction grants, 32R, 664P

Discharges, unauthorized, 652N, 770R

Pollution Control, 274N, 594CR, 891N

EXECUTIVE ORDERS

- EWE 84-43—Rescinds EWE 84-34, 3
EWE 84-44—Energy conservation, PCB and asbestos to be handled jointly by Division of Administration and Natural Resources, 3
EWE 84-45—Amends EWE 84-39, Forum for Environmental Action, 3
EWE 85-1—Motor Carrier safety program, 83
EWE 85-2—Amends EWE 84-16, State Project Advisory Committee, 83
EWE 85-3—Creates Governor's Committee of One Hundred, 83
EWE 85-4—Creates Study Commission on PCBs, 84
EWE 85-5—Occupational Information Coordinating Committee Membership Increase, 203
EWE 85-6—State Vehicle safety belt requirement, 203
EWE 85-7—Grants private activity bond allocations, 203
EWE 85-8—Grants private activity bond allocations, 204
EWE 85-9—Requires each budget unit to submit revised budget, 204
EWE 85-10—Grants private activity bond allocations, 204
EWE 85-11—Grants private activity bond allocations, 205
EWE 85-12—Cooperative endeavor agreements, 205
EWE 85-13—Changes names of two sections within D of A, 206
EWE 85-14—Grants private activity bond allocations, 206
EWE 85-15—Grants private activity bond allocations, 315
EWE 85-16—Transfers the Land and Surveys Unit, Office of Public Works to Natural Resources Department, 315
EWE 85-17—Creates the Governor's Hispanic-American Affairs Commission, 315
EWE 85-18—Creates the Governor's Asian-American Affairs Commission, 316
EWE 85-19—Lifts moratorium on applications for health care facilities, 511
EWE 85-20—Grants private activity bond allocations, 511
EWE 85-21—Grants private activity bond allocations, 511
EWE 85-22—Grants private activity bond allocations, 512
EWE 85-23—Grants private activity bond allocations, 513
EWE 85-24—Authorizes leave for pay raise rally, 513
EWE 85-25—Grants private activity bond allocations, 611
EWE 85-26—Grants private activity bond allocations, 611
EWE 85-27—Grants private activity bond allocations, 611
EWE 85-28—Grants private activity bond allocations, 612
EWE 85-29—Authorizes Board of Regents to conduct study concerning the transfer of Northwestern University into LSU system, 612
EWE 85-30—Creates the Governor's Study Commission on Ad Valorem Taxation, 613
EWE 85-31—Grants private activity bond allocations, 675
EWE 85-32—Grants private activity bond allocations, 675
EWE 85-33—Amends EWE 84-44 concerning energy conservation, PCB and asbestos handling, 676
EWE 85-34—Grants private activity bond allocations, 676
EWE 85-35—Transfers Food Distribution Program from Education Department to Agriculture Department, 747
EWE 85-36—Requires Department of Education to conduct procurement through Central Purchasing Agency of the Division of Administration, 747

- EWE 85-37—Grants private activity bond allocations, 747
EWE 85-38—Grants private activity bond allocations, 748
EWE 85-39—Authorizes Housing Finance Agency to administer housing development grants, 749
EWE 85-40—Creates Coordinating Council of Services for Children, 749
EWE 85-41—Directs National Guard to assist in the control of the southern pine beetle, 750
EWE 85-42—Creates New Orleans International Airport Study Commission, 831
EWE 85-43—Grants private activity bond allocations, 831
EWE 85-44—Grants private activity bond allocations, 832
EWE 85-45—Establishes Louisiana Alliance for Youth Development Planning, 832
EWE 85-46—Transfer State Planning Office to the Division of Administration, 833
EWE 85-47—Requires agencies to share in cost of unemployment compensation benefits, 833
EWE 85-48—Proclaims state of emergency in certain areas due to Hurricane Danny, 834
EWE 85-49—Amends EWE 85-30 relative to Governor's Study Commission on Ad Valorem Taxation, 935
EWE 85-50—Grants private activity bond allocations, 935
EWE 85-51—Grants private activity bond allocations, 935
EWE 85-52—Requires local governing authorities to report financial aid, 936
EWE 85-53—Grants private activity bond allocations, 937
EWE 85-54—Grants private activity bond allocations, 937
EWE 85-55—Grants private activity bond allocations, 937
EWE 85-56—Reestablishes the Academic Advisory Board to CODOFIL, 938
EWE 85-57—Creates the Louisiana Historical Records Advisory Commission, 938
EWE 85-58—Creates the Red River Valley Area Council, 938
EWE 85-59—Grants private activity bond allocations, 939
EWE 85-60—Establishes the Governor's Louisiana Housing Commission, 940
EWE 85-61—Grants private activity bond allocations, 940
EWE 85-62—Grants private activity bond allocations, 941
Fishermen's Gear Compensation Fund (see Natural Resources Department)
Food Stamp Program (see Health and Human Resources Department, Office of Family Security)

GOVERNOR'S OFFICE

Division of Administration

- Contractual Review, 892N
Education procurement, 802N
Facility Planning and Control
Capitol Improvement Manual, 709N, 849R
Rent/lease procurement, 802N, 946R
IRS, reporting use of vehicles, 837ER
PPM 49, Travel regulations, 614ER
PPM 69, unemployment compensation, 834PPM
PPM's repealed, 990N
State Register amends LAC, 709N, 856R
Telecommunications Management, 990N

Education Services, Governor's Special Commission

- Lender Manual, 653N

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**

Scholars' Program, 709N, 856R
T. H. Harris Scholarship, 893N

Elderly Affairs, Office of

Audit requirement, 710N, 857R
Financial reporting, auditing, 803N, 946R
Fiscal requirements, 712N, 858R
GOEA Policy Manual, 894N
Hearing procedure, 400N, 618R
Intrastate funding, 57N, 253R
Ombudsman Program, 35R
Policy Manual, 316ER
Reports, disposition of, 753ER
Service requirements, 399N, 621R
State Plan on Aging, 93ER, 142N, 143N, 342R, 342R

Engineers Selection Board

Weighted votes to three firms, 892N

Law Enforcement and Administration of Criminal Justice

Federal grant funds use, 802N
Grant-in-Aid, 252R

Minority Business Enterprises, Office of

Program policies, 143N, 342R

River Port Pilot Commissioners for Port of New Orleans, Board of

Drug policy, 92ER, 141N

Veterans Affairs, Department of

Eligibility requirements, 34R
Fees, 34R, 142N, 341R

HEALTH AND HUMAN RESOURCES DEPARTMENT

Cancer and Lung Trust Fund Board

Applications for research grants, 76P
Procedures, 35R
Proposal deadline, 1030P

Electrolysis Examiners, Board of, 144N, 534R

Embalmers and Funeral Directors, Board of, 585N, 687R

Exam schedule, 189P, 818P
Internship, 713N, 946R

Examiners of Psychologists, Board of

Repealing rules, 93ER, 150N, 622R

Family Security, Office of

Adult day care centers, 210ER
AFDC Program
AFDC and GA—Need standard, 895N
AFDC and RCA—date of entitlement, 753ER, 896N
AFDC and RCA—Monthly reporting, 995N
Grant discontinuances, 714N, 864R
Complying with other programs, 94ER, 151N, 349R
Dentists, location for payment, 596P
Disability Determination Program, 653N, 770R
Enrolled dentists, 101R, 101R
Food Stamps Program
Disclosure of information, 95ER, 150N, 349R
Monthly reporting, 996N
Standard Utility Allowance, 714N, 864R
Telephone standard, 897N
Voluntary Quit, 38R
Work registration, 39R
General Assistance Program
Applications, discontinuance of, 753ER
General assistance phase-out, 898N
LTC Cap rate, 101R
LTC Audits, 102R
Low Income Assistance, 153N, 349R, 677ER, 715N, 865R

Medical Assistance Program

ADHC Program, 804N, 947R
Adult Day Care, 408N, 623R
Carve out units capped, 754ER, 898N
Chiropractic services, 754ER, 898N
Dentures, 754ER, 900N
Enumeration requirement; eligibility, 653N, 770R
Habilitation services, 210ER, 422N, 637R
Hospital Program rate, 423N, 637R, 688R, 736P
ICF/H Certification, 516ER, 655N, 771R
ICF/H penalties, 654N, 770R
Inpatient hospital, delete extensions, 755ER, 901N, 1031P
Inpatient hospital, eliminate incentive payments, 755ER, 902N
Inpatient hospital, service limitations, 942ER
LMAC, Multi-source drugs, 838ER
LMAC, Remove list from State Plan, 275N, 540R
Leave days, 94ER, 152N, 349R
MNIES changes, 588N, 689R
Neonatal/pediatric ICU inpatient service reimbursement, 754ER, 898N
OASDI and SSI/SSP Coverage, 677ER, 715N, 865R
Optometrists, 210ER, 423N, 594CR, 637R, 663CR
Orthopedic shoes, 756ER, 907N
Out-of-state hospital reimbursement, 755ER, 900N
Outpatient interim reimbursement, 754ER, 902N
Outpatient surgeries, 903N
Personal Needs Allowance, S and ICF, 756ER, 907N, 942ER, 1031P
Pick up fees, 840ER, 906N
Prior authorization—surgical procedures, 997N
Swing bed provisions, 36R
Removal of LMAC, 275N, 540R
Resource policy, 587N, 689R
Standards for payment, 716N, 865R
Transplant reimbursement, methodology, 677ER, 805N, 947R
Transportation, 587N, 688R
Violation penalties, 515ER
Wait time payment, 838ER, 899N
Written plan of care requirement, 655N
Medical equipment, supplies and prosthetic, orthotic services, price freeze, 753ER, 896N
Nursing home penalties, 37R
Pharmacy Program
Dispensing fee, 424N
Drug elimination, 427N
EAC - AWP, 425N
LMAC addition of drugs, 451N, 637R, 865R, 998N, 1031P
LMAC override, 426N
Restricted formulary, 452N, 477N, 663CR
Physician Certification, 210ER, 479N, 638R
Repatriation, 804N, 946R
SNF/ICF I and II rates, 478N, 637R
SSA/SSI disability, 153N
Standards for payment, 218ER, 597P
State Plan, 479N, 638R
Support Enforcement Program
Collections notice, 1008N

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

Consumer reporting agencies, 1008N
Income assignment, 907N
Interstate Income Withholding, 908N
Non-AFDC federal tax offset, 909N
Spousal report, 1009N
State tax refunds, 1009N
Telephone hearings, 589N, 689R

Hearing Aid Dealers, Board of Examiners for
Bylaws, 993N

Hospitals, Office of
Emergency Medical Services, 717N, 39R, 866R

Human Development, Office of
Day Care Program, 589N, 689R

Management and Finance, Office of
Home health services policy/guidelines, 347, 154N, 350R, 910N
Residential care facilities, 219ER
Section 1122
Appeal procedures, 655N, 771R
Definitions; expenditures, 1010N
Evidence of obligation/expiration of approval, 657N, 1037E, 1010N
Guidelines, 157N, 353R
Introduction, 657N
Reenrollment, recertification, relicensure, 614ER, 910N
Reviewing expenditures/changes, 657N, 772R
State Health Plan
Home health services, 911N
Nursing home beds, 658N, 816CR
Rehabilitation facilities, 657N, 774R
Revisions, 164N, 359R

Medical Examiners, Board of
Physical therapist, 400N
Public hearing, 596P

Mental Retardation/Developmental Disabilities, Office of
Case Management, 805N

Nursing, Board of
R.N. 1.071, 57N, 348R

Nursing Home Administrators, Board of Examiners for
Amend Rules 11, 18, 19, 991N
Nursing home requirements, 864R

Pharmacy, Board of
Adjudication, 895N
Licensure exam, 803N

Practical Nurse Examiners, Board of
Education and licensure, 713N

Preventive and Public Health Service, Office of, 597P
Bottled water, 102R
Commodity Supplemental Food Program, 1012N
Congenital Anomalies Central Registry, 1011N
Controlled shellfish depuration plans, 285N, 550R
Declaratory orders/rulings, 1013N
Disabled Children/SSI Program, 1020N
Dental Clinical Program, 911N
Drinking Water Program, 1014N
Family planning, 806N, 947R
Fluoridation Program, 1015N
Food and Drug Control
Product registration, fees, penalties, 840ER, 1015N
Genetics diseases, 480N, 638R
HTLV-III Antibody testing, 517ER, 841ER
Handicapped Children's Services, 1017N
Hemophilia, 102R
High Blood Pressure Control, 1017N

Home Care Services, 1018N
Individual mechanical sewage treatment plants, 58N, 360R
Maternal/Child Health Services, 1018N
Pesticide, 659N, 775R
Plans review, 1019N
Sanitary Code, 103R
Sewage/Refuse disposal, 756ER, 914N
Sewage treatment plants, 166N, 254R, 718N, 861R
Shellfish shippers, 516ER, 660N, 775R
Treatment refusal—responsibility release, 912N
Tuberculosis Control, 1020N
Vaccine Preventable Disease Program, 1021N
Veneral Disease Control, 1021N
Vital Records Registry
Birth rosters, 1010N
Marriage records, 1022N
Program guidelines, 1022N
Proofs, 1024N
Water Quality Program, 1025N
WIC Program, 718N, 867R, 914N

Radiologic Technology Board of Examiners, 720N, 868R

Sanitarians, Board of Examiners for
Bylaws, 991N

Secretary, Office of
Block grants, 482N, 639R
Clarifying existing rules, 289N
Excepted drugs, 590N, 689R
Forms, 290N
Grouping, 291N
Inflation screen, 482N, 640R
Level of Care, 291N
Licensing and Certification, Division of
Hospital bed inventory, 58N, 254R
LIHEAP Plan, 719N, 867R
Rate setting
Budget screen, 288N, 553R
Clarify rules, 553R
Forms, 555R
Grouping, 555R
Inflation screen, 482N, 640R
Level of Care, 555R
Revaluation, 292N, 556R

Veterinary Medicine, Board of
Exam schedule, 189P
License fee, 209ER
Interim Emergency Board (see Treasury Department)
Livestock Sanitary Board (see Agriculture Department)

INSURANCE DEPARTMENT

Commissioner, Office of
Annuity tables, 917N
Benefits Coordination, 485N, 689R
Universal Life, 485N, 690R
Variable Life, 490N, 694R

JUSTICE DEPARTMENT

Attorney General, Office of
Video bingo machines, 842ER

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**

LABOR DEPARTMENT

Employment Security, Office of

Regulation, 37, 105R
Weekly wage, 818P

Worker's Compensation, Office of

Responsibilities and rights, 498N, 775R

LEGISLATION

Administrative Procedure Act

Changes, 1985 Regular Session, 815L

LOUISIANA ADMINISTRATIVE CODE UPDATE

January-December, 1984 changes, 71
Title 35

Table I, 71
Table II, 73

January-March, 1985 Changes, 501

April-June, 1985 Changes, 731

July-September, 1985 Changes, 1030

Mechanical sewage treatment plants (see Health and Human Resources Department, Office of Preventive and Public Health Services)

Motor Vehicle Commission (see Commerce Department)

NATURAL RESOURCES DEPARTMENT

Conservation, Office of

Injection and Mining Division, 601P
Public hearing, 926P, 1037P
Statewide Order 29-B, 498N, 640R, 664CR, 678ER, 727N
Statewide Order 29 N-1, 195P, 293N, 556R, 594CR, 640R

Pipeline Safety, 59N, 254R, 305CR
Underwater obstructions, 590N, 702R, 731CR

Energy, Research and Planning Division

Commercial/Apartment Conservation, 499N, 664CR

Fishermen's Gear Compensation Fund

Claims, 76P, 189P, 305P, 501P, 597P, 665P, 733P, 818P, 926P, 1031P

Fee Notice, 1026N

Forestry, Office of

Forest management charges, 808N
Indian Creek Recreation fees, 1026N
Timber stumpage, 918N

Management and Finance, Office of

Rate for computerized copies, 591N, 704R, 731CR

Secretary, Office of

Coastal use permit, 293N, 556R, 594CR

State Lands, Division of

Bohemia Spillway, 40R

Nursing, Board of (see Health and Human Resources Department)

PUBLIC SAFETY AND CORRECTIONS DEPARTMENT (CORRECTIONS SERVICES)

Adult and Juvenile Services, Office of

Administrative remedy procedure, 918N
Adult offender furlough, 1026N
Attorney visits, 918N
Contraband introduction, 919N
Escorted inmate absences, 1027N, 1027N, 1027N

Inmate marriage requests, 919N
Medical furloughs, 1028N
Medical treatment for visitors, 919N
Religious group visitation, 808N
Student visiting/correspondence, 920N
Visitation of adult inmates, 920N

Secretary, Office of

Adult services, 295N, 641R
Prison enterprises, 295N, 642R
Regulation 30-19, 61N, 360R
Regulation DOC 30-14, 105R

PUBLIC SAFETY AND CORRECTIONS DEPARTMENT (PUBLIC SAFETY)

Liquefied Petroleum Gas Commission

Amends rules, 296N, 557R

Motor Vehicles, Office of

Certificate of salvage, 299N, 560R
Emission inspection, 301N, 595CR, 614ER, 847ER, 920N
Liability Insurance termination, 727N, 874R
Name on vehicle title, 660N, 781R

State Police, Office of

Breath and blood alcohol analysis, 61N, 256R

Racing Commission (see Commerce Department)

Real Estate Commission (see Commerce Department)

Southern University Board of Supervisors (see Education Department)

State Employees Group Benefits Program, Board of Trustees for (see Treasury Department)

State Lands, Division of (see Natural Resources Department)

State Parks, Office of (see Culture, Recreation and Tourism Department)

State Police, Office of (see Public Safety and Corrections Department)

REVENUE AND TAXATION DEPARTMENT

Income and Corporation Franchise Taxes

Corporation Franchise Tax, 108R

Sales Tax

Computer software tax, 809N, 949R
Reporting format, 1028N

Tax Commission

Appraisals/assessment notice, 665P
Public Hearing, 195P, 504P
Timber stumpage, 918N
Value of property guidelines, 921N

TRANSPORTATION AND DEVELOPMENT DEPARTMENT

Highways, Office of

Engineering Directives, 662N, 782R
Gasohol, 661N, 781R

Professional Engineers and Land Surveyors, Board of Registration for

Bylaws, 1029N
Educational training, 65N, 362R
LAC 19-3:9.3, 19-3:12.1.2, 810N, 949R

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

Registration requirements, 65N, 362R
Work experience, 65N, 362R

Public Works, Office of

Flood Control, 302N, 561R
Water wells, 810N, 883R, 950R

Secretary, Office of

Flight Manual, 571N (July, 1984), 705R

TREASURY DEPARTMENT

Bond Commission, 317ER, 500N, 643R, 756ER, 814N, 981R

Deferred Compensation Commission

Public employees plan, 41R

Interim Emergency Board

Rules of operation, 45R

School Employees' Retirement System

Retirement credit purchases, 592N, 705R

State Employees Group Benefits Program, Board of Trustees

Claim filing deadline, 66N, 363R
Claims Review Membership, 728N, 886R
Comprehensive medical benefits, 591N, 705R
Drug abuse coverage, 67N, 363R
Earlier effective date, adoptive children, 304N, 643R
Organ transplant, 921N
Overage dependents, 922N
Second surgical opinion, 923N
Early hospital admission, 68N
Health Maintenance, 811N, 979R
Life insurance premium reduction, 304N, 643R
Lifetime maximum coverage, 517ER
Out-patient surgery, 69N, 364R
Private duty nursing, 68N, 364R
Second surgical opinion, 70N, 365R

State Employees Retirement System

Meeting scheduled, 926P

Teacher's Retirement System

Annuity factors, 814N

URBAN AND COMMUNITY AFFAIRS DEPARTMENT

Planning and Technical Assistance, Office of

Community Development Block Grant, 45R, 166N, 365R
Rental Rehabilitation, 181N

Used Motor Vehicles and Parts Commission (see Commerce Department)

Veteran's Affairs, Department of (see Governor's Office)

Veteran's Medicine, Board of (see Health and Human Resources Department)

Water Resources, Office of (see Environmental Quality Department)

WILDLIFE AND FISHERIES DEPARTMENT

Wildlife and Fisheries Commission

Alligator enclosure, 923N
Alligator season, 679ER
Boat equipment safety, 185N, 501CR, 705R
Channel catfish, 127R
Experimental Fisheries, 729N
Horses/mules on wildlife management areas, 848ER
Hunter safety, 187N, 501CR
Hunting seasons, bag limits, 728N, 925CR
Lake Bruin, Commercial fishing, 1029N
Migratory birds hunting season, 756ER
Migratory seasons other than waterfowl, 681ER
Net ban, Lacassine Bayou, 729N, 926CR, 982R
Net ban, Lake Bisteneau, 730N, 925CR, 981R
Oyster fishing, Calcasieu Lake, 682ER
Oyster moratorium, 924N
Oyster seed reservations, 681ER
Rockefeller Refuge, 187N, 501CR
Scuba game fish seasons, 592N, 706R, 731CR
Seafood Promotion and Marketing Board, 126R
Shrimp seasons, 188N, 501CR
Shrimp season/outside waters, 923N
Trapping season, 925N
Waterfowl regulations/hunting season dates, 848ER

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

Notes

Notes

Notes

U.S. Postal Service STATEMENT OF OWNERSHIP, MANAGEMENT AND CIRCULATION <i>Required by 39 U.S.C. 3685</i>		
1A. TITLE OF PUBLICATION Louisiana Register	1B. PUBLICATION NO. 0 0 0 7 5 4 5 0	2. DATE OF FILING 9/30/85
3. FREQUENCY OF ISSUE Monthly	3A. NO. OF ISSUES PUBLISHED ANNUALLY 12	3B. ANNUAL SUBSCRIPTION PRICE \$50/\$30
4. COMPLETE MAILING ADDRESS OF KNOWN OFFICE OF PUBLICATION <i>(Street, City, County, State and ZIP+4 Code) (Not printers)</i> P. O. Box 94095, Baton Rouge, East Baton Rouge Parish, Louisiana 70804-9095		
5. COMPLETE MAILING ADDRESS OF THE HEADQUARTERS OF GENERAL BUSINESS OFFICES OF THE PUBLISHER <i>(Not printer)</i> same		
6. FULL NAMES AND COMPLETE MAILING ADDRESS OF PUBLISHER, EDITOR, AND MANAGING EDITOR <i>(This item MUST NOT be blank)</i>		
PUBLISHER <i>(Name and Complete Mailing Address)</i> Department of the State Register, P. O. Box 94095, Baton Rouge, Louisiana 70804-9095		
EDITOR <i>(Name and Complete Mailing Address)</i> Nancy Midkiff, P. O. Box 94095, Baton Rouge, Louisiana 70804-9095		
MANAGING EDITOR <i>(Name and Complete Mailing Address)</i> 		
7. OWNER <i>(If owned by a corporation, its name and address must be stated and also immediately thereunder the names and addresses of stockholders owning or holding 1 percent or more of total amount of stock. If not owned by a corporation, the names and addresses of the individual owners must be given. If owned by a partnership or other unincorporated firm, its name and address, as well as that of each individual must be given. If the publication is published by a nonprofit organization, its name and address must be stated.) (Item must be completed.)</i>		
FULL NAME	COMPLETE MAILING ADDRESS	
Dept. of the State Register	P. O. Box 94095, Baton Rouge, LA 70804-9095	
8. KNOWN BONDHOLDERS, MORTGAGEES, AND OTHER SECURITY HOLDERS OWNING OR HOLDING 1 PERCENT OR MORE OF TOTAL AMOUNT OF BONDS, MORTGAGES OR OTHER SECURITIES <i>(If there are none, so state)</i>		
FULL NAME	COMPLETE MAILING ADDRESS	
none		
9. FOR COMPLETION BY NONPROFIT ORGANIZATIONS AUTHORIZED TO MAIL AT SPECIAL RATES <i>(Section 423.12 DMM only)</i> The purpose, function, and nonprofit status of this organization and the exempt status for Federal income tax purposes <i>(Check one)</i>		
<input type="checkbox"/> (1) HAS NOT CHANGED DURING PRECEDING 12 MONTHS <input type="checkbox"/> (2) HAS CHANGED DURING PRECEDING 12 MONTHS <i>(If changed, publisher must submit explanation of change with this statement.)</i>		
10. EXTENT AND NATURE OF CIRCULATION <i>(See instructions on reverse side)</i>	AVERAGE NO. COPIES EACH ISSUE DURING PRECEDING 12 MONTHS	ACTUAL NO. COPIES OF SINGLE ISSUE PUBLISHED NEAREST TO FILING DATE
A. TOTAL NO. COPIES <i>(Net Press Run)</i>	1539	1633
B. PAID AND/OR REQUESTED CIRCULATION		
1. Sales through dealers and carriers, street vendors and counter sales	4	0
2. Mail Subscription <i>(Paid and/or requested)</i>	882	919
C. TOTAL PAID AND/OR REQUESTED CIRCULATION <i>(Sum of 10B1 and 10B2)</i>	886	919
D. FREE DISTRIBUTION BY MAIL, CARRIER OR OTHER MEANS SAMPLES, COMPLIMENTARY, AND OTHER FREE COPIES	484	492
E. TOTAL DISTRIBUTION <i>(Sum of C and D)</i>	1370	1411
F. COPIES NOT DISTRIBUTED		
1. Office use, left over, unaccounted, spoiled after printing	169	222
2. Return from News Agents	0	0
G. TOTAL <i>(Sum of E, F1 and 2 - should equal net press run shown in A)</i>	1539	1633
11. I certify that the statements made by me above are correct and complete	SIGNATURE AND TITLE OF EDITOR, PUBLISHER, BUSINESS MANAGER, OR OWNER <i>Nancy Midkiff, Asst. Director</i>	