

## CONTENTS

### I. EMERGENCY RULES

Health and Human Resources Department:	
Office of Family Security — Reimbursement for transportation .....	43
Office of Human Development — Amendments to Client Placement Program policy .....	43

### II. RULES

Education Department:	
Board of Elementary and Secondary Education — Reference approval; Gifted students; Handicapped pre-schoolers; Program evaluations .....	43
Governor's Office:	
Tax Commission — Assessment of property .....	44
Labor Department:	
Office of Labor — State apprenticeship standards .....	45
Treasury Department:	
Board of Trustees, State Employees Group Benefits Program — Minority board members .....	49
State Bond Commission — Meeting dates .....	50
Urban and Community Affairs Department:	
Office of Consumer Protection — General procedural rules .....	50
Wildlife and Fisheries Department:	
Wildlife and Fisheries Commission — Closure of certain lakes to commercial fishing .....	51

### III. NOTICES OF INTENT

Agriculture Department:	
Office of Management and Finance — Animal vaccines .....	51
Apiary rules and regulations .....	52
Auction sales days .....	52
Family farm credit .....	52
Fertilizer regulatory program .....	53
Pseudorabies .....	54
Commerce Department:	
Racing Commission — LAC 11-6:53.17 .....	55
Governor's Office:	
Division of Administration — Property Control Section .....	55
Health and Human Resources Department:	
Board of Examiners of Psychologists — Supervised practice .....	56
Board of Pharmacy — Committee Report .....	58
Office of Human Development — Foster care rate increase .....	58
State Department:	
Board of Election Supervisors — Test for election commissioners .....	59
Treasury Department:	
Board of Trustees, State Employees Group Benefits Program — Uniform election dates .....	59
State Police Retirement System — Military service credit .....	59
Urban and Community Affairs Department:	
Office of Consumer Protection — Deceptive pricing .....	60
Wildlife and Fisheries Department:	
Wildlife and Fisheries Commission — Close commercial netting on all lakes during drawdown .....	60
Continued closure of certain lakes to commercial fishing .....	61
Shrimp season .....	61
Surcharge for surveying oyster leases .....	61

### IV. POTPOURRI

Natural Resources Department:	
Fisherman's Gear Compensation Fund claims .....	62

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# Emergency Rules

## DECLARATION OF EMERGENCY

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

In accordance with the provision of Louisiana R.S. 49:953 B, the Department of Health and Human Resources, Office of Family Security, has changed the rate and methodology of reimbursement to providers of medically necessary non-emergency medical transportation, effective February 9, 1981, under the Medical Assistance Program, Title XIX of the Social Security Act as follows:

Rate of Reimbursement: Providers of services shall be reimbursed at the provider's usual rate or a rate not to exceed:

- 1) \$10.00 per one-way pick-up for the first person; and
- 2) \$5.00 per one-way pick-up for each additional person; and
- 3) 50¢ per Title XIX vehicle mile.

To exceed these maximum rates, approval by the Assistant Secretary of the Office of Family Security or his designee shall be required on a case by case basis.

Medically necessary non-emergency transportation provided by commercial aircraft, buses, or taxis shall be reimbursed at their usual and customary rate, subject to such maximum limitations as may be established by Office of Family Security.

Annual cost reports must be submitted by those providers who are reimbursed on the basis of a pick-up fee and mileage within ninety days following the provider's fiscal year end.

This change, which is necessary to contain cost, will decrease annual expenditures for non-emergency medical transportation by approximately \$1,978,560.

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

## DECLARATION OF EMERGENCY

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

The Department of Health and Human Resources, Office of Human Development, does hereby exercise the emergency provisions of the Administrative Procedure Act (R.S. 49:953 B) to adopt, effective February 15, 1981, the following amendments to the Client Placement Program policy.

### Population To Be Served By Office of Human Development, Division of Evaluation and Services

Exceptional children seeking initial placement, when the child is age twenty-five or younger, and his physical, mental, or neurological condition so deviates from the normal that they cannot without special therapy, or protective care satisfactorily participate in community living.

Exceptional persons of any age when that person is already in a restrictive placement; and continuation of restrictive placement is certified by qualified professionals to be necessary to the physical and/or emotional well-being of the exceptional person; and a review by the Regional Review Committee establishes that a plan of independent living is inappropriate to the best interests of the client.

## Mandatory Review When An Exceptional Child In Placement Approaches Age Twenty-Five

The cases of exceptional children already in placement shall be referred for review by the Regional Review Committee at least sixty days prior to the child's twenty-fifth birthday. The purpose of the review is to determine whether continued restrictive placement is in the best interests of the client. Qualified professionals (a psychiatrist and/or a psychologist) shall be consulted. The Regional Review Committee shall decide whether the placement must continue. Any decision to discontinue agency funding of the placement of an exceptional child shall be supported by a statement in writing from the qualified professionals consulted that the physical and/or emotional well-being of the client will not be adversely affected by the discontinuance. The format for referral to the Regional Review Committee is outlined in 3-625 (B).

A copy of the results of all such reviews shall be forwarded to DES State Office, Attention: Alternate Care Specialist.

The requirement that a pre-release review of such cases be made by qualified professionals will prevent the arbitrary release from a residential facility of persons unable to function independently when they have reached age twenty-five. Such a review appears to be required by La. R.S. 40:2127 (Exceptional Children's Act). The policy will expand the population served by the client placement system to include those persons already in facilities who became age twenty-five, when a review of their case situation indicates that independent living is not a feasible alternative.

Arthur J. Dixon  
Assistant Secretary

# Rules

## RULE

### Board of Elementary and Secondary Education

Rule 3.01.87 - The Board adopted procedures for determining Board approval of the list of encyclopedias and encyclopedic references to be used by school librarians as follows:

- 1) Annually, the State Dept. of Education shall select a Reference Materials Adoption Committee composed of library supervisors and school librarians - the list of Committee members shall be kept on file in the Department as a matter of public record.
- 2) The function of the Reference Materials Adoption Committee shall be to evaluate all reference materials submitted for consideration by suppliers who desire to provide reference materials to Louisiana schools.
- 3) The Adoption Committee shall submit a report to the State Department of Education on each item which it evaluates, including a written report on each item which it rejects.
- 4) The State Department of Education shall compile a list of items approved by the Adoption Committee and shall submit the list to the State Board of Elementary and Secondary Education for its approval.
- 5) Local school librarians shall make selections of reference materials from the list as approved by the Board.

Rule 3.01.70v(34) - The Board adopted Certification Criteria for Education Program Evaluators, AERA Standards for Evaluation of Education Programs, Projects and Materials as follows:

Education Program Evaluators: Proposed Certification Criteria  
Level A Program Evaluators  
Level A evaluators are those persons, employed full-time and

part-time by the state or local education agencies, who design, approve and/or direct program evaluations and research on educational programs, projects and materials in the State of Louisiana. Level A evaluators are responsible for assuring that evaluation plans are executed and reported according to prescribed requirements and specifications.

#### Qualifications\*

- 1) Masters degree in education, psychology or other behavioral science areas;
- 2) Coursework which includes a minimum of eighteen hours of graduate work in the fields of research methodology, statistics and/or educational measurements;
- 3) a. Five years of professional school experience including at least two years as an evaluator of educational programs, projects and materials; or  
b. Three years of experience as an evaluator of educational programs, projects and materials; and
- 4) Successful completion of a State Department of Education inservice training program on the American Educational Research Association's (AERA) *Standards for Evaluation of Education Programs, Projects and Materials (1981)*.

\*Persons presently employed full-time with program evaluation as a major part of their job descriptions or providing program evaluation services by benefit of a contract with a local education agency or by the state education agency in the capacity of a Level A evaluator and who completes the State Department of Education inservice training for Level A evaluators will be certified upon recommendation of the State or local superintendent. No one can be certified under the clause after six months from the implementation of this policy.

#### Level B Program Evaluators

Level B evaluators are those persons who, under the direction of Level A evaluators, implement educational program evaluations and research in the State of Louisiana. Level B evaluators must be familiar with procedures and methods of educational research design and data analysis so that they can conduct the evaluation activity which is directed by Level A evaluators.

#### Qualifications\*

- 1) Masters degree in education, psychology or other behavioral sciences area;
- 2) a. Three years of professional school experience, or  
b. Three years of employment related to the specific tasks of the Level B evaluator including: drafting proposed research or evaluation designs for approval, collecting appropriate data, preparing data for analysis, developing appropriate generalizations from the data, and drafting evaluation results;
- 3) Successful completion of a State Department of Education inservice training program on the AERA *Standards for the Evaluation of Education Programs, Projects, and Materials*.

\*This certificate shall lapse if the holder shall allow a period of five consecutive years to pass in which he/she is not regularly employed in program, project and/or materials evaluation. The certificate can be renewed by presentation of evidence of six additional semester hours of coursework in the fields of research methodology, statistics and/or educational measurements.

#### Definitions

- 1) Professional school experience: For the purposes of certifying education program evaluators, experience as a teacher, administrator or other school-based professional in elementary, secondary or postsecondary education.
- 2) Program evaluator: Anyone who accepts and executes responsibility for planning, conducting and reporting evaluations.
- 3) Materials evaluation: Evaluations that assess the merit or worth of content-related physical items, including books, curricular guides, films, tapes, and other tangible instructional products (AERA, *Standards*, 1981).

4) Program evaluation: Evaluations that assess educational activities which provide services on a continuing basis and often involve curricular offerings. Examples include evaluation of a school district's reading program, a state's special education program, and a university's continuing education program (AERA, *Standards*, 1981).

5) Project evaluation: Evaluations that assess activities that are funded for a defined period of time to perform a specified task. Some examples are a three-day workshop on behavioral objectives, a two-year development effort, or a three-year career education demonstration (AERA, *Standards*, 1981).

Standards for Evaluation of Education Programs, Projects and Materials

1) The AERA *Standards for Evaluation of Education Programs, Projects and Materials* should be used as the criteria for judging evaluations performed for and by the state and local education agencies in Louisiana for project evaluators.

2) The Standards should be monitored and implemented through a "Standards Checklist" which should be field-tested by the Department of Education and revised as needed by the Task Force on Program Evaluation. The "Standards Checklist" should be published for ready access to educators and evaluators in Louisiana.

3) Training in the application of the AERA Standards in the use of the "Standards Checklist" should be a part of the required inservice training program prior to entry in the Louisiana Program Evaluator Registry.

Rule 7.02.02 - The Board adopted the following amendments to Bulletin 1508, *Pupil Appraisal Handbook*: Changes in the screening criteria relative to gifted students: Language change to read "achievement and aptitude" instead of "achievement criteria or aptitude."

Authorize Department of Education to make further exceptions on a pilot basis in some parishes to permit alternate methods for identifying students suspected of being gifted, provided that any departures from policy shall be reported to the Board and kept on file in the Department.

Add statement that if a child is found to be ineligible for a program due to screening criteria different from Bulletin 1508, the parents have the right to override the screening decision and request a full evaluation according to Bulletin 1508.

Rule 7.02.03 - The Board adopted an addition to Bulletin 1508, Section II, the Evaluation Model of the Louisiana Model of Developmental Evaluation for Handicapped Students and Severely Handicapped Preschoolers.

James V. Soileau  
Executive Director

#### RULE

#### Office of the Governor Tax Commission

The following are amendments, adoptions, and changes made to the rules and regulations of the Louisiana Tax Commission entitled *Assessment of Real and Personal Property* by the Louisiana Tax Commission pursuant to a hearing held in Baton Rouge on January 14, 1981.

Page 3 was changed to read:

#### Real Property Rules and Regulations

In making appraisals of residential, commercial, and industrial buildings for 1982, the assessors shall use the three nationally recognized approaches to value, those being cost, income, and market, where each is applicable. When applying the cost approach, each assessor shall be responsible for obtaining and keeping an updated Residential Cost Handbook and Marshall Valuation Service, published by Marshall and Swift, and shall use the building cost index and local multipliers as of January 1, 1981.

The following procedure shall be used for assessing, listing, and placing transferred property and property upon which improvements have been made after the date of the reappraisal as set by the Louisiana Tax Commission.

Improvements shall be added to the rolls January 1 following the year the improvements are completed, Orleans excepted which shall be August 1, following the year the improvements are completed. Value of the improvements will be indexed to the date of the last reappraisal.

The Assessor shall use property transfers to evaluate trends within the assessing district. These trends will be applied by the Assessor in reappraising property on the basis of at least every four years or as directed by the Commission. The Assessor may reappraise property based on property transfers more often than every four years, if the trends established by the transfers indicate that property value fluctuations are creating inequities within the assessing district by property classifications, however, the reappraisal shall not be applied on a parcel by parcel basis, but rather across the board in a given geographical area. Values would be updated and then indexed to the date of the last reappraisal.

The annual report of the Louisiana Tax Commission will be indexed to the date of the last appraisal.

The Louisiana Tax Commission hereby orders that all property be reappraised in all parishes, Orleans excepted, for the 1982 tax year. Property is to be valued as of January 1, 1981. The Louisiana Tax Commission hereby orders all property in the Parish of Orleans be reappraised for the 1983 tax year. Property in Orleans is to be valued as of January 1, 1981.

J. Reginald Coco, Jr., Chairman  
Tax Commission

## **RULES**

### **Department of Labor Office of Labor**

The following rules for the administration of the Labor Laws relating to employment standards and conditions of minors in the State of Louisiana, were amended pursuant to the Administrative Procedure Act of Louisiana (R.S. 49:951, et seq.) after a public hearing held thereon on February 6, 1981.

Regulation of Conditions Under Which Minor Labor may be Used  
Rule I B. Occupations Permitted for 14 - and 15 - Year - Old Minors in Retail, Food Service, and Gasoline Service Establishments

A 14 - and 15 - year - old minor may be employed in:

- (1) Office and clerical work (including operation of office machines);
- (2) Cashiering, selling, modeling, art work, work in advertising departments, window trimming, and comparative shopping;
- (3) Price marking and tagging by hand or machine, assembling orders, packing, and shelving;
- (4) Bagging and carrying out customer's orders;
- (5) Errand and delivery work by foot, bicycle, and public transportation;
- (6) Cleanup work, including use of vacuum cleaners and floor waxers; and maintenance of grounds, but not including use of power-driven mowers or cutters;
- (7) Kitchen work and other work involved in preparing and serving food and beverages, including operation of machines and devices used in performance of such work, such as, but not limited to, dishwashers, toasters, dumbwaiters, popcorn poppers, milk shake blenders, and coffee grinders;

(8) Work in connection with cars and trucks if confined to the following:

- a. Dispensing gasoline and oil;
  - b. Courtesy service on premises of gasoline service stations;
  - c. Car cleaning, washing, and polishing;
- NOTE: Work involving use of pits, racks, or lifting apparatus, or involving inflation of any tire mounted on a rim equipped with a removable retaining ring is not permitted.

(9) Cleaning vegetables and fruits; and wrapping, sealing, weighing, labeling, pricing, and stocking goods when performed in areas physically separated from areas where meat is prepared for sale, and outside freezers and meat coolers;

(10) Selling, offering for sale, soliciting for or displaying articles, goods, merchandise, commercial service, posters, circulars, newspapers, or magazines;

(11) Blacking or shining shoes on any street or public place, or from house to house;

(12) Processing of sugar cane or sorghum into sugar, molasses, or syrup;

(13) Processing strawberries into preserves, coldpack, juices, or other products;

(14) Delivery of, and collection for newspapers and periodicals;

(15) Work as golf caddy.

Rule II E. Occupations Not Permitted for 14 - and 15 - Year - Old Minors

A 14 - and 15 - year - old minor may not be employed in:

- (1) Any manufacturing occupation;
  - (2) Any mining occupation;
  - (3) Processing occupations such as fileting fish, dressing poultry, cracking nuts, or laundering as performed by commercial laundries, and drycleaning (except in a retail, food service, or gasoline service establishment);
  - (4) Occupations which require performance of any duties in workrooms or workplaces where goods are manufactured, mined, or otherwise processed (except to the extent expressly permitted in retail, food service, or gasoline service establishments);
  - (5) Public messenger service;
  - (6) Operating or tending hoisting apparatus or any power driven machinery;
  - (7) Occupations connected with:
    - a. Transportation of persons or property by rail, highway, air, water, pipeline, or other means;
    - b. Warehousing and storage;
    - c. Communications and public utilities;
    - d. Construction, including repair work.
- NOTE: Office and sales work in connection with subparagraphs a, b, c, and d above when not performed at the actual construction site or on transportation media are excepted.
- (8) Any of the following occupations in a retail food service, or gasoline service establishment:
- a. Work performed in or about boiler or engine rooms;
  - b. Work in connection with repair of machines or mechanical equipment;
  - c. Outside window washing and all other work that involves use of ladders and scaffolds or their substitutes;
  - d. Cooking (except at soda fountains, lunchrooms, snack bars, or cafeteria serving counters) and baking;
  - e. Occupations which involve operating, setting up, adjusting, cleaning, oiling, or repairing power driven food slicers and grinders, choppers and cutters, and bakery type mixers;
  - f. Work in freezers and meat coolers, and all work in preparation of meat for sale (except wrapping, sealing, labeling,

weighing, pricing, and stocking when such work is performed in processing areas);

g. Loading and unloading goods on and off trucks, railroad cars, and conveyors;

h. All occupations in warehouses, except office and clerical work.

#### RULE III 4. Hazardous Occupations

In the following paragraphs certain occupations are listed as hazardous. These occupations are specified both on an industry-wide basis, and on an occupational basis, regardless of the industry in which they are found.

##### A. Manufacturing or Storage Operations Involving Explosives

(1) Explosives — The term “explosives” and “articles containing explosives” mean and include ammunition, black powder, blasting caps, high explosives, primers, smokeless powder, and all goods classified and defined as explosives by the Interstate Commerce Commission in regulations governing transportation of explosives and other dangerous substances by common carriers.

(2) Plant or Establishment Manufacturing or Storing Explosive Articles — The term “plant or establishment manufacturing or storing explosives or articles containing explosive components” means the land with all buildings and structures thereon which are used in connection with manufacturing, processing, or storing explosives or articles which contain explosive components.

##### (3) Nonexplosive Area

An area which meets all of the following criteria is deemed a “nonexplosive area.”

a. No work performed in the area involves handling or use of explosives.

b. The area is separated from the explosive area by a distance not less than that prescribed in the American Table of Distances for protection of inhabited buildings.

c. The area is separated from the explosive area by a fence or is otherwise located so that it constitutes a designated area.

d. Satisfactory controls have been established to prevent employees under 18 years of age who are working within the area from entering any area in or about the plant which does not meet criteria listed in above Subparagraph a. through c.

##### (4) Occupations Prohibited in Plants Which Manufacture or Store Explosives

The following occupations in or about any plant or establishment which manufactures or stores explosives are prohibited:

a. All occupations in manufacturing, mixing, transporting, or handling explosive compounds in manufacture of explosives, and all other occupations which require performance of any duties in an explosive area in which explosive compounds are manufactured or mixed;

b. All occupations involved in manufacturing, handling, or transportation of primers, and performance of any other duties in the same building in which primers are manufactured;

c. All occupations involved in priming cartridges, and performance of any other duties in the same room in which cartridges are primed;

d. All occupations involved in plate loading cartridges and in operation of automatic loading machines;

e. All occupations which involve loading, inspecting, packing, storing, and shipping blasting caps;

f. All other occupations in or about any plant or establishment which manufactures or stores explosives except when such occupation is performed in a nonexplosive area.

##### B. Occupations Involving Motor Vehicles

##### (1) Definitions

a. Motor Vehicle — The term “motor vehicle” means any automobile, truck, truck-trailer combination, trailer, semitrailers,

motorcycle, or similar vehicle which is propelled or drawn by mechanical or electrical power, and designed for use as a means of transportation, but does not mean any vehicle operated exclusively on rails.

b. Driver — The term “driver” means any individual who, in the course of employment, drives a motor vehicle at any time.

c. Gross Vehicle Weight — The term “gross vehicle weight” means the weight of the vehicle chassis, including lubricants, water, and full tank or tanks of fuel, plus the weight of the cab or drivers compartment, body, special chassis and body equipment, and payload.

##### (2) Occupations Prohibited

Any occupation as motor-vehicle driver is prohibited.

##### C. Occupations in Coal Mines

##### (1) Definitions

a. Coal — The term “coal” means any rank of coal, including lignite, bituminous, and anthracite coals.

b. Occupations In or About Any Coal Mine — The term “all occupations in or about any coal mine” means all types of work performed in any underground working, open pit, or surface part of any coal-mining plant that contributes to extraction, grading, cleaning, or other handling of coal.

##### (2) Prohibited Occupations

All occupations in or about any coal mine are prohibited.

##### D. Occupations in Connection with Mining Other than Coal

(1) Definition — The term “all occupations connected with mining, other than coal” means all work performed:

a. Underground in mines and quarries;

b. On the surface at underground mines and underground quarries;

c. In or about open-cut mines, open quarries, clay pits, and sand and gravel operations;

d. At or about placer mining operations;

e. At or about operations dredging for clay, sand or gravel;

f. At or about bore-hole mining operations;

g. In or about all metal mills, washer plants, or grinding mills which reduce bulk of extracted minerals;

h. At or about any crushing, grinding, screening, sizing, washing, or cleaning operations performed upon extracted minerals, except when such operations are performed as part of a manufacturing process outside of the area of the mine or quarry.

(2) Prohibited Occupations — All occupations in connection with mining or operation of a quarry are prohibited.

##### E. Logging and Sawmill Operations

##### (1) Definitions

a. Occupations in Logging — The term “all occupations in logging” means all work performed in connection with felling timber; bucking or converting timber into logs, poles, piles, ties, bolts, pulpwood, chemical wood, excelsior wood, cordwood, fenceposts, or similar products; collecting, skidding, yarding, loading, transporting, and unloading such products in connection with logging; and other work performed in connection with logging that is declared to be hazardous by the Assistant Secretary of Labor.

b. Occupations in Sawmilling — The term “occupations in the operation of any sawmill, lath mill, shingle mill, or cooperage-stock mill” means all work performed in or about any such mill in connection with storing logs and bolts; converting logs or bolts into sawn lumber, laths, shingles, or cooperage-stock, or other products of such mills; any other work performed in connection with operating any sawmill, lath mill, shingle mill, or cooperage-stock mill.

(2) Prohibited Occupations — All occupations in logging, and all occupations in operation of any sawmill, lath mill, shingle mill, or cooperage-stock mill are prohibited.

## F. Power-Driven Woodworking Machine Occupations

### (1) Definitions

a. Power-Driven Woodworking Machines — The term “power-driven woodworking machines” means all fixed or portable machines or tools driven by mechanical or electrical power, and are used or designed for cutting, shaping, forming, nailing, stapling, wire-stitching, fastening, or otherwise assembling, pressing, or printing wood veneer, or other products.

b. Off-Bearing — The term “off-bearing” means removal of material or refuse directly from a saw table or from the point of operation. Operations not considered to be off-bearing are: (1) Removal of material or refuse from a circular saw or guillotine-action veneer clipper when such material or refuse has been conveyed away from the saw table or point of operation by a gravity chute or by some mechanical means, such as a moving belt or expulsion device; (2) Carrying, moving, or transporting materials from one machine to another, or from one part of the plant to another; (3) Piling, stacking, or arranging materials to be fed into a machine by another person; and (4) Sorting, tying, bundling, or loading materials into conveyances.

### (2) Prohibited Occupations

The following occupations involved in operation of power-driven woodworking machines are prohibited:

- a. Supervising or controlling operation of any woodworking machine;
- b. Feeding materials into any woodworking machine;
- c. Helping to feed materials into any woodworking machine;
- d. Setting up and adjusting, repairing, oiling, or cleaning power-driven woodworking machines;
- e. Any off-bearing occupation such as removing materials from circular saws and guillotine-action veneer clippers.

### (3) Exemptions

Apprentices are exempt from prohibitions which apply to power-driven woodworking machine occupations.

## G. Occupations Which Involve Operation of Power-Driven Circular Saws, Band Saws, and Guillotine Shears

### (1) Definitions

a. Circular Saw — A circular saw is a machine which is equipped with a thin steel disc which has a continuous series of notches or teeth on the peripheral edge, mounted on a shaft, and used for sawing materials.

b. Band Saw — A band saw is a machine which is equipped with an endless steel band which has a continuous series of notches or teeth on one edge. The band runs over wheels or pulleys, and is used to saw materials.

c. Guillotine Shears — A guillotine shear is a machine which is equipped with a movable cutting blade, and is operated vertically to shear materials.

d. Full Automatic Feed and Ejection — The term “machine equipped with full automatic feed and ejection” means any machine which is equipped with devices which automatically feed and eject materials, and has a fixed barrier guard to prevent completely an operator or helper from placing any part of his body in the point of operation.

e. Operator — An operator is any person who operates a machine by performing the functions of starting or stopping the machine, placing materials into or removing materials from the machine, or any other function directly associated with operation of the machine.

f. Helper — A helper is any person who assists in operation of a machine by helping to place materials into or remove materials from the machine.

## H. Power-Driven Metal-Forming, Rolling, Punching, and Shearing Machine Occupations

### (1) Definitions

a. Operator — An operator is any person who operates a machine by performing such functions as starting or stopping the machine, placing materials into or removing materials from the machine, or any other function which is directly involved in operation of the machine.

b. Helper — A helper is any person who assists in the operation of a machine by helping place materials into or removing materials from the machine.

c. Forming, Rolling, Punching, and Shearing Machines — These are power-driven metal-working machines which change the shape of or cut metals by means of tools, such as dies, rolls, or knives which are mounted on rams, plungers, or other moving devices.

### (2) Prohibited Occupations

Minors are prohibited from working on occupations as operator or helper on:

a. All rolling machines, such as beading, straightening, corrugating, flanging, or bending rolls; and on hot or cold rolling mills;

b. All pressing or punching machines, except those which are provided with full automatic feed and ejection, and with a fixed barrier guard to prevent the hands or fingers of the operator from entering the area between the dies or cutting surfaces;

c. All bending machines, such as apron brakes and press brakes;

d. All hammering machines, such as drop-hammers and power hammers;

e. All shearing machines, such as guillotine or squaring shears, alligator shears, and rotary shears.

NOTE: The occupations of setting up, adjusting, repairing, oiling, or cleaning any type of machine described in Subparagraphs a. through e. above, including those with automatic feed and ejections, are prohibited.

## I. Power-Driven Paper-Products Machine Occupations

### (1) Definitions

a. The term “operating or assisting to operate” means all work involved in starting, stopping, loading materials into, and removing materials from a machine, or any other work directly involved in operating the machine.

b. The term “paper products machine” means any power-driven machine used to manufacture or convert paper or pulp into a finished product. The term is understood to apply to such machines whether they are used in establishments that manufacture converted paper pulp products, or in any other type of manufacturing or non-manufacturing establishment.

### (2) Prohibited Occupations

a. Minors are prohibited from operating any of the following or similar machines: Arm-type wirestitcher, stapler, circular or band saw, corner cutter or mitering machine, corrugating and single or double facing machine, envelope die-cutting press, guillotine paper cutter or shear, horizontal bar scorer, laminating or combining machine, sheeting machine, scrap paper baler or vertical slotter, platen die-cutting press, platen printing press and punch press which involves hand-feeding.

b. Minors are prohibited from setting up, adjusting, repairing, oiling, or cleaning above machines, including those which do not involve hand-feeding.

(3) Exemptions — Apprentices and student-learners are exempt from all prohibitions in occupations involving power-driven paper-products machines and equipment.

## J. Power Driven Bakery Machine Occupations

### (1) Prohibited Occupations

Minors are prohibited from engaging in the following occupations: operating, assisting to operate, or setting up, adjust-

ing, repairing, oiling, or cleaning any horizontal dough mixer; batter mixer; bread dividing, rounding, or molding machine; dough brake; dough sheeter; combination slicing and wrapping machine; cake cutting band saw; setting up or adjusting a cookie or cracker machine.

(2) Apprentices are exempt from all prohibitions affecting occupations involving power-driven baking equipment and machines.

#### K. Power-Driven Hoisting Apparatus Occupations

##### (1) Definitions

A. Elevator — An elevator is any power-driven hoisting or lowering mechanism equipped with a car or platform which moves in guides in a substantially vertical direction. Both passenger and freight elevators are included (also portable elevators and tiering machines). Dumbwaiters are not included.

B. Crane — A crane is a power-driven machine used for lifting and lowering a load and moving it horizontally. The hoisting mechanism is an integral part of the machine. Included are cantilever gantry, crawler, gantry, hammerhead, ingot-pouring, locomotive, motor truck, overhead traveling, pillar jib, pintle, portal, semigantry, semiportal, storage bridge, tower, walking jib, and wall cranes.

c. Derrick — A derrick is a power-driven hoisting apparatus which consists of a mast or equivalent members held at the top by guys or braces, with or without a boom, for use with a hoisting mechanism and operating ropes. All types of derricks are included, such as A-frame, breast, Chicago boom, gin-pole, guy, and stiff-leg derricks.

d. Hoist — A hoist is any power-driven apparatus used for raising or lowering a load by application of a pulling force. This includes all types of hoists, such as base-mounted electric, clevis suspension, hook suspension, monorail, overhead electric, simple drum, and trolley suspension hoists.

e. High-Lift Truck — A high-lift truck is a power-driven industrial type truck used for lateral transportation, and is equipped with a power-lifting device, usually in the form of a fork or platform capable of tiering loaded pallets one above the other. Instead of a fork or platform, the lifting device may consist of a ram, shovel, scoop, crane, revolving fork, or other attachments for handling specific loads. Such trucks may be known as forklifts, fork trucks, tiering or stacking trucks, front-end loaders, or graders. Not included are low-lift, or low-lift platform trucks which are designed for transportation of, but not tiering of, materials.

f. Manlift — A manlift device is one which is intended for conveyance of persons. It consists of platforms or brackets mounted on, or attached to, an endless belt, cable, chain, or similar suspension device. Such chain device operates in a substantially vertical direction, and is supported by, and driven through pulleys, sheaves, or sprockets at top and bottom.

h. Automatic Elevator — An automatic elevator is a passenger elevator, freight elevator, or a combination freight-passenger elevator. Such elevator is controlled by pushbuttons in such a manner that starting, stopping, going to a landing and holding, and opening and closing car and hoistway doors is entirely automatic.

h. Automatic Signal Operation Elevator — This type elevator is one which is started in response to operation of a switch in the car which, when operated by the operator, actuates a starting device which automatically closes the car and hoistway doors, controls movement of the car to a selected landing, holds it when it arrives, and automatically opens the car and hoistway doors.

##### (2) Prohibited Occupations

The following occupations are prohibited for minors:

a. Operating a crane, derrick, elevator, hoist, or high-lift truck;

b. Work which involves riding in a manlift or on a freight elevator, except a freight elevator operated by an assigned operator;

c. Assisting in operation of a crane, derrick, or hoist; or in work performed by crane hookers, crane chasers, hookers-on, riggers, rigger helpers, and similar occupations.

#### L. Wrecking, Demolition, and Shipbreaking Occupations

(1) Prohibited Occupations — All work in wrecking, demolition, and shipbreaking is prohibited. This includes cleanup and salvage work, performed at the site of total or partial razing, demolishing, or dismantling a building, tower, bridge, steeple, chimney, or other structure, ship, or other vessel.

(2) Exemptions — All apprentices are exempt from prohibitions which apply to occupations in wrecking, demolition, and shipbreaking.

#### M. Brick, Tile, and Kindred Products Manufacturing Occupations

(1) Prohibited Occupations — All work in and about establishments in which clay construction products and silica brick are manufactured and in other silica refractories is prohibited with the exceptions listed in Subparagraph (2) below.

(2) Exemptions — All apprentices are exempt from prohibitions which apply to occupations in manufacture of brick, tile, and kindred products.

#### N. Roofing Occupations

(1) All occupations in roofing operations are prohibited. These include:

a. Installation of roofs, including related metal work, such as flashing, etc.;

b. Alterations, additions, maintenance, and repair, including painting and coating existing roofs.

(2) Exemptions — All apprentices are exempt from prohibitions which apply to occupations in roofing operations.

#### O. Excavation Occupations

##### (1) Prohibited Occupations

The following occupations are prohibited to minors:

a. Excavating, working in, or backfilling trenches with the exception listed in Subparagraph (2) below;

b. Excavating for buildings or other structures, or working in such excavations, with the exception listed in Subparagraph (2) below;

c. Working within tunnels prior to completion of all driving and shoring operations;

d. Working within shafts prior to all sinking and shoring occupations.

(2) Exemptions — All apprentices are exempt from the prohibitions which apply to occupations in excavation work.

#### P. Slaughtering, Meat-Packing or Processing, or Rendering Occupations

##### (1) Definitions

a. Slaughtering and Meat-Packing Establishment — Such establishments are places in and about which cattle, calves, hogs, sheep, lambs, goats, or other animals are killed, butchered, or processed. Including are establishments which manufacture or process meat products or sausage casings from such animals.

b. Rendering Plant — A rendering plant is any establishment engaged in conversion of dead animals, animal offal, animal fats, scrap meats, blood, and bones into stock feeds, tallow, inedible greases, fertilizer ingredients, and similar products.

c. Killing Floor — The killing floor is the workroom or workplace in which cattle, hogs, calves, sheep, lambs, goats, or other animals are immobilized, shackled, or killed, and the carcasses are dressed prior to being chilled.

d. Curing Cellar — A curing cellar is a workroom or workplace which is primarily devoted to preservation and flavoring

meat by curing materials. It does not include an area where meat is smoked.

e. Hide Cellar — A hide cellar is a workroom or workplace in which hides are graded, trimmed, salted, and otherwise cured.

f. Boning Occupation — The term "boning occupation" means removal of bones from meat cuts. It does not include scraping or trimming meat from cuts containing bones.

(2) Prohibited Occupations

The following occupations are prohibited:

a. All occupations on the killing floor, in curing cellars, and in hide cellars, with exception listed in Subparagraph (3) below;

b. All occupations involved in recovery of lard and oils, with exception listed in Subparagraph (3) below;

c. All occupations involved in tankage or rendering whether or not in a rendering plant, or a slaughter house;

d. All occupations involved in operating, setting up, adjusting, oiling, or cleaning any power-driven machine used in a slaughtering, meat-packing or processing, or rendering plant;

e. All boning work;

f. All occupations which involve pushing or dropping any suspended carcass, half carcass, or quarter carcass;

g. All occupations involving hand-carrying any carcass or half carcass of beef, pork, or horse, or any quarter carcass of beef or horse.

(3) Exemptions — All apprentices are exempt from prohibitions which apply to occupations involved in slaughtering, meat-packing or processing, or rendering.

Q. Occupations Involving Exposure to Radioactive Substances and Ionizing Radiation

All work is prohibited in any workroom in which:

(1) Radium is stored or used in the manufacture of self-luminous compounds;

(2) Self-luminous compounds are manufactured, processed, or packaged;

(3) Self-luminous compounds are stored, used, or worked on;

(4) Incandescent mantles are made from fabric and solutions containing thorium salts, or where these are packaged or stored;

(5) Other radioactive substances are present in the air in average concentrations exceeding ten percent of the maximum permissible concentration in air recommended for exposure by the National Committee on Radiation Protection as set forth in the forty-hour week column of Table One of the National Bureau of Standards, Handbook No. 69, entitled Maximum Permissible Body Burdens and Maximum Permissible Concentrations of Radionuclides in Air and Water for Occupational Exposure, issued June 5, 1959.

(6) Any other work which involves exposure to ionizing radiations in excess of 0.5 rem per year.

R. Occupations Involving Use of or Contact with Lead or Any Other Toxic Substance

Any occupation which involves use of or contact with any

toxic substance is prohibited. Such occupations include spray painting, transporting, or physically handling such substances.

J. T. Armatta

Assistant Secretary of Labor

## RULES

### Board of Trustees

#### State Employees Group Benefits Program

Rules for the Selection of

Minority Members to the

Board of Trustees of the

State Employees Group Benefits Program

1. Two members of a minority race, as defined below, who are state employees and participants in the State Employees Group Benefits Program will be appointed to the Board pursuant to R.S. 42:872 and these rules.

2. The following groups of persons are hereby designated as a "minority."

a. Black - Not of hispanic origin. Persons having origin in any of the black racial groups of Africa.

b. Hispanic - Persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish cultures or origin regardless of race.

c. American Indian or Alaskan Native - Persons having origins in any of the original peoples of North America who maintain cultural identification through tribal affiliation or community recognition.

d. Asian or Pacific Islander - Persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Sub-continent or the Pacific Islands.

3. Any interested person meeting the requirements of Rules 1 and 2 may apply for appointment to the Board by forwarding to the Chairman of the Selection Committee:

a. A petition signed by at least twenty-five state employees who are participants in the State Employees Group Benefits Program. This petition, nominating a minority person for appointment, must contain a certification by the agency head or personnel officer that the persons signing the petition are indeed state employees and participating in the Program; and (a sample petition is attached to these rules);

b. A resume outlining the experience and qualifications of the minority applicant.

4. The petition and resume must be sent to: Chairman, Selection Committee, 2648 Wooddale Boulevard, Baton Rouge, Louisiana 70805.

5. All applications for appointment must be received prior to the close of business on March 31, 1981.

6. The Board, or any Committee thereof, may interview any or all of the applicants for membership on the Board of Trustees.

7. The two minority persons appointed to the Board will serve until September 1, 1984. Minority members appointed subsequent thereto shall serve terms of office concurrent with other members of the Board.



**Nominating Petition**

We the undersigned state employees and participants in the State Employees Group Benefits Program, hereby nominate

for membership on the Board of Trustees of the State Employees Group Benefits Program.

Signature	Social Security No.	Agency	Date
1. _____			
2. _____			
3. _____			
4. _____			
5. _____			
6. _____			
7. _____			
8. _____			
9. _____			
10. _____			
11. _____			
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17. _____			
18. _____			
19. _____			
20. _____			
21. _____			
22. _____			
23. _____			
24. _____			
25. _____			

I hereby certify the persons signing this petition are state employees and members of the State Employees Group Benefits Program.

Agency Chief

Personnel Officer

James D. McElveen  
Executive Director

**RULE**

**Department of the Treasury  
State Bond Commission**

The following rules and regulations of the Louisiana State Bond Commission, Office of the Treasurer, were adopted pursuant to the Administrative Procedures Act of Louisiana (R.S. 49:951, et seq.) after a public hearing held thereon on February 3, 1981.

Section 2, paragraph 1 of the State Bond Commission's Rules and Regulations, as originally adopted on November 20, 1976, and amended as of October 20, 1978, November 20, 1979, and January 20, 1981, are hereby amended to read:

"1. The following has been adopted concerning meeting dates: Regular meetings shall be held at 10:00 a.m. on the third Tuesday following any meeting, provided that: (a) any meeting at which bids are to be received from the sale of bonds may be held at either 10:00 a.m. or 11:00 a.m., and (b) any meeting held in lieu of a regular meeting date due to State holidays shall be deemed a regular meeting, and such new meeting date shall be determined by the Chairman of the Commission; special meetings may be called by the Chairman of the Commission on any date, and upon calling such meeting, shall determine not only the date of the special meeting, but also the next regular meeting date."

Thomas D. Burbank, Jr., Director and Secretary  
State Bond Commission

**RULES**

**Department of Urban and Community Affairs  
Office of Consumer Protection  
Title 2: Procedures  
Chapter I - General Procedural Rules**

Section 2. Process of initiation

Any interested person may petition the Office requesting the adoption, amendment, or repeal of a rule. The petition shall be filed in the Office located at 2610 Wooddale Boulevard, Suite A, Baton Rouge, Louisiana 70806, or such other address as from time to time the Office may be moved, at any time during normal office hours, from 8:30 a.m. to 5:00 p.m., except for legal holidays and the days of the weekend. Within ninety days after submission of a petition, the Office shall either deny the petition in writing, stating reasons for the denial, or shall initiate rule-making proceedings in accordance with these rules.

Section 4. Notice

Prior to the adoption, amendment, or repeal of any rule, the Office shall give at least fifteen days notice of its intended action. The notice shall include a statement of either the terms or substance of the intended action or a description of the subjects and issues involved; a statement, approved by the Legislative Fiscal Office, of the fiscal and economic impact of the intended action, if any; or a statement, approved by the Legislative Fiscal Office, that no fiscal or economic impact will result from such proposed action; the name of the person within the Office who has the responsibility for responding to inquiries about the intended action; and the time when, the place where, and the manner in which interested persons may present their views thereon. The notice and the approved fiscal and economic impact statements shall be published at least once in the *Louisiana Register* and shall be mailed to all persons who have made timely request of the Office for advance notice of its rule-making proceedings, which notice shall be mailed at the earliest possible date and in no case later than the date when the proposed action is submitted to the *Louisiana Register*. At the same time notice is given, a report relative to such action shall be submitted to the House Committee on Municipal and Parochial Affairs and the Senate Committee on Municipal and Parochial Affairs. For the purpose of timely notice, the date of notice shall be deemed to be the date of publication of the issue of the *Louisiana Register* in which the notice appears, such publication date to be the publication date as stated on the first page of said issue.

Section 9. Substantial compliance

No rule adopted shall be valid unless adopted in substantial compliance with these rules. No rule, whether adopted before, on, or after January 1, 1975, shall be effective, nor may it be enforced, unless it has been properly filed with the Department of the State Register. No rule, adopted on or after November 1, 1978, shall be effective, nor may it be enforced, unless prior to its adoption a

report relative to the proposed rule change is submitted to the appropriate standing committees of the Legislature as provided in CPR 2:4. No rule, adopted on or after September 12, 1980, shall be effective, nor may it be enforced, unless the approved fiscal and economic impact statements have been filed with the Department of the State Register and published in the Louisiana Register. The inadvertent failure to mail notice to persons making request for mail notice shall not invalidate any rule adopted hereunder. A proceeding under R.S. 49:963 to contest any rule on the ground of noncompliance with the procedural requirements of law must be commenced within two years from the effective date of the rule.

Charles W. Tapp  
Assistant Secretary

## **RULE**

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

Resolution adopted by the Louisiana Wildlife and Fisheries Commission at the regular meeting held in New Orleans, Louisiana on Tuesday, January 27, 1981.

WHEREAS, Lake Charles, Moss Lake and Prien Lake in the Parish of Calcasieu were closed to the use of certain types of commercial fishing gear beginning on July 26, 1955, until further notice by the Louisiana Wildlife and Fisheries Commission for the purpose of conducting a biological study to be made to regulate the method and type of fishing that would be most beneficial to the area; and

WHEREAS, subsequent biological surveys indicate these lakes do not support populations of commercial species comparable to those in the past; and

WHEREAS, the lakes provide a considerable amount of sport fishing opportunity not compatible with certain types of commercial gear.

THEREFORE BE IT RESOLVED, the Louisiana Wildlife and Fisheries Commission hereby continues the closure of the waters of Lake Charles, Moss Lake and Prien Lake to all commercial fishing whether by means of seines, trammel, gill and butterfly nets, and all trawls over sixteen feet; however, the lakes will remain open to the use of hoop nets, trot or set lines and sixteen foot trawls in season.

Jesse J. Guidry, Secretary  
Department of Wildlife and Fisheries

# **Notices of Intent**

## **NOTICE OF INTENT**

### **Department of Agriculture Office of Management and Finance**

In accordance with the provisions of LSA 49:951, et seq., the Administrative Procedure Act, and LSA 3:2096, relative to the authority of the Louisiana Livestock Sanitary Board to deal with contagious diseases of animals, notice is hereby given that the Louisiana Livestock Sanitary Board will conduct a public hearing on Tuesday, March 10, 1981, at 9:30 a.m., in the office of the

Commissioner of Agriculture, Twenty-First floor, State Capitol, Baton Rouge, Louisiana.

The purpose of the hearing is to promulgate rules and regulations governing the intrastate manufacture, distribution, and sale of animal vaccines, including, but not limited to, the following subject matter: definitions, requirements for approval of facilities, requirements for approval of specific vaccines, labels and labeling requirements, the application process, duration of and revocation of permits, fee for permitting, required record keeping, provisions for experimental research and test animals, review committee, change of ownership, restricted sales, and prohibitions.

Interested persons may secure a copy of the full text of said rules and regulations by written request to Dr. William Fairchild, State Veterinarian, Box 1951, Baton Rouge, Louisiana 70802 or in person at the Livestock Sanitary Board Office, 1276 Plank Road, Baton Rouge, Louisiana. Written comments will be accepted up to and including March 9, 1981, by the State Veterinarian at either of the above addresses, or may be submitted in person at the hearing.

All interested persons will be afforded a reasonable opportunity to submit data, views, or arguments, orally or in writing, as provided by R.S. 49:953.

Bob Odom  
Commissioner of Agriculture

### **Fiscal and Economic Impact Statement For Administrative Rules Rule Title: Animal Vaccines**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
Implementation costs to this agency will be approximately \$300 for travel to collect vaccine samples for testing. The rule will require that the actual cost of validation testing will be borne by the manufacturer.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
No fee for license or special permit is now required, nor is a fee proposed. There will be no increase in revenue, whether or not the rule is enacted.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
The estimated cost to the biological company wishing to produce, distribute, and sell a vaccine in Louisiana would be approximately \$20,000 annually, which would be paid to a commercial laboratory for evaluation of their product(s). Depending upon the species involved and sale price of the biological product, the sale of a vaccine or bacteria in Louisiana could easily generate \$500,000 or more revenue in Louisiana and save the consumers even more money by preventing a reduction in the food supply and/or the cost of treating sick animals.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
The estimated effect on competition would be minimal because there are a considerable number of biological firms from out of state doing business in Louisiana at the present time. The effect on employment, however, could be very significant if a disease problem were to arise in any segment of the livestock industry which required a vaccine that was not being produced by an out-of-state federally licensed firm but could be produced by a firm in the state. This would insure the jobs of the people employed.

John Compton  
Deputy Commissioner of Agriculture

Mark C. Drennen  
Legislative Fiscal Officer



the State Department of Agriculture, Family Farm Council, will conduct a public hearing at 10:00 a.m. on April 3, 1981, in the office of the Commissioner of Agriculture, twenty-first floor, State Capitol, Baton Rouge, Louisiana.

The purpose of the hearing is to promulgate rules and regulations governing administration of the Family Farm Credit Program, including, but not limited to, the following general categories: definitions; applicant eligibility requirements; conditions for approval of loan guarantee; conditions for approval of interest payment adjustment; time and manner of filing applications; contents of the application; appraisal requirements, including listing of approved appraisers and selection of appraisers; title opinion requirements; Council procedures for initial approval/denial of application for loan guarantee/interest payment adjustment and subsequent notification; re-application and review of determinations; conditions for execution of Family Farm Loan Guarantee Agreement; conditions for execution of Interest Payment Adjustment Agreement; annual determination of eligibility for interest payment adjustment; renewal of interest payment adjustment; default for failure to farm lands purchased with Family Farm Security Loan; procedures upon default for non-payment; transfer of property secured under a Family Farm Loan Guarantee Agreement; and prohibitions.

Interested persons may secure a copy of the full text of the proposed rules and regulations by written request to Mr. Bryce Malone, Assistant Commissioner for Marketing, Box 44184, Baton Rouge, Louisiana, 70804, or in person at the Family Farm Council office at 12055 Airline Highway, Baton Rouge, Louisiana.

Written comments will be accepted by Mr. Malone, at either of the above addresses, up to and including March 31, 1981, or may be presented in person at the public hearing.

All interested persons will be afforded a reasonable opportunity to submit data, views, or arguments, orally or in writing, as provided by LSA 49:953.

Contingent upon appropriations to support the Family Farm Credit Program at the 1981 Session of the Louisiana Legislature, the rules and regulations proposed for the administration of the Family Farm Credit Program will become effective as of July 1, 1981.

Bob Odom  
Commissioner of Agriculture

**Fiscal and Economic Impact Statement  
For Administrative Rules  
Rule Title: Family Farm Credit**

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

Initial costs for implementation of the program will be \$71,774: salaries for two employees (administrator and clerical), routine operating expenses (supplies, rent, telephone, etc.), and initial purchase of office equipment.

The Department will also request a special appropriation of \$750,000 to \$1 million to set up a Revolving Fund for the payment of interest adjustments at the 1981 Session. This Revolving Fund will support payments of one-half of the interest due on eligible guaranteed loans.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)**

There will be no direct revenues generated by the program. In the eleventh and subsequent years of the program, monies paid as interest adjustment payments will be repaid to the program.

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

Approximately \$50 million should become available from

lending institutions for young farmers to purchase Louisiana farm lands.

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

There should be no effect on competition in agricultural production. However, employment opportunities in the private sector will increase in direct ratio to the number of Louisiana farm acres purchased and put into production through the guaranty and interest adjustment program.

John Compton  
Deputy Commissioner of Agriculture

Mark C. Drennen  
Legislative Fiscal Officer

**NOTICE OF INTENT**

**Department of Agriculture  
Office of Management and Finance**

In accordance with the provisions of LSA 49:951, et seq., the Administrative Procedure Act, and LSA 3:1312, relative to the powers and responsibilities of the Fertilizer Commission, notice is hereby given that the State Department of Agriculture, Fertilizer Commission, will conduct a public hearing, beginning at 1:00 p.m. on Monday, March 9, 1981, in the Department of Transportation and Development Auditorium, 1201 Capitol Access Road, Baton Rouge, Louisiana, and continuing, if necessary, at 9:00 a.m. on Tuesday, March 10, 1981, in the office of the Commissioner of Agriculture, twenty-first floor, State Capitol, Baton Rouge, Louisiana.

The purpose of the hearing is to promulgate rules and regulations governing administration of the regulatory program for fertilizers, including, but not limited to, the following general subject categories: definitions; registration requirements; labeling requirements; required guarantees; custom mixed fertilizers and fertilizer blends; sampling procedures; chemical analysis of fertilizers; tonnage reports and inspection fees; penalties; deficiencies, and curing of deficiencies; prohibitions against penalties; payment of penalties; recall of deficient fertilizer and cancellation of penalties upon proof of recall; stop sale orders; probationary status of registrants; revocation or registration and/or denial of application for renewal of registration; appeals from actions of the Fertilizer Commission/Department of Agriculture, including appeals concerning method of taking samples, appeals concerning results of chemical analysis, appeals concerning probationary status, and public hearing on revocation of registration/denial of application for renewal or registration; confidentiality of records; and penalties for violation.

Interested persons may secure a copy of the full text of the proposed rules and regulations by written request to Dr. Barby Carroll, Louisiana State University, Box 16390 A, Baton Rouge, Louisiana 70803, or in person at Dr. Carroll's office in the Harry D. Wilson Building, Louisiana State University, Baton Rouge, Louisiana.

Written comments will be accepted by Dr. Barby Carroll, at either of the above addresses, up to and including March 6, 1981, or may be presented in person at the public hearing.

All interested persons will be afforded a reasonable opportunity to submit data, views, or arguments, orally or in writing, as provided by LSA 49:953.

Bob Odom  
Commissioner of Agriculture





The agency transferring the item shall be reimbursed up to eighty percent of the proceeds received by State Property Control for the item.

5.5.5. As an exception to the general state property disposition regulations, state agencies may sell their livestock at any authorized public auction or sale. A BF-11 and any documentation pertaining to the sale should be sent to the State Property Control Office immediately after the sale for approval to remove the livestock from the master file.

Anyone who would like to comment on the revisions should contact Dan Pickens at 342-6856.

The State Property Control Regulations may be seen at the State Property Control Office at 1502 North 17th Street, Baton Rouge, Louisiana or the Department of the State Register, 1500 Riverside North, Baton Rouge, Louisiana.

Phillip Collins, Director  
State Property Control

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

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
There will be a onetime cost of approximately \$3000 which will be for printing and mailing.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
The extra five percent service fee will increase revenue approximately \$3500 per year.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
Agencies with revolving funds and federal funds will pay the extra five percent service fee when the Property Control Section sells an item purchased from these funds.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
There will be no effect on competition and employment.

Phillip B. Collins  
Director

Mark C. Drennen  
Legislative Fiscal Officer

**NOTICE OF INTENT**

**Department of Health and Human Resources  
Board of Examiners of Psychologists**

The Board advertised its intent to adopt revisions to the Rules and Regulations for Supervised Practice Leading Toward Licensure.

**Rules and Regulations for Supervised Practice  
Leading Toward Licensure**

This document details reasonable minimal standards for supervised practice and establishes the legal, administrative and professional responsibility of the licensed psychologist designated as supervisor.

The supervisory function serves a multiplicity of purposes. Supervision provides guidance in administrative issues in the practice setting, continues and expands education in skills, offers emotional support, and provides evaluation for purposes of the supervisee's growth, as well as administrative judgment relative to the supervisee's capacity for autonomous professional function. The supervisor assigns work, sets realistic standards for achievement and offers evaluation of the supervisee's performance. The supervisor offers a perspective on the relationship between the super-

visee's assignment, the rest of the setting and the facilities available outside of the setting in order that the supervisee's professional procedures are intelligently placed within the context of all of the systems affecting and influencing the client. In addition to all of this, the supervisor must deal with those personal characteristics of the supervisee which either enhance or interfere with work efficiency. The private actions and behaviors of the supervisee which are not relevant to nor expressed in the work setting shall not be dealt with in the supervisory relationship. The supervisor shall limit supervision to those areas in which he/she has professional expertise, as well as develop the specialized skills necessary to render competent supervision.

Supervised Practice as Prerequisite for Licensure.

1. Duration and Setting of Supervised Practice.
  - A. Two years of full-time (or equivalent) supervised and documented experience shall be required for licensure.
    1. Credit shall not be granted for practice in connection with course work practicum experience for which predoctoral graduate credits are granted.
    2. To be credited toward the two full-time requirement each assignment in a setting or integrated program shall be of at least six months duration and at least half-time. Any half-time assignments shall extend the period of supervision proportionately beyond two calendar years. This requirement must be completed within five calendar years; for cause shown, the Board may grant extensions.
    3. Internship Programs — A predoctoral internship shall be credited toward the required two years of supervised experience:
      - a. If that experience was required as a part of the doctoral degree, and was a minimum of two thousand clock hours of supervised practice.
      - b. Any internship which meets all other criteria of this rule, but is less than two thousand hours in duration, may be credited proportionately toward two years of experience required for licensure:
        - (1) If that internship covered a minimum of one thousand clock hours.
        - (2) The applicant or candidate completes all other supervised experience after award of the doctoral degree.
  - B. Supervised experience shall be credited for professional practice only if obtained in a public or private agency, institution, or organization which will provide an opportunity to utilize a variety of theories and work with a broad range of populations and techniques.
    1. The contribution of at least one other discipline whose expertise is germane, into the evaluation and intervention decisions in professional problem areas is a necessary aspect of professional training and practice.
    2. Experience in other settings may be considered only by prior arrangement with, and approval of, the Board.
- II. Qualifications of Supervisors
  - A. Responsibility for the overall supervision of the supervisee's professional growth resides in the licensed psychologist. Supervising psychologists shall have training in the specific area of practice in which they are offering supervision. Specific skill training may be assigned to other specialists, under the authority of the supervising psychologist. The non-psychologist specialist shall have clearly established practice and teaching skills demonstrable to the satisfaction of both the supervising psychologist and the supervisee.
  - B. The supervisor shall limit the number of persons supervised so as to be certain to maintain a level of supervision and practice consistent with professional standards insuring the welfare of the supervisee and the client.

C. The supervisor shall not be a member of the supervisee's immediate family.

III. Amount of Supervisory Contact. There shall be one hour per week as a minimum for general professional supervision. Exceptions to the requirement must have prior approval by the Board. Specific case discussion and skill training require additional supervisory contact. Supervision is to be conducted on a one-to-one basis, and shall not be substituted for by group seminars or consultation even though they may be excellent training procedures in their own right. It is likely that more than one hour per week would be required, especially with supervisees of lesser experience.

IV. Conduct of Supervision.

A. The Board recognizes that the variability in preparation for practice of the trainee will require individually tailored supervision. The specific content of the supervision procedures will be worked out between the individual supervisor and the supervisee.

B. The licensed psychologist who provides supervision for the candidate for licensure must have legal functional authority over and professional responsibility for the work of the supervisee. This means that the supervisor must be available to the supervisee at the point of the decision making. The supervisor's relationship with the supervisee shall be clearly differentiated from that of consultant, who may be called in at the discretion of the consultee, and who has no functional authority for, nor none of the legal or professional accountability for the services performed or for the welfare of the client.

C. The licensed psychologist is responsible for the delivery of services, the representation to the public of services, and the supervisor/supervisee relationship.

1. All clients will be informed of the availability or possible necessity of meetings with the supervising psychologist at the request of the client, the supervisee, or the psychologist. The supervisor will be available for emergency consultation and intervention.

2. All written communication will clearly identify the licensed psychologist as responsible for all psychological services provided. Public announcement of services and fees, and contact with the public or professional community shall be offered only by or in the name of the licensed psychologist. It is the responsibility of both the supervising psychologist and the supervisee to inform the client, to whatever extent is necessary for the client to understand, of the supervisory status and other specific information as to supervisee's qualifications and functions.

3. Billing and receipt of payment is the responsibility of the employing agency or the licensed psychologist. The setting and the psychological work performed shall be clearly identified as that of the licensed psychologist. The physical location where services are delivered may not be owned, leased, or rented by the supervisee.

4. The Supervisor must be paid either directly by the client or by the agency employing the supervisee. The supervisee may not pay the supervisor for supervisory services, nor may the supervisee and/or his/her immediate family have any financial interest in the employing agency.

5. The supervising psychologist is responsible for the maintenance of information and files relevant to the client. The client shall be fully informed, to whatever extent is necessary for that client to understand, that the supervising psychologist or the employing agency is to be the source of access to this information in the future.

D. In the event the supervisee publicly represents himself/herself inappropriately, or supervision is not conducted according to this part (IV), the Board may rule that any experience gained in that situation is not commensurate with ethical standards and thus is not admissible as experience toward licensure. The Board may

further rule that any psychologist providing supervision under those circumstances is in violation of ethical standards which results in disciplinary action such as suspension or revocation of licensure.

V. Evaluation and Accreditation of Supervised Practice.

A. The Board shall require submission of information by the supervisor(s) which will enable it to evaluate and credit the extent and quality of the candidate's supervised practice. The form requesting such information shall cover the following:

1. Name of supervisee.
2. Educational level of supervisee.
3. Supervisor's name, address, license number, date and state in which granted, and area of specialization.
4. Name and nature of setting in which supervised practice took place.
5. Dates of practice covered in this report.
6. Number of practice hours during this period.
7. Supervisee's duties.
8. Number of one-to-one supervisory hours.
9. Assessment of supervisee's performance.

B. The Board may also require the supervisee to submit reports.

C. Supervised practice time during which the supervisor deems the supervisee's performance to have been unacceptable shall not be credited toward the required supervised practice hours.

Wayne A. Greenleaf, Ph.D.  
Chairman

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

**Rule Title: Revisions to Rules for Supervised Practice  
Leading Toward Licensure**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
There is no estimated implementation costs (savings) to agency.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
There is no estimated effect on revenue collections.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
There is no estimated effect on costs and benefits to affected groups.
  - 1) Each State agency or private facility which hires a psychologist who is not licensed will find it easier to arrange for the required supervision due to the removal of the requirement for an extra year of experience past licensure.
  - 2) There will be no change in the amount of paper work required and therefore no impact due to these changes.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
This change may result in some increase in competition and employment because smaller agencies will find it easier to arrange for the required supervision, provided by psychologists, due to the removal of the requirement for an extra year of experience past licensure.

Wayne Greenleaf  
Chairman

Mark C. Drennen  
Legislative Fiscal Officer



**COMMITTEE REPORT**  
**Department of Health and Human Resources**  
**Board of Pharmacy**

**Louisiana House of Representatives**  
January 14, 1981

Honorable David C. Treen, Governor  
State of Louisiana  
State Capitol  
Baton Rouge, Louisiana 70804

Subject: Report on Disapproval of Proposed Rule - Section 28 -  
Louisiana Board of Pharmacy, as required by R.S.  
49:968

Dear Governor Treen:

This is to certify that Proposed Rule - Section 28 - Louisiana Board of Pharmacy (as published in the Louisiana Register, pp. 750-751, December 20, 1981) has been found unacceptable and disapproved in accordance with La. R.S. 49:968.

A copy of the proposed rule is attached. A very similar proposal was disapproved by the committee on November 14, 1980.

The Senate members of the Subcommittee on Oversight, acting as a committee on behalf of their respective house of the legislature, have, as provided specifically in R.S. 49:968 (D) and 49:968 (E), disapproved the proposed rule by a vote of 4 to 0. Voting against the rule were Sens. William Jefferson, Ron Landry, Ned Randolph and Dan Richey.

With respect to this proposed rule, the committee makes the same determinations that it did in our report to you disapproving the prior proposed rule on November 14, 1980.

In addition, it is the position of the committee that the Louisiana Board of Pharmacy acted contrary to law in this matter by publishing notice of intent to adopt the proposed rule in the December 20, 1980, Louisiana Register. Under La. R.S. 49:968 (F) (4), the board has no right to publish a notice of intent on this subject, because of the committee's previous rejection of the proposed rule on November 14, 1980.

We feel our inaction is sufficient legally to prevent adoption of the proposed rule. However, in an abundance of caution, we once again submit to you a report disapproving the action of the Board of Pharmacy in this matter.

Under the provisions of La. R.S. 49:968, please be advised that you have five days to consider this report and, if it is your desire, to disapprove the action taken by the committee.

Please indicate your approval or disapproval of the action of the committee and return this document to my office at One American Place, Suite 1023, Baton Rouge, La. 70825.

With kindest regards, I remain  
Sincerely,  
Louis (Woody) Jenkins, Chairman  
Subcommittee on Oversight  
Joint Committee on Health and Welfare

**NOTICE OF INTENT**

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

As provided for in the Appropriations Act of the 1980 Louisiana Legislature, the Department of Health and Human Resources, Office of Human Development, proposes to adopt the following rule changes which increase (as shown) the fees or rates paid for the following Foster Care services:

1. Monthly board rate for a foster child in Foster Family

Care under age six - from \$4.78 per day (\$146.00 per month) to \$5.24 per day (\$160.00 per month).

2. Monthly board rate for a foster child in Foster Family Care between the ages of six years and twelve years - from \$5.57 per day (\$170.00 per month) to \$6.11 per day (\$185.00 per month).

3. Monthly board rate for a foster child in Foster Family Care ages thirteen or older - from \$6.36 per day (\$193.50 per month) to \$6.98 per day (\$212.00 per month).

4. Initial Replacement Clothing Allowance - from \$150.00 to \$175.00.

5. Physician's fee for required annual physical examination of Foster Parent - from \$20.00 to \$25.00.

6. Monthly subsidy payment for specialized foster homes - from \$600.00 to \$700.00.

Interested persons may submit written comments on the proposed changes through March 5, 1981 at the following address: Mr. Arthur J. Dixon, Assistant Secretary, Office of Human Development, Box 44371, Baton Rouge, Louisiana 70821. Mr. Dixon is the person responsible for responding to inquiries about the proposed rule.

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

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

**Rule Title: Foster Care Rate Increase**

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

The total cost of these increases for the latter half of the 1980-81 FY will be \$461,092 broken down as follows:

Subsidy for specialized foster homes - \$33,000 (Increase from \$600 to \$700 per month for 55 homes annually)

Initial clothing allowance - \$27,500 (Increase from \$150 to \$175 for 2,200 children annually)

Annual physical examination - \$11,000 (Increase from \$20 to \$25 for 4,400 foster parents annually)

Monthly board - \$389,592 (Increase from \$172.30 to \$187.76 average per month for 4,200 children annually)

These estimates do not include implementation costs associated with the Emergency Rule published October 20, 1980 which implemented these increases.

The 1980-81 appropriation for Family Foster Care provides a nine percent increase over the 1979-80 appropriation for the program.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

There will be no effect on revenue collections.

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

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

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

These increases have no effect on competition and employment.

Arthur J. Dixon  
General Counsel

Mark C. Drennen  
Legislative Fiscal Officer

## NOTICE OF INTENT

### Department of State Board of Election Supervisors

In compliance with R.S. 49:953, the State Board of Election Supervisors, Department of State, through its Chairman, James H. Brown, Secretary of State, hereby gives notice of its intention to adopt the test to be administered to the election of commissioners and commissioners-in-charge and the rules for the administration of such test; all as provided in Louisiana R.S. 18:431, 431.1 and 24(5).

All inquiries about this intended action and all written data, views, or arguments should be submitted before April 2, 1981, to James H. Brown, Chairman, State Board of Election Supervisors, Box 44125, Baton Rouge, Louisiana 70804. Telephone: (504) 342-5710.

An opportunity for oral presentation and arguments will be given to all interested persons on April 2, 1981, at 10:00 a.m., in Committee Room D, in the basement of the State Capitol, Baton Rouge, Louisiana.

James H. Brown, Chairman  
State Board of Election Supervisors

### Fiscal and Economic Impact Statement For Administrative Rules Rule Title: Test for Election Commissioners

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
There is no estimated implementation cost. Any costs will be absorbed by the agency.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
There is no estimated effect on revenue collections.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
There is no estimated cost and/or benefit to affected groups.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
There is no estimated effect on competition and/or employment.

Jim Brown  
State Board of Election Supervisors

Mark C. Drennen  
Legislative Fiscal Officer

## NOTICE OF INTENT

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

Notice is hereby given that the Louisiana Department of Treasury, Board of Trustees of the State Employees Group Benefits Program, intends to adopt the following rule as an addition to its existing rules governing the election of members to the Board. This rule will be designated as "H. Uniform Election Dates," under Section IV., entitled "Election Rules and Regulations." The existing Section H. entitled "Severability," will be redesignated as Section I. Comments or objections, in writing, will be accepted by the Executive Director of the State Employees Group Benefits Program until 4:30 p.m. on March 9, 1981, at the following address: James D. McElveen, Executive Director, State Employees Group Benefits Program, Box 44036, Capitol Station, Baton Rouge, LA 70804.

The proposed rule is as follows:

- H. Uniform Election Dates
1. 1st Monday March - Group Benefits submits nomina-

tion sheets to agency's designated Invoice Coordinator.

2. 1st Monday April - Nomination cutoff date — Nominees must be certified by their agency before nominations can be accepted by Group Benefits.

3. 2nd Monday April - Drawing at State Employees Group Benefits Program Office at 2648 Wooddale Boulevard, Baton Rouge, to determine the position each candidate will have on the ballot. All candidates are invited to attend or send a representative.

4. Prior to first Monday in May, ballots will be sent to proper authority for distribution.

5. 2nd Monday June - COB — Deadline for receiving ballots in State Employees Group Benefits Program Office.

6. 3rd Monday June - All ballots counted.

7. Election results promulgated at next Board of Trustees Meeting following the counting of ballots.

I. Severability - If any provision or item of these rules or the application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications of these rules which can be given effect without the invalidated provisions, items, or applications and to this end the provisions of these rules are hereby declared severable.

James D. McElveen  
Executive Director

### Fiscal and Economic Impact Statement For Administrative Rules Rule Title: Election Dates

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
There will be no additional costs nor will there be any savings to this agency as a result of the establishment of uniform election dates.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
This proposed rule will have no impact on revenues.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
There will be no additional cost to any affected group. There will be no additional benefits to any affected group.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
There will be no effect on competition or employment.

James D. McElveen  
Executive Director

Mark C. Drennen  
Legislative Fiscal Officer

## NOTICE OF INTENT

### Department of the Treasury State Police Retirement System

Notice is hereby given that the Board of Trustees of the Louisiana State Police Retirement System intends to grant military service credit for active duty service spent in the United States Reserves or the National Guard. Such credit will be granted only for active duty service prior to September 9, 1977. Any active duty service in the U.S. Reserves or National Guard after September 9, 1977 may be purchased in accordance with L.R.S. 40:1427B2b&c.

All interested persons may submit written comments relative to the proposed regulations through March 5, 1981, to: Richard J. Maciasz, Manager, Louisiana State Police Retirement System, Box 66614, Baton Rouge, Louisiana 70896.

Richard J. Maciasz, Manager  
State Police Retirement System

**Fiscal and Economic Impact Statement  
For Administrative Rules  
Rule Title: 1427B2b&c**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
There will be no additional costs associated with the adoption of this rule.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
Troopers employed after September 9, 1977 must purchase their military credit; thus the effect on revenue collections will depend on the number of troopers purchasing their military service in any given year.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
No other groups will be affected.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
There will be no impact on competition and employment in the public or private sectors.

Richard Maciasz  
Manager

Mark C. Drennen  
Legislative Fiscal Officer

**NOTICE OF INTENT**

**Department of Urban and Community Affairs  
Office of Consumer Protection**

The Assistant Secretary of the Office of Consumer Protection, Department of Urban and Community Affairs, hereby gives notice of his intention to amend Consumer Protection Rule 3:5007 on March 9, 1981, at 5:00 p.m. at the office, 2610-A Wooddale Boulevard, Baton Rouge, Louisiana 70806. The proposed amendments are as follows:

- (1) Add to the definitions in Part A to define "Retail grocery outlet."
- (2) Change all instances where the words "and/or" appeared to "or."
- (3) Add to Part B, (3), the words "nationally advertised price" and "NAP."
- (4) Change the agency name to "Office of Consumer Protection, Department of Urban and Community Affairs."
- (5) Add a new Part C to set forth unfair and deceptive acts or practices of retail grocery outlets.

Any interested person may submit, orally or in writing, to Charles W. Tapp at the above address, his views, arguments, data, or reasons in support of or in opposition to this intended adoption of amendments to said rule by personally visiting the above office during its normal office hours from 8:30 a.m. to 5:00 p.m. on any day not a legal holiday or day of the weekend, from now until the above time and date of taking the intended action, and submitting same.

Charles W. Tapp, Assistant Secretary  
Office of Consumer Protection

**Fiscal and Economic Impact Statement  
For Administrative Rules  
Rule Title: CPR 3:5007 Deceptive Pricing**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
No additional implementation cost to the agency. The amended rule will be promulgated and administered within the current budget. There will be no savings to the agency.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

It is estimated there will be little if any effect on revenue collections in Louisiana since the change affects only certain specific advertising practices and has little direct impact on sales.

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

No costs to affected groups. Benefits to affected groups will be fairer competition among retail food outlets. The buying public will be able to make accurate shopping comparisons by the elimination of hidden overhead costs being built in to what is now advertised as "cost" plus a surcharge.

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

Fairer competition among retail grocery outlets. Those grocery stores that do not use this form of advertising will be able to compete on a more equitable basis because of the absence of misleading information.

Charles W. Tapp  
Assistant Secretary

Mark C. Drennen  
Legislative Fiscal Officer

**NOTICE OF INTENT**

**Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission**

Notice is hereby given that the Louisiana Department of Wildlife and Fisheries intends to close all lakes to commercial netting and/or commercial fishing during drawdown.

RESOLUTION ADOPTED BY THE LOUISIANA WILDLIFE AND FISHERIES COMMISSION AT ITS REGULAR MEETING HELD IN NEW ORLEANS, LOUISIANA ON TUESDAY, JANUARY 27, 1981.

WHEREAS, water level fluctuations is a recognized management practice in impoundments (artificial lakes) for the control of bothersome vegetation and for improving fish populations; and

WHEREAS, the use of commercial webbing is commonly practiced in these impoundments; and

WHEREAS, the majority of impoundments in Louisiana have low poundages of commercial species of fishes; and

WHEREAS, the presence of netting during drawdown usually results in increased loss of larger game fish and imposes increased navigation hazards in shallow water.

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission hereby resolves all freshwater impoundments shall be closed to future use of commercial netting, bait seines excepted, during drawdown; the closure to begin on the date the control structure is open and continue until the structure is closed to raise the lake back to normal levels and that the closure be placed in effect only after concurrence by the local Lake Commission, Police Jury or other parish or state agency responsible for administration of the lake.

Interested parties may direct inquiries to Mr. Kenneth Smith, Chief, Fish Division, Louisiana Department of Wildlife and Fisheries, Post Office Box 44095, Baton Rouge, Louisiana 70804, telephone number (504) 342-5864. Written comments on this proposal will be accepted to March 15, 1981 at the above address.

Jesse J. Guidry  
Secretary

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

**Rule Title: Close Commercial Netting on All  
Lakes During Drawdown**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
There will be no implementation costs or savings to the Department of Wildlife and Fisheries.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
There will be no effect on revenue collections for the Department of Wildlife and Fisheries.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
There should be no costs in the affected groups. The commercial and recreational activities will be curtailed during closure but yields should be significantly higher after the control gates are closed.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
There is very little commercial fishing in any lake due to the low poundage of commercial fish in lakes that can be drawn down. Any decrease in commercial fish yields during the drawdown will be more than offset by increased yields after the closure.

Mary Mitchell  
Fiscal Officer

Mark C. Drennen  
Legislative Fiscal Officer

**NOTICE OF INTENT**

**Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission**

Notice is hereby given that the Louisiana Department of Wildlife and Fisheries intends to continue the closure of certain lakes to commercial netting and/or commercial fishing. These lakes are Lake Vernon, Lake Anacoco and that portion of Anacoco Bayou between the lakes.

Interested parties may direct inquiries to Mr. Kenneth Smith, Chief, Fish Division, Louisiana Department of Wildlife and Fisheries, Box 44095, Baton Rouge, Louisiana 70804, telephone number (504) 342-5864. Written comments on this proposal will be accepted until March 15, 1981 at the above address.

Jesse J. Guidry, Secretary  
Department of Wildlife and Fisheries

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

**Rule Title: The Continued Closure of Certain Lakes  
to Commercial Fishing and/or Netting**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
Since the lakes concerned have been closed for several years, the continued closing will result in no additional cost to this Department.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
It is estimated that there will be no effect on revenue collections.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
The local residents will continue to enjoy recreational fishing in areas that will not support commercial fishing.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

It is estimated that there will be no effect on competition and employment since these lakes have been closed for years.

Mary Mitchell  
Fiscal Officer

Mark C. Drennen  
Legislative Fiscal Officer

**NOTICE OF INTENT**

**Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission**

The Louisiana Wildlife and Fisheries Commission will consider for adoption the rules and dates for the 1981 Spring Shrimp Season at its regular public meeting to be held at 10:00 a.m., April 28, 1981, in the Cypress Room of the Hilton Hotel, Airline Highway, Kenner, Louisiana.

Interested persons may present their views to the Commission, in writing, by submitting them to Dr. Ted B. Ford, Assistant Secretary, Department of Wildlife and Fisheries, 400 Royal Street, New Orleans, Louisiana 70130, prior to April 15. Reasonable opportunity for oral comments will be permitted at the meeting.

The Commission also gives notice that it may reconsider the 1981 Spring Shrimp Season at any subsequent regular or special meeting, and may stop, close, curtail, limit, or extend the harvest of shrimp on an emergency basis, as the interests of the state would appear to be best served, according to available biological and/or other scientific data.

Jesse J. Guidry, Secretary  
Department of Wildlife and Fisheries

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

**Rule Title: Shrimp Seasons Inside Waters**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
There will be no costs to implement this season as it will be handled along with other regular duties.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
There will be an estimated 30,000 shrimp licenses sold. Using a median cost of \$20 per license would result in revenue in the amount of \$600,000.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
The cost to the affected groups would be the licensing fees of \$600,000. The benefits are the \$90,000,000 annual shrimp value at dockside. The 1980 season yielded 56,000,000 pounds of heads off shrimp.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
Approximately 50,000 individuals are influenced by shrimp season.

Mary Mitchell  
Fiscal Officer

Mark C. Drennen  
Legislative Fiscal Officer

**NOTICE OF INTENT**

**Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission**

The Louisiana Wildlife and Fisheries Commission will consider for adoption a survey surcharge for each oyster lease issued by the department at its regular public meeting to be held at 10:00 a.m., March 24, 1981, Wildlife and Fisheries Building, 400 Royal Street, New Orleans, Louisiana 70130.

Interested persons may submit their views in writing prior to March 15 by sending them to Mr. Harry Schafer, Chief, Seafood Division at the above address. Ample opportunity will be given those wishing to state their views at the meeting.

Jesse J. Guidry, Secretary  
Department of Wildlife and Fisheries

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

**Rule Title: Surcharge for Surveying Oyster Leases**

- I. ESTIMATED IMPLMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)  
The cost for the services of a surveyor will be offset by the surcharge assigned to the oyster lease applicant.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)  
A \$30.00 surcharge per lease document for 800 to 1,000 leases per year results in revenue of \$24,000 to \$30,000 which will be utilized to fund survey contract.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)  
It would be an estimated cost of \$24,000 to \$30,000 to the leases at \$30 per lease document. The benefits derived are a current survey of leases. We are currently 18-24 months behind in the surveying of oyster leases.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)  
There will be no effect on competition and employment.

Mary Mitchell  
Fiscal Officer

Mark C. Drennen  
Legislative Fiscal Officer

# Potpourri

## POUPOURRI

### Department of Natural Resources Fishermen's Gear Compensation Fund Claims

In accordance with the provisions of the Fishermen's Gear Compensation Fund, Act 673 of 1979 and in particular Section 700.4 therefore; regulation adopted for the fund as published in the State Register on August 20, 1980; and also, the rules of the Secretary of this Department, notice is hereby given that one completed claim was received during the month of February amounting to \$800.00 for which a public hearing will be scheduled at a later date.

80-213 Alvin Charpentier of Cut Off, Louisiana

Vessel: Captain Alvin, on November 25, 1980, while shrimping east of Shell Key in Vermilion Parish, snagged an unknown object and damaged his trawl. Amount of claim: \$800.00.

Any written objections to this claim must be received by the close of business no later than March 2, 1981 by the Secretary, whose address is: Mr. Frank A. Ashby, Jr., Secretary, Department of Natural Resources, Post Office Box 44396, Capitol Station, Baton Rouge, Louisiana 70804.

At the hearing, any person may submit evidence on any phase of the claim.

**CUMULATIVE INDEX**  
**(Volume 7, Number 1-2)**

Accountants (see Commerce Department, Certified Public Accountants)

Administration, Division of (see Governor's Office)

Agriculture Department:

- Dairy Stabilization Board, 12N
- Horticulture Commission, 1R
- Livestock Sanitary Board, 2R
- Apprenticeship standards, 8R
- Management and Finance Office:
  - Animal Vaccines, 51N
  - Apiary Regulations, 52N
  - Auction Sales days, 52N
  - Family Farm Credit, 52N
  - Fertilizer, 53N
  - Pseudorabies, 54N

BESE, Board of Elementary and Secondary Education (see Education)

Certified Public Accountants, Board of (see Commerce Department)

Civil Service Department:

- Ethics for Elected Officials, Board of, 2R

Colleges and Universities, Board of Trustees for (see Education)

Commerce Department:

- Certified Public Accountants, Board of, 13N
- Consumer Protection, Office of, 35N
- Racing Commission, 55N

Corrections Department:

- Secretary, Office of, 6R

Dairy Stabilization Board (see Agriculture Department)

Drugs:

- Maximum Costs for drugs, 7R

Education:

- Colleges and Universities, Board of Trustees for State:
  - Athletic eligibility, 14N
- Elementary and Secondary Education, Board of:
  - Bulletins and Regulations, 6R
  - Certification of Paraprofessionals, Standards for, 14N
  - Certification of School Personnel, Standards for State (Bulletin 746), 6R
  - References; gifted students; pre-schoolers; evaluations, 43R
  - School buses, minimum standards for, 6R
  - Speech therapists, 6R

Ethics, Board of for Elected Officials, 2R

Executive Orders:

- DCT 80-21—Responsibility for State Buildings and Ground, 1

Family Security, Office of (see Health and Human Resources Department)

Governor's Office:

- Administration, Division of:
  - Capital Outlay Budget Request Procedures, 6R
  - Minority business, 15N
  - Property Control Section, 55N
  - Travel Regulations, (PPM No. 49 Revised), 7R
  - Vehicles, state-owned (PPM Np. 63 Revised), 15N
- Tax Commission, 44R

Health and Human Resources Department:

- Family Security, Office of:
  - Energy assistance program, 7R
  - Increases in AFDC and GA programs, 1ER

- Maximum allowable costs list, 7R
- Medically Needy Standards, 7R
- Non-emergency transportation, 36P
- Mentally retarded, incentive factor, 1ER
- Reimbursement for Transportation, 43ER
- Vendor payments for emergency services, 7R

Human Development, Office of:

- Amendments to Client Placement, 43ER
- Foster Care Rate Increase, 58N

Nursing, Board of:

- Advanced Practitioners of Nursing, 32N
- Legal Standards, changes in numbering, 38E
- Nurse Practice Act, 25N

Pharmacy, Board of, 58CR

Psychologists, Board of Examiners of, 56N

Social Work Examiners, Board of Certified:

- Meeting on Rules, 24N

Veterinary Medicine, Board of, 36P

Labor Department:

- Labor, Office of, 8R, 33N, 45R

Livestock Sanitary Board (see Agriculture Department, Animal Health Services)

Minority Business, 15N

Natural Resources Department:

- Environmental Affairs, Office of, 34N, 10R, 11R, 12R, 38P
- Fishermen's Gear Compensation Fund, 36P, 62P

Policy and Procedure Memoranda, PPM No. 49

Travel Regulations, 7R, PPM No. 63, 15N

Prisons:

- Mattress standards, 12R

Public Safety Department:

- State Fire Marshal, Office of, 12R

Supervisory Committee on Campaign Finance, 34N

State Department:

- Board of Election Supervisors, 59N

Travel Regulations, PPM No. 49, 7R

Treasury Department:

- State Bond Commission, 35N, 12R, 50R
- State Employees Group Benefits Program, 59N, 49R
- State Employees Retirement System, 38P
- State Police Retirement System, 59N

Urban and Community Affairs, Department of,

- Consumer Protection, Office of, 35N, 50R, 60N

Wildlife and Fisheries, Department of:

- Continued Closure of Lakes, 61N
- Fishing Prohibited During Drawdown, 60N
- Lakes Closed to Commercial Fishing, 51R
- Oyster Lease Survey Surcharge, 61N
- Spring Shrimp Season, 61N

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**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**