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Executive Orders

EXECUTIVE ORDER JML 24-01

Veto of Graduation Appeals Process
(LAC 28: CXV.717, 2321, and 2322)

WHEREAS, on December 20, 2023, the Louisiana State Board of Elementary and Secondary Education (BESE) promulgated Bulletin 741—Louisiana Handbook for School Administrators—Graduation Appeals Process LAC 28: CXV.717, 2321, and 2322 in the Louisiana Register Volume 49 Edition 12, December 20, 2023.

WHEREAS, Bulletin 741—Louisiana Handbook for School Administrators—Graduation Appeals Process LAC 28: CXV.717, 2321, and 2322 allow students who fail to obtain a passing score on the Louisiana Educational Assessment Program (LEAP) test to graduate high school.

WHEREAS, the LEAP test is aligned with the academic standards established by the Department of Education and approved by BESE.

WHEREAS, the April Dunn Act, Act 833 of the 2021 Regular Session, provides an alternative means of graduation for students with an exceptionality.

WHEREAS, LAC 28: CXV.717, 2321, and 2322 introduce subjective criteria into the graduation process and lower the standards to receive a high school diploma.

WHEREAS, it is in the best interest of our State to ensure that students are adequately prepared for postsecondary education and the workforce by meeting minimum standards of proficiency in core subjects.

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and R.S. 49:970, do hereby veto the amendments to LAC 28: CXV.717, LAC 28: CXV.2321, and LAC 28: CXV.2322 promulgated on December 20, 2023 in *Louisiana Register*, Volume 49, Edition 12.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 8th day of January, 2024.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2401#001

citizens through education, environmental, and social issues that impact women and children;

WHEREAS, the First Lady welcomes visiting dignitaries, makes speeches and public service announcements, authors articles pertaining to her projects, holds press conferences and interviews, participates in charity events, and performs numerous other duties and activities at the Governor's request; and

WHEREAS, the numerous duties and activities of the First Lady place significant administrative demands on the office of the First Lady which necessitate that it be given formal recognition.

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: The Office of the First Lady is created and established within the Executive Branch, Office of the Governor. The First Lady shall be an ambassador and a spokesperson for the State of Louisiana and shall perform other official duties.

SECTION 2: Support staff, office facilities, and reasonable operating expenses shall be provided to the Office of the First Lady by the Executive Branch, Office of the Governor.

SECTION 3: The First Lady shall not receive compensation or a per diem. Nonetheless, she may receive reimbursement for actual travel expenses incurred in the representation of the Office of the First Lady, in accordance with state guidelines and procedures, contingent upon the availability of funds, and the approval of the Commissioner of the Division of Administration.

SECTION 4: All departments, commissions, boards, agencies, and offices of the state or any political subdivision thereof, are authorized and directed to cooperate with the Office of the First Lady in implementing the provisions of this Order.

SECTION 5: Upon signature of the Governor, the provisions of this Order shall be made retroactive to January 8, 2024, and shall remain in effect until amended, modified, terminated, or rescinded by the Governor, or until terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of the State of Louisiana in the City of Baton Rouge, on this 8th day of January, 2024.

Jeff Landry
Governor

EXECUTIVE ORDER JML 24-02

Office of the First Lady

WHEREAS, the First Lady is the official hostess of the State of Louisiana and, as a result, the First Lady holds both private status and de facto state officer status;

WHEREAS, the First Lady of Louisiana, Mrs. Sharon Landry, promotes the health and safety of Louisiana

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2401#002

EXECUTIVE ORDER JML 24-03

**Establishment of Unified Command
Group and Subcommittees**

WHEREAS, R.S. 29:725.6 establishes the state Unified Command Group (UCG) as the strategic decision-making body for emergencies in the state.

WHEREAS, R.S. 29:725.6 provides that the membership of the UCG shall be established by executive order;

WHEREAS, the statute further requires that three (3) permanent subcommittees shall be established, namely:

1. An Interoperability Subcommittee;
2. A First Responders Subcommittee; and
3. A Regional Parish OEP Parish Directors Subcommittee.

WHEREAS, R.S. 29:739(D) establishes an Intrastate Mutual Aid Subcommittee; and

WHEREAS, the director of the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) is appropriate to serve as the Deputy Incident Commander.

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, order and direct as follows:

Section 1: The Unified Command Group (UCG) is hereby established by this Executive Order and shall be composed of seventeen (17) members:

A. The director of the Governor's Office of Homeland Security and Emergency Preparedness, or the director's designee, who shall serve as the Chair/Deputy Incident Commander;

B. The secretary of the Department of Transportation and Development; or the secretary's designee;

C. The superintendent of State Police, or the superintendent's designee;

D. The adjutant general, or the general's designee;

E. The commissioner of the Department of Agriculture and Forestry, or the commissioner's designee;

F. The secretary of the Department of Children and Family Services, or the secretary's designee;

G. The secretary of the Department of Public Safety, or the secretary's designee;

H. The commissioner of the Division of Administration, or the commissioner's designee;

I. The secretary of the Louisiana Department of Health, or the secretary's designee;

J. The secretary of the Department of Wildlife and Fisheries, or the secretary's designee;

K. The secretary of the Department of Environmental Quality, or the secretary's designee;

L. The secretary of the Department of Energy and Natural Resources, or the secretary's designee;

M. The attorney general, or the attorney general's designee;

N. The secretary of the Louisiana Work Force Commission, or the secretary's designee;

O. The executive secretary of the Public Service Commission, or the secretary's designee;

P. The secretary of the Department of Economic Development, or the secretary's designee;

Q. The chairman of the Louisiana Coastal Protection and Restoration Authority, or the chairman's designee;

Section 2: There shall be three (3) permanent subcommittees of the UCG, whose membership is set forth by R.S. 29:725.6, namely:

1. An Interoperability Subcommittee;

2. A First Responders Subcommittee; and

3. A Regional Parish OEP Parish Directors Subcommittee.

Section 3: There shall be an Intrastate Mutual Aid Subcommittee, whose membership is set forth by R.S. 29:739.

Section 4: Additionally, UCG may establish such other subcommittees as it deems advisable and feasible under the authority granted in R.S. 29:725.6.

Section 5: All departments, commissions, boards, offices, entities, agencies, and officers of the state of Louisiana, or any political subdivision thereof, are authorized and directed to cooperate with the UCG in implementing the provisions of this Order.

Section 6: This Order is effective upon signature and shall continue in effect until amended, modified, terminated, or rescinded by the Governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 10th day of January, 2024.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2401#003

Emergency Rules

DECLARATION OF EMERGENCY

Office of the Governor
Division of Administration
Office of Broadband Development and Connectivity

Granting Unserved Municipalities Broadband Opportunities 2.0 (GUMBO 2.0) (LAC 4:XXI.103 and Chapters 11-17)

In accordance with the emergency provisions of the Administrative Procedure Act, R.S. 49:953.1, and pursuant to the authority set forth in R.S. 3:1733 and R.S. 3:1734, the commissioner of administration declares an emergency to exist and adopts by emergency process the attached Rule relative to the creation of the GUMBO 2.0 (Granting Unserved Municipalities Broadband Opportunities) program. GUMBO 2.0 was created as a result of Act 383 of the 2023 Regular Session of the Legislature, to implement the federal BEAD program in Louisiana.

The BEAD program was created by the federal Infrastructure Investment and Jobs Act (P.L. 117-58) and is administered by the National Telecommunications and Information Administration (NTIA) within the U.S. Department of Commerce. Per the federal law, for Louisiana to unlock its \$1.35 Billion allocation, it had to write and receive approval of an Initial Proposal. The Initial Proposal was approved on December 7, 2023. To receive the full \$1.35 Billion, Louisiana must undergo a state grant round, report on the grant round to NTIA, and submit a Final Proposal within 365 days of the Initial Proposal's approval. Therefore, the deadline for Louisiana to undergo a state grant round, issue awards, and write a Final Proposal to NTIA, Louisiana is creating this Emergency Rule which is based entirely on the approved Initial Proposal.

This Rule shall have the force and effect of law on January 20, 2024, and will remain in effect 180 days, unless renewed by the Commissioner of Administration, or until permanent rules are promulgated in accordance with law. A Notice of Intent is also published, dating January 20, 2024.

- To view the Initial Proposal, please visit <https://connect.la.gov/resources/>
- For more detail on the below Chapter 11. Challenge Process, see the Initial Proposal Volume 1.
- For more detail on the below Chapter 13. Deployment Subgrantee Selection, see the Initial Proposal Volume 2: Section 2.4. Deployment Subgrantee Selection.
- For more detail on the below Chapter 15. Non-Deployment Subgrantee Selection, see the Initial Proposal Volume 2: Section 2.5. Non-Deployment Subgrantee Selection.
- For more detail on the below Chapter 17. Low-Cost Broadband Service Option, see the Initial Proposal Volume 2: Section 2.12. Low-Cost Broadband Service Option.

Title 4

ADMINISTRATION

Part XXI. Granting Unserved Municipalities Broadband Opportunities

Subpart B. Granting Unserved Municipalities Broadband Opportunities (GUMBO)

Chapter 1. Program Summary

§103. Definitions

BEAD—the Broadband Equity, Access, and Deployment Program, as administered by the National Telecommunications and Information Administration.

CRN—Sub Project Areas with Critical Resiliency Needs.

Economically Disadvantaged Areas—socially disadvantaged areas whose ability to participate in the free enterprise system has been impaired due to diminished capital and credit opportunities as compared to other areas who are not socially disadvantaged.

EHCT—extremely high-cost threshold.

Eligible Community Anchor Institutions—a community anchor institution that lacks access to Gigabit-level broadband service.

Eligible Locations—locations eligible for BEAD funding.

Fabric—Federal Communications Commission mapping fabric.

FTTH—Fiber to the Home.

GUMBO 2.0—Granting Unserved Municipalities Broadband Opportunities 2.0.

Limited Waiver—Build America Buy America limited waiver.

NOFO—notice of funding opportunity.

Priority Projects—Deployment projects that must be prioritized before non-deployment initiatives.

Reliable Service—broadband service that the Broadband DATA Maps show is accessible to a location via: fiber-optic technology, cable modem/ hybrid fiber-coaxial technology, digital subscriber line technology, or terrestrial fixed wireless technology utilizing entirely licensed spectrum or using a hybrid of licensed and unlicensed spectrum.

Resolution of Consent—Support and permission from a federally-recognized tribe to build on their land.

SPA—sub-project area.

Speed of Network—advertised and actual Internet speed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 48:1504 (June 2022), amended LR 50:

Subpart B. Granting Unserved Municipalities Broadband Opportunities 2.0 (GUMBO 2.0)

Chapter 11. Challenge Process

§1101. Fair, Expeditious, and Evidenced-Based Challenge Process

A. Permissible Challenges. The office only allows challenges on the following grounds:

1. the identification of eligible community anchor institutions;
2. community anchor institution BEAD eligibility determinations.;
3. BEAD eligibility determinations for existing broadband serviceable locations (BSLs);
4. enforceable commitments; or
5. planned service;

B. Permissible Challengers. During the BEAD challenge process, the office only allows challenges from nonprofit organizations, units of local and tribal governments, and broadband service providers.

C. Challenge Process Overview. The challenge process conducted by the office includes four phases, spanning up to 90 days. Implementation efforts around the challenge process are supported through capable state contractor and support teams that provide GIS capabilities, data analytics and technical audit skills. Decisions will ultimately be made by the Executive Director and staff. The state of Louisiana uses the challenge process as described below:

1. Publication of Eligible Locations: Prior to beginning the challenge phase, the office shall publish the set of locations eligible for BEAD funding. The office shall also publish locations considered served, as they may be challenged.

2. Challenge Phase: During the challenge phase, the challenger submits the challenge through the office challenge portal. The office notifies the provider of the challenge through an automated email. After this stage, the location enters the “challenged” state.

a. Minimum Level of Evidence Sufficient to Establish a Challenge: The office verifies the address provided is a BSL.

b. Timeline: Challengers have 30 calendar days to submit a challenge from the time the initial list of unserved and underserved locations, community anchor institutions, and existing enforceable commitments are posted.

3. Rebuttal Phase: Only the challenged service provider may rebut the reclassification of a location or area with evidence, causing the location or locations to enter the “disputed” state. If a challenge that meets the minimum level of evidence is not rebutted, the challenge is sustained. A provider may also agree with the challenge and thus transition the location to the “sustained” state. Providers must regularly check the challenge portal notification method (e.g., email) for notifications of submitted challenges.

a. Timeline: Providers have 30 calendar days from notification of a challenge to provide rebuttal information to the office.

4. Final Determination Phase: During the Final Determination phase, the office makes the final determination of the classification of the location, either declaring the challenge “sustained” or “rejected.”

a. Timeline: Following intake of challenge rebuttals, the office makes a final challenge determination within 30 calendar days of the termination of the challenge rebuttal. Reviews occur on a rolling basis, as challenges and rebuttals are received.

D. Evidence and Review Approach. The office ensures that the review of all applicable challenge and rebuttal information is completed in detail without bias, before deciding to sustain or reject a challenge. The office documents the standards of review to be applied and requires reviewers to document their justification for each determination. The office also requires that all reviewers submit affidavits to ensure that there is no conflict of interest in making challenge determinations.

E. Challenge Types

Code	Challenge Type	Description
A	Availability	The broadband service identified is not offered at the location, including a unit of a multiple dwelling unit (MDU).
L	Latency	The round-trip latency of the broadband service exceeds 100 ms.
D	Data cap	The only service plans marketed to consumers impose an unreasonable capacity allowance (“data cap”) on the consumer.
T	Technology	The technology indicated for this location is incorrect.
B	Business service only	The location is residential, but the service offered is marketed or available only to businesses.
E	Enforceable Commitment	The challenger has knowledge that broadband will be deployed at this location by the date established in the deployment obligation.
P	Planned service	The challenger has knowledge that broadband will be deployed at this location by June 30, 2024, without an enforceable commitment or a provider is building out broadband offering performance beyond the requirements of an enforceable commitment.
N	Not part of enforceable commitment.	This location is in an area that is subject to an enforceable commitment to less than 100 percent of locations and the location is not covered by that commitment. (See BEAD NOFO at 36, n. 52.)
C	Location is a CAI	The location should be classified as a CAI.
R	Location is not a CAI	The location is currently labeled as a CAI but is a residence, a non-CAI business, or is no longer in operation.

F. Area and MDU Challenge

1. The office administers area and MDU challenges for challenge types A, L, D, and T. An area challenge reverses the burden of proof for availability, latency, data caps and technology if a defined number of challenges for a particular category, across all challengers, have been submitted for a provider. The provider receiving an area challenge or MDU must demonstrate that they are indeed meeting the availability, latency, data cap and technology requirement, respectively, for all (served) locations within the area or all units within an MDU.

a. An area challenge is triggered if six or more broadband serviceable locations using a particular technology and a single provider within a census block group are challenged.

b. An MDU challenge requires challenges by at least three units or 10 percent of the unit count listed in the Fabric within the same broadband serviceable location, whichever is larger.

2. Each type of challenge and each technology and provider is considered separately. If a provider offers multiple technologies, each is treated separately.

3. Area challenges for availability need to be rebutted with evidence that service is available for all BSL within the census block group. For fixed wireless service, the challenge system offers representative random, sample of the area in contention, but no fewer than 10, where the provider has to demonstrate service availability and speed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

Chapter 13. Deployment Subgrantee Selection

§1301. Plan for Fair, Open, and Competitive Process

A. Eligible locations in the state are organized by the office into a set of pre-defined areas, or “sub-project areas.” Prospective subgrantees will define their proposed overall deployment projects, but such proposals must be submitted in the form of sets of SPAs. By including an SPA in an application, the provider commits to reach all included eligible locations.

B. Qualified prospective subgrantees may submit a Round 1 application, after SPAs are determined by the office.

1. A Round 1 application must include:

- a. the list of SPAs included in the application;
- b. the amount of BEAD funds requested;
- c. the proposed technology type for the project; and
- d. additional primary and secondary scoring

application elements including plans for affordability, fair labor practices, deployment timeline, speed of network, and any other supporting information required by NTIA.

2. Round 1 applications will be analyzed to identify any overlap between applications, with a limited number of selections made according to a prioritization approach. Any such selections will be subject to review and confirmation by the office that the applicant has the requisite operational, managerial, and financial capability to fulfill the subgrant in the specific SPAs included. Any other Round 1 applications that overlap with a Round 1 award will be deemed denied, but the applicant will be permitted to resubmit any non-overlapping SPAs as a new application in Round 2.

C. In Round 2, all remaining unawarded Round 1 applications will automatically be pulled forward and may not be withdrawn. Round 1 applications may be simply left as-is for Round 2, or the applicant may make certain changes including adding new SPAs to the application and/or changing the amount of requested BEAD funding. Any Round 1 applicant may also propose new Round 2 applications exclusively comprising SPAs that did not receive any applications in Round 1.

1. Round 2 applications then will be selected for funding as follows. First, all FTTH applications will be

scored using the scoring rubric described below, with de-confliction of overlapping FTTH applications resolved.

2. Next, all non-FTTH applications available for SPAs not already selected for FTTH proposals will be scored and de-conflicted in the same fashion.

3. Prior to finalizing all the Round 1 and Round 2 selections, the office will review the overall set of awards that could be made based on these steps to assess whether 100 percent of unserved locations would be served by either priority or reliable service within the available BEAD allocation budget for the state.

a. If this assessment indicates that the level of service that would be provided to BEAD-eligible locations could be improved, the office will apply the extremely high location threshold (EHCT).

4. The office will conduct a final review of selected proposals to confirm that the total set of awards to each prospective subgrantee is consistent with the financial, operational and managerial capabilities submitted in the pre-qualification process, confidentially engaging with specific providers if needed to confirm or clarify any identified issues, and reserving the ability if necessary to select an alternative proposal if any concerns about the ability of the provider to deliver on all awards remain. The office will publicly announce all awards selected.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1303. Prioritization and Scoring Process

A. In Round 1, prospective subgrantees must specify the amount of requested BEAD funding for each application, expressed as a percentage of the total reference amount for all SPAs included in the application.

B. Prospective subgrantees also must submit scoreable application elements for affordability, fair labor practices, speed to deployment, inclusion of economically challenged or critical resilience SPAs, and network technical capabilities.

C.1. After Round 1 submissions, two categories of applications will be awarded:

a. FTTH applications that do not overlap with any other application of any technology type, and that request funding no greater than the reference funding levels for all included SPAs; or

b. FTTH applications that achieve a decisively higher score at least 100 points better than any overlapping application of any technology type (informally referred to below as “decisively higher score” applications).

2. Round 1 applications that overlap with awards made in either of these categories will be deemed withdrawn, although applicants will be permitted to re-submit any non-overlapping SPAs in Round 2.

D. Unawarded Round 1 applications will be automatically moved forward to Round 2 and may not be withdrawn. Prospective subgrantees in Round 2 then have the option to either let Round 1 applications stand as-is, or to make modifications as follows:

1. The addition of SPAs not already awarded in Round 1, subject to the limit that a given SPA may not be included in more than two active applications from the same prospective subgrantee; and/or

2. A change to the requested subsidy amount (an increase no greater than the reference amount of funding available in any new SPAs added to an application in Round 2, or a decrease if not). Prospective subgrantees may not remove SPAs from any Round 1 application that is automatically carried forward to Round 2.

E. As in Round 1, new Round 2 applications may be made up of any combination of SPAs, subject to the constraint that such new Round 2 applications may comprise only SPAs that did not receive a Round 1 application. (Note that any unawarded SPA, whether it received any Round 1 interest, always also may be added to an existing Round 1 application.) Otherwise, such new Round 2 applications must follow the same approach as Round 1 applications.

F. After receiving all Round 2 submissions, the office will first rank all FTTH applications from highest to lowest score. By definition, Round 2 applications will not overlap with any previously awarded SPAs; therefore the highest scored Round 2 FTTH application will be provisionally awarded for all included SPAs at the total requested overall funding level. The office will then review each next-highest ranked FTTH application in order, applying the provisional selection and de-confliction rules between any overlapping FTTH applications.

G. After all available FTTH applications are resolved using this process, all non-FTTH applications will similarly be ranked from highest to lowest score, with reliable service (cable/HFC and licensed fixed wireless) applications being placed ahead of other terrestrial (unlicensed fixed wireless) applications. In addition, the secondary scoring criterion of speed of network will create an additional score-based prioritization as between non-FTTH applications.

H. Only after all priority projects have been either awarded in full, partially awarded based on deconfliction procedures or discarded due to overlap with a higher-scored priority project, will non-priority projects be evaluated. Overlapping non-FTTH applications will be selected and de-conflicted with each other using the same procedure.

I. Criteria and Maximum Points Available

Secondary and Additional Criteria	Max Points Available	197
Infrastructure Resiliency Commitments	100	Additional points for buried fiber and for commitments to designated SPAs lacking mobile broadband resiliency infrastructure
Number of Eligible Locations Included Within a Parish	35	Additional points for applications covering greater numbers of eligible locations within a given parish
Speed of Network	25	25 points for FTTH projects; non-FTTH scoring based on performance levels and scalability of non-FTTH networks

1. Primary Criteria—Minimal Bead Outlay

a. Each application in each of Round 1 and Round 2, will be scored based on the amount of requested BEAD funding as follows:

i. For applications requesting no more than the amount of reference funding set for the applicable round for all included SPA(s)

(a). Score = 300- [percent of reference funding requested, rounded to the nearest whole integer value].

ii. Applicants are permitted to request up to 200 percent of the reference amount. For applications requesting more than the amount of reference funding for all included SPA(s):

(a). Score = 100- [percent of reference funding requested – 100, rounded to the nearest whole integer value].

(b). The application system will not accept funding requests greater than 200 percent of the reference funding.

(c). The maximum score for any application requesting more than the reference funding will be 100.

b. Maximum awardable points: 300

2. Primary Criteria—Affordability

a. Following Louisiana statutory requirements. GUMBO 2.0 does not require subgrantees to offer any particular rate for any particular tier of service, although existing Louisiana law does impose certain requirements on existing in-state providers as described below. Instead, this federally mandated scoring category offers applicants the opportunity to obtain additional points via voluntary affordability commitments of their choosing, with scoring defined as follows:

i. This affordability scoring approach follows the provision of Louisiana law requiring that “[a] grant recipient that has offered broadband service to at least one thousand consumers for a period of at least five consecutive years shall offer broadband service at prices consistent with offers to consumers in other areas of the state.” This statutory Louisiana requirement shall be implemented as a subgrant condition, for a duration of time as required by final NTIA guidance, for any subgrant recipient meeting that definition, with “prices consistent with offers to consumers in other areas of the state” scored as an affordability commitment using the methodology below.

Primary Criteria	Max Points Available	601
Minimal BEAD Outlay	300	Based on percent of reference funding level requested for a total project area
Affordability	200	Based on the applicant’s commitment to support affordability in BEAD areas consistent with other areas of the state
Fair Labor Practices	101	Score based on compliance record

Secondary and Additional Criteria	Max Points Available	197
Speed to Deployment	12	Points for enforceable deployment plans faster than 48 months
Economically Disadvantaged Areas	25	Additional points for including economically challenged SPAs

b. Affordability score for FTTH projects: 200 points. Following Louisiana law, and applying the mandatory federal requirement in the BEAD NOFO that a primary scoring criterion must be “[t]he prospective subgrantee’s commitment to provide the most affordable total price to the customer for 1 Gbps/1 Gbps service in the project area,” a base score of 200 points in this category will be awarded as follows.

i. Compliance with Louisiana law on Affordability, if applicable to the prospective subgrantee. Any applicant that has offered broadband service to at least one thousand consumers for a period of at least five consecutive years that includes a commitment to provide 1 Gbps/1Gbps service in its proposed BEAD subgrant area at a price no higher than its offer to consumers for 1 Gbps/1 Gbps service in other areas of the state will receive a score of 200 points.

ii. Alternate Method of Achieving a Full Baseline Score. An applicant that has not offered broadband service to at least one thousand customers for a period of at least five consecutive years, or an applicant that does not otherwise offer 1 Gbps/1Gbps service, that includes a commitment to provide 1 Gbps/1Gbps service to all included locations in its application at a price no higher than the median price for all 1Gbps/1Gbps service offerings reported in the most recent year’s FCC Urban Rate Survey will receive a base score of 200 points.

c. Affordability score for non-FTTH projects: 200 points. For non-FTTH projects, the mandatory federal requirement in the BEAD NOFO is that a primary scoring criterion must be “[t]he prospective subgrantee’s commitment to provide the most affordable total price to the customer for 100 Mbps/20 Mbps service in the project area.”

i. Compliance with Louisiana law on Affordability, if applicable to the prospective subgrantee: 200 points. Any applicant that has offered broadband service to at least one thousand consumers for a period of at least five consecutive years that includes a commitment to provide 100 Mbps/20 Mbps service in its proposed BEAD subgrant area at a price no higher than its offer to consumers for 100 Mbps/20 Mbps service in other areas of the state will receive a score of 200 points.

ii. Alternate Method of Achieving a Full Baseline Score. An applicant that has not offered broadband service to at least one thousand customers for a period of at least five consecutive years, or an applicant that does not otherwise offer 100 Mbps/20 Mbps service, that includes a commitment to provide 100 Mbps/20 Mbps service to all included locations in its application at a price no higher than the median price for all 100 Mbps/20 Mbps service offerings reported in the most recent year’s FCC Urban Rate Survey will receive a base score of 200 points.

d. Use of FCC Urban Rate Survey. If applicable to a subgrantee using the alternate methods outlined above, the FCC Urban Rate Survey will be used as follows:

i. For each subgrant performance year covered by an applicable subgrantee commitment, the state will use the prior year’s FCC Urban Rate Survey broadband data for the state of Louisiana.

ii. On the first business day of the year, the state will determine that year’s median price for 1Gbps/1Gbps service and for 100 Mbps/20 Mbps service that will be applicable to the GUMBO 2.0 program for the coming year.

iii. If a given year's survey results do not contain any service tiers precisely at 1Gbps/1Gbps or 100 Mbps/20 Mbps, the closest comparable service tier result will be used.

e. Other provisions.

i. The applicable affordability commitments shall be updated annually beginning upon final issuance of the subgrant.

ii. If at any point during the performance of a subgrant a subgrantee becomes subject to Louisiana’s statutory affordability requirement by virtue of having delivered broadband service to at least 1000 consumers for a period of five consecutive years, the required subgrant affordability commitment shall be based on state law, as applicable.

f. Maximum awardable points: 200

3. Primary Criteria—Fair Labor Practices

a. Record of Compliance with Federal Labor and Employment Law. Any applicant that certifies a record of past compliance with Federal labor and employment law with respect to broadband deployment projects, as supported by submitted information as specified below, shall receive points as follows:

i. Applicants able to certify a record of compliance for at least three years will receive 80 points.

ii. Applicants also able to so certify a record of compliance for four years will receive 5 additional points.

iii. Applicants also able to so certify a record of compliance for five or more years will receive 6 additional points.

iv. Applicants that cannot certify compliance with Federal labor and employment law with respect to broadband deployment projects within the last three years, including new entrants that have not completed a broadband deployment project in that time frame, shall be eligible for points.

b. Plan for Ensuring Compliance with Federal Labor and Employment Law. Applicants shall receive points as follows.

i. Any applicant that provides a plan that meets the baseline compliance plan requirements as specified shall receive 10 points.

ii. Applicants may also achieve additional points, subject to the total category maximum of 101 points, based on including in their compliance plans additional elements as specified below:

(a). one additional element only: 40 additional points;

(b). two additional elements: 70 additional points;

(c). three or more additional elements: 90 additional points.

c. The table below summarizes the total points awarded for different combinations of past compliance records and prospective compliance plans under of this scoring approach.

Years of compliance	<3 years	3	4	5+
Baseline compliance plan	10	90	95	101
+ 1 additional element	50	101	101	101
+ 2 additional elements	80	101	101	101
+3 or more additional elements	100	101	101	101

d. Applicants shall be permitted to have a single statewide workforce plan that applies to all applications, or to propose different workforce plans for individual applications.

e. Maximum awardable points: 101

4. Secondary and Additional Criteria

a. Speed to Deployment

i. Any application that certifies, including binding commitments and assumption of contractual liability for penalties established by the state for non-compliance, that deployment to all included eligible locations will be completed in less than the 48 months required by BEAD shall receive additional points as follows:

a. $[48 - (\text{number of months to complete deployment, rounded up to the next whole month})] / 4$

ii. Maximum awardable points: 12

b. Economically Disadvantaged Areas

i. Any application that includes ED-SPAs shall receive additional points as follows.

(a). 15 points: Include all ED-SPAs within a given parish.

(b). 1 point: Any individual ED-SPA, but not all within a parish

ii. Maximum awardable points: 25

c. Infrastructure Hardening and Resiliency Commitments

i. Any application for the deployment of fiber infrastructure to last-mile eligible locations that includes an enforceable commitment to the infrastructure hardening step of including at least 90 percent buried fiber plant, including 100 percent buried plant to eligible CAIs, unless a specific exception is granted, as specified in will receive 30 points.

ii. Any application involving the deployment of new wireless tower infrastructure that includes an enforceable commitment to the Wireless Tower Hardening specifications provided will receive 20 points. This point total shall be applied once for an entire application, irrespective of the number of such hardened towers included.

iii. In addition, any application that includes at least one critical resiliency need (CRN)-SPA and includes an enforceable commitment to deploy necessary mobile broadband infrastructure to achieve the resiliency requirements of the CRN designation, following all requirements as detailed shall receive additional points as follows:

(a). 40 points: Include all CRN-SPAs within a given parish.

(b). 10 points: Any individual CRN-SPA, but not all within a parish.

(c). Any award of points in this category is subject to the state's technical review of the satisfactoriness of proposed plans to fulfill specified resiliency capabilities, according to the specifications provided in section 2.11.1.D.

iv. Applications may receive points for any combination of commitments in these areas, but the total points available in this overall category to any application is capped at the maximum total awardable points level below.

v. Maximum total awardable points: 100.

d. Number of Eligible Locations within a Given Parish

i. During the review of each application, the state will total the number of eligible locations within all included SPAs in each Louisiana parish within the application and identify the highest such count.

ii. Applications shall receive additional points based on this highest count value as follows.

(a). 10 points: An application that includes at least 500 eligible locations within a single parish.

(b). 20 points: An application that includes at least 2000 eligible locations within a given parish.

(c). 30 points: An application that includes 5000 eligible locations or more within a given parish.

(d). 35 points: An application that includes 100 percent of eligible locations within a given parish, only if the applicable highest count value is greater than 2000 eligible locations.

iii. Maximum total awardable points per application: 35

e. Speed of Network

i. FTTH applications shall receive 25 points in this category.

ii. Non-FTTH applications only shall be scored based on certified speed and latency performance commitments that are enforceable subgrant conditions and subject to verification after deployment to all eligible BSLs as well as on length of useful life of the proposed infrastructure and future scalability.

(a). Speed and latency performance characteristics, as certified by the applicant and subject to technical review and verification by the state, shall receive points as follows.

Minimum downstream/upstream speed (Mbps)	Maximum latency (milliseconds)	Points awarded
100/20	100	2
200/50	100	4
400/100	100	10
1000/250	100	20

(b). To receive points in any of these categories, the state's technical review must confirm that the proposed network design has the ability deliver the above performance levels to all eligible locations within an application, including reasonable assessment of how the proposed network can add incremental capacity in a cost-effective manner as new customers are added.

(c). Total awardable sub-category points for non-FTTH networks: 20

iii. For non-FTTH technologies, the length of useful life and future scalability, as certified by the applicant and subject to technical review and verification by the state, shall receive points as follows.

(a). Useful life of funded infrastructure, as assessed by the state:

- (i). <5 years: 0 points
- (ii). 5-10 years: 1 point
- (iii). 10+ years: 2 points

(b). Cost-effectiveness of future scalability to significantly performance levels of proposed technology, as assessed by the state:

- (i). ineffective: 0 points
- (ii). somewhat cost effective: 1 point
- (iii). very cost effective: 2 points

(c). Total awardable sub-category points for non-FTTH networks: 4

iv. Maximum awardable Speed of Network points:

25.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1305. Prioritizing Unserved Service Projects

A. A GUMBO 2.0 application is defined as a set of SPAs. The inclusion of an SPA in an application carries an obligation to deploy to all eligible locations in the SPA if the application is awarded. All application plans and commitments such as for affordability, technology type, and performance level must apply to all eligible locations within included SPAs.

B. The office may, prior to making final subgrant awards, remove certain locations from a subgrant in order to ensure compliance with the BEAD-required prioritization of all unserved locations first, then underserved locations, and then CAIs. In such cases, the state would adjust the subgrant award amount to account for the removal of certain locations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1307. Prioritizing Eligible CAIs

A. Deployment to all eligible CAIs shall be prioritized before making funds available for non-deployment projects.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1309. Compliance with EHP and BABA Requirements

A. Projects must be in adherence to the requirements of any applicable laws.(?) Build America, Buy America Act (BABA), the National Environmental Policy Act (NEPA) (42 U.S.C. § 4321 et seq.) and National Historic Preservation Act (NHPA) (54 U.S.C. § 300101 et seq.).

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1311. Definition of Eligible Project Areas

A. All prospective subgrantees shall define their overall application areas as a set of pre-defined sub-project areas. A project area is the overall proposed deployment area included in an application, comprising the eligible locations within the set of SPAs included in the application.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1313. Ensuring Universal Coverage in Subsequent Funding Rounds

A. If coverage gaps remain after the first rounds, to close these remaining coverage gaps, the office may begin targeted outreach and negotiation strategy with the proximate providers and/or newly awarded subgrantees with the greatest apparent ability to make targeted extensions of service to individual locations passed over in the main GUMBO 2.0 process.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1315. Tribal Government Consent

A. Prospective subgrantees with plans to build within any of the tribal lands shall provide a Resolution of Consent or other formal demonstration of consent from each tribal government's tribal council or other governing body, upon whose tribal lands the infrastructure will be deployed. The office will require that the resolution of consent, or any substitute document used at request of the tribal government, be submitted by the prospective subgrantee at the time of application along with other relevant documents demonstrating that holistic local coordination occurred. This will ensure that the proper documentation is obtained for submission and approval of the final proposal.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1317. Identification of Extremely High Cost Per Location Threshold

A. The EHCT will be determined based on funding requirements for actual subgrant proposals received in the state of Louisiana. The GUMBO 2.0 EHCT mechanism therefore will permit the office, pursuant to BEAD rules, to select certain non-FTTH applications instead of FTTH if the overall result is to expand the number of eligible locations receiving access to at least reliable broadband service to the extent doing so fully with priority projects proves impossible based on actual subgrant proposals received.

B. The office may set the final EHCT value at a level above the per-location cost of all awarded FTTH applications for purposes of Final Proposal submission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1319. Use of Extremely High Cost per Location Threshold

A. An EHCT will be identified and utilized as necessary.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1321. Ensuring Minimum Financial Capability

A.1. To submit a grant application, prospective subgrantees shall provide details to complete a review of financial capability, including but not limited to the following.

a. Obtain the five years of financial statements, pro forma statements or financial audits submitted by each applicant or the financial statements for each year that the applicant has been in business if less than five years. Ensure that the complete financial statements were submitted. If financial statements are not available, search for the applicant's SEC Form 10-K filing. Using the audited financial statements, reviewed the unaudited financial statements for reasonableness. Review the financial statements, if audited, to determine if there is a going concern disclosure in the audit report.

b. Determine whether the applicant's business status is active in Louisiana, whether the applicant has filed for bankruptcy, and whether the company is involved in any lawsuits.

c. Determine the funding sources for the project.

d. Review the balance sheet, statement of operations and statement of cash flows to determine if the applicant is steady and/or growing. Use EBITDA margin to assist in this analysis. Calculate the current ratio (current assets/current liabilities). Calculate the debt to assets ratio (total debts/total assets).

2. Documentation related to the requirements above will be collected and reviewed by qualified personnel to ensure a clear plan for determination of participation is in place.

B. Required Qualifications for Financial Obligations. The office will require prospective subgrantees to certify that they are qualified to meet the obligations associated with a project, that the prospective subgrantees will have available funds for all project costs that exceed the amount of the grant, and that they will comply with all requirements, including service milestones. Disbursement of funding to subgrantees after the initial 10 percent draw is only done upon completion of a technical and compliance audit at specific established thresholds of the number of locations served out of the total number to be served by a project (10 percent, 35 percent, 65 percent, 85 percent, 100 percent). Each subgrantee shall certify that it has and will continue to have sufficient financial resources to cover its eligible costs for the project until such time as the office authorizes additional disbursements.

C. Required model letter of credit in accordance with related guidance from NTIA.

D. For applicants obtaining a performance bond, the office will require applicants to follow all requirements and related guidance from NTIA including those specified in the limited waiver.

E. Required Audited Financial Statements. Each prospective subgrantee shall submit financial statements from the prior fiscal year that are audited by an independent certified public accountant. If the prospective subgrantee has not been audited during the ordinary course of business, in lieu of submitting audited financial statements, it must submit unaudited financial statements from the prior fiscal year and certify that it will provide financial statements from the prior fiscal year that are audited by an independent certified public accountant.

F. Required Business Plans and Financial Analysis. Prospective subgrantees shall submit business plans and related analyses that substantiate the sustainability of the proposed project. This can be provided in the form of pro forma statements or analyses, inclusive of cash flow and balance sheet projections and should include at least three years of operating cost and cash flow projections post targeted completion of project. Additionally, prospective subgrantees should provide pertinent resumes of key staff assigned to a proposed project and a matrix illustrating how the skills of lead staff with business plan deliverables. Evaluation of business plans and related analyses will be completed by qualified personnel to ensure there is appropriate capacity and expertise to adequately review the documentation and provide a third-party perspective of the prospective subgrantee. Reviews could include, but not be limited to the following:

1. executive summary assessment
2. project description review
3. market analysis review
4. competitive analysis review
5. technical and operational plan review
6. risk assessment review
7. legal and regulatory compliance
8. management team review
9. sustainability and environmental impact review

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1323. Supporting Documentation for BEAD Subgrantee Selection Process

A. The office shall incorporate specific intake questions and publish them for applicants.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1325. Ensuring Managerial Capability

A. To submit a grant application, prospective subgrantees shall provide the details listed below related to managerial capability.

1. Resumes for Key Personnel Requirement. To submit a grant application, prospective subgrantees shall provide resumes for all key management personnel, documentation will be collected and reviewed by qualified personnel.

2. Readiness to Manage Proposed Project Requirement. To submit a grant application, prospective

subgrantees shall provide the details listed below related to managerial capability.

a. Project organizational chart(s) and corporate relationships detailing all parents, subsidiaries, and affiliates.

b. A narrative describing the prospective subgrantee's readiness to manage a broadband services network. This narrative should include at a minimum the experience and qualifications of key management set to undertake this project, its experience undertaking projects of similar size and scope, recent and upcoming organizational changes including mergers and acquisitions, and relevant organizational policies.

c. A matrix illustrating how the skills of lead staff align with business plan deliverables.

3. Documentation related to the requirements above will be collected and reviewed by qualified personnel.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1327. Ensuring Technical Capability

A. To submit a grant application, prospective subgrantees shall provide details related to technical capability.

B. Documentation related to the requirements below will be collected and reviewed by qualified personnel.

1. Technical Qualification for Implementation and Credentialed Workforce. Prospective subgrantees must submit certification to ConnectLA that they are technically qualified to complete and operate the Project and that they can carry out the funded activities in a competent manner, including that it will use an appropriately skilled and credentialed workforce. Documentation to be provided by the prospective subgrantee includes, but is not limited to the following:

a. documentation of current licensing with governing bodies to operate in Louisiana;

b. attestation of current Louisiana licensing for any engineers who certify design, diagrams, project costs, etc;

c. demonstration of experience designing and delivering similar projects of size, complexity and timeline.

2. Proposed Project Workplan Requirement. Prospective subgrantees shall submit certification to ConnectLA that they are technically qualified to complete and operate the project and that they can carry out the funded activities in a competent manner, including that it will use an appropriately skilled and credentialed workforce. Documentation to be provided by the prospective subgrantee includes, but is not limited to the following:

a. project plan description that clearly identifies the steps (including but not limited to planning, design, implementation and operation) of the capital investment schedule. Project planning should also include at a minimum network design, diagrams, project costs, timelines, evidence of build-out within the timeline identified;

b. attestation that the proposed network can deliver broadband service that meets the requisite performance requirements to all locations served by the Project.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:21-33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1329. Ensuring Compliance with Applicable Laws

A. To submit a grant application, prospective subgrantees shall provide details related to compliance with applicable laws.

1. Compliance with Federal, State, and Local Laws. To submit a grant application, prospective subgrantees shall provide the details listed below related to compliance with applicable laws:

2. Detailed history of compliance with all applicable Federal, State of Louisiana and local laws for previous broadband projects funded by federal and state programs, including disclosure of any default on any federal or state obligation associated with grants for broadband deployment.

B. Any GUMBO 2.0 subgrantee also subject to deployment obligations elsewhere in Louisiana, including from programs such as RDOF, Enhanced-ACAM, ReConnect or any other similar program included in the BEAD de-duplication process, must make an enforceable commitment as part of its GUMBO 2.0 subgrant agreement not to default or otherwise fail to fulfill any such deployment obligation in the state of Louisiana. The penalty for breach of this commitment shall be, as reimbursement for funding that could have been awarded but for other federal program funding, payment to the state in the amount equal to the total investment cost of all defaulted locations, as measured by the eligible entity tool provided to the state by NTIA.

C. Worker-Led Health and Safety Committees. To submit a grant application, prospective subgrantees shall provide the details listed below related to compliance with applicable laws:

1. policies and procedures to ensure compliance with occupational safety and health requirements including worker-led health and safety committees that management will meet with upon reasonable request. Details from NTIA's Workforce Planning Guide may be utilized.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1331. Ensuring Operational Capabilities

A Required Operational Qualifications. To submit a grant application, prospective subgrantee shall provide the details listed below related to operational capability.

1. A prospective subgrantee will provide operational details including but not limited to the following:

a. years providing internet service;

b. current subscribers (households, businesses and community anchor institutions)

c. completed federally funded deployment projects, with their source of funding and timeframe for completion or non-completion;

d. penalties paid by the prospective subgrantee, a subsidiary or affiliate of the prospective subgrantee or the holding company of the prospective subgrantee relative to deployment projects;

e. the number of times prospective subgrantee has ever been a defendant in a state of Louisiana criminal

proceeding or civil litigation relevant to qualifications to deployment broadband infrastructure; and

f. whether the prospective subgrantee has ever defaulted on a federal or state obligation to deploy broadband infrastructure and if so, to provide a summary.

B. Required Number of Years in Operation. To submit a grant application, prospective subgrantee shall provide the details listed below related to operational capability:

1. A prospective subgrantee that has provided a voice, broadband, and/or electric transmission or distribution service for at least two consecutive years prior to the date of its application submission or that it is a wholly owned subsidiary of such an entity, must submit a certification that attests to these facts and specifies the number of years the prospective subgrantee or its parent company has been operating.

C. Required Compliance with FCC Form 477, Rules, and Regulation. To submit a grant application, prospective subgrantee shall provide the details listed below related to operational capability:

1. If the prospective subgrantee has provided a voice and/or broadband service, it must certify that it has timely filed their Federal Commission Form 477s and the Broadband DATA Act submission, if applicable, as required during this period, and otherwise has complied with the commission's rules and regulations. Alternatively, a prospective subgrantee should explain any notice of funding opportunity pending or completed enforcement action, civil litigation, or other matter in which it failed to comply or was alleged to have failed to comply with commission rules or regulations.

D. Required Operating and Financial Reports for Electric Transmission or Distribution Services. To submit a grant application, a prospective subgrantee shall provide the details listed below related to operational capability.

1. If the prospective subgrantee has operated only an electric transmission or distribution service, it must submit qualified operating or financial reports that it has filed with the relevant financial institution for the relevant time period along with a certification that the submission is a true and accurate copy of the reports that were provided to the relevant financial institution.

E. Required Operational Capabilities for New Entrants. To submit a grant application, prospective subgrantee shall provide the details listed below related to operational capability.

1. For a new entrant to the broadband market, a prospective subgrantee must provide evidence sufficient to demonstrate that the newly formed entity has obtained, through internal or external resources, sufficient operational capabilities. Such evidence may include resumes from key personnel, project descriptions and narratives from contractors, subcontractors or other partners with relevant operational experience or other comparable evidence.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1333. Ensuring Ownership

A. To submit a grant application, prospective subgrantee shall provide details related to ensuring ownership.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1335. Disclosure of Other Publicly Funded Projects

A. To submit a grant application, prospective subgrantees shall provide the details listed below related to disclosure of other publicly funded projects.

1. Disclosure of Existing or Future Publicly-Funded Projects. To submit a grant application, prospective subgrantees shall provide the details listed below related to public funding.

a. Each prospective subgrantee shall disclose, for itself and for its affiliates, any application the prospective subgrantee or its affiliates have submitted or plan to submit, and every broadband deployment project that the prospective subgrantee or its affiliates are undertaking or have committed to undertake at the time of the application using public funds, including but not limited to funds provided under:

i. Families First Coronavirus Response Act (Public Law 116- 127; 134 Stat. 178);

ii. CARES Act (Public Law 116-136; 134 Stat. 281);

iii. Consolidated Appropriations Act, 2021 (Public Law 116-260; 134 Stat. 1182);

iv. American Rescue Plan of 2021 (Public Law 117-2; 135 Stat. 4);

v. Federal Universal Service Fund high-cost program (e.g., RDOF, CAF);

vi. any eligible entity or local universal service or broadband deployment funding program.

b. The prospective subgrantee shall disclose if any details as noted above change or adjusts in any way after the submission of an application.

2. Detailed Information for Existing or Future Publicly-Funded Projects. To submit a grant application, prospective subgrantees shall provide the details listed below related to public funding:

a. the speed and latency of the broadband service to be provided (as measured and/or reported under the applicable rules);

b. the geographic area to be covered;

c. the number of unserved and underserved locations committed to serve (or, if the commitment is to serve a percentage of locations within the specified geographic area, the relevant percentage);

d. the amount of public funding to be used;

e. the cost of service to the consumer; and

f. the matching commitment, if any, provided by the prospective subgrantee or its affiliates.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

Chapter 15. Non-Deployment Subgrantee Selection

§1501. Fair, Open and Competitive Non-Deployment Selection Process

A. If funds remain for nondeployment, two main items will be prioritized:

1. Priority 1 (20 percent of funds available for non-deployment) – Creation of the Louisiana CASH Program to be administered by a state agency with experience executing federal programs, such as the Department of Children and Family Services, Office of Community Development, Department of Health or Louisiana Board of Regents or other.

2. Priority 2 (80 percent of funds available for non-deployment). In line with the BEAD Notice of Funding Opportunity, additional non- deployment activities related to the following will be accepted:

a. user training with respect to cybersecurity, privacy and other digital safety matters.

b. remote learning or telehealth services/facilities.

c. digital literacy/upskilling (from beginner level to advanced).

d. computer science, coding and cybersecurity education programs.

e. implementation of eligible entity digital equity plans (to supplement, but not to duplicate or supplant, planning grant funds received by the eligible entity in connection with the Digital Equity Act of 2021).

f. broadband sign-up assistance and programs that provide technology support.

g. multi-lingual outreach to support adoption and digital literacy.

h. prisoner education to promote pre-release digital literacy, job skills, online job acquisition skills, etc.

i. digital navigators.

j. direct subsidies for use toward broadband subscription, where the eligible entity shows the subsidies will improve affordability for the end user population (and to supplement, but not to duplicate or supplant, the subsidies provided by the Affordable Connectivity Program).

k. costs associated with stakeholder engagement, including travel, capacity-building or contract support.

l. other allowable costs necessary to carrying out programmatic activities of an award, not to include ineligible costs described in Section V.H.2 of the NOFO.

m. Activities related to the incorporation of “smart” technologies and capabilities into farming practices, due to Louisiana being a heavy agriculture-producing state and the unique competitive advantage of spearheading specific smart technologies in this sector.

B. Below is a description of the process that adheres to these principles.

1. Announcement and Public Notice. The availability of funding for eligible non-deployment activities will be published. This announcement will include detailed information about the application process, eligibility criteria and evaluation criteria. Notice will be made available for at least a 60-day period.

2. Eligibility Screening. There will be an initial screening of the applications to determine their eligibility based on the criteria outlined in the program guidelines. This screening will ensure that the applicants meet the basic requirements for participation.

3. Evaluation Criteria. There will be a set of objective evaluation criteria that will be used to assess the applications. These criteria will be established in advance and communicated to all potential applicants.

a. Priority will be given to applicants with effective models for addressing the existing skill gaps in our labor force as well as other workforce training and readiness initiatives, including those that provide equitable instruction and outreach to all working-age individuals.

4. Review Panel. A review panel comprising subject matter experts, industry professionals and other relevant stakeholders, including “lived experts” such as affected residents, representatives from community anchor institutions or community leaders from faith-based, business based and non-profit organizations will be utilized. The panel members will have the necessary expertise to evaluate the applications based on the predetermined evaluation criteria. Panel members shall disclose any conflicts of interest that may arise from their participation in the process.

5. Evaluation Process: The review panel will individually review and evaluate each application based on the established criteria. They may use a scoring system or a qualitative assessment to ensure consistency and objectivity in the evaluation process.

6. Transparency and Public Input. A list of selected subgrantees will be published online, along with a summary of the evaluation process.

7. Appeals/Protest Process. An appeals process will be used that allows applicants to seek a review of the selection decision if they believe there were procedural errors or inconsistencies in the evaluation process. The protest process, official decisions and provider appeals shall be conducted in accordance with La. R.S. 51:2370.27(F) and 2370.28. The period for protesting an award shall not exceed seven days from the announcement of awards. The appeals process will provide a fair opportunity for applicants to present their case, and a separate review panel or independent entity may be involved in the appeal evaluation. Detailed announcements that include information about the application process, eligibility criteria and evaluation criteria will be published to ensure that numerous stakeholder groups or potential applicants are aware of the availability of funds and the steps necessary to apply.

C. Below is a scoring system that will be used as part of the subgrantee selection process for eligible non-deployment activities in the BEAD program:

1. Effect on Broadband Availability (30 points). Evaluate the potential effect of the proposed activities on improving broadband availability and access in underserved areas. Evaluate factors such as the number of households or businesses that will benefit, location within economically disadvantaged areas, the expected increase in broadband speeds and the overall significance of the project in addressing the digital divide.

2. Feasibility and Viability (25 points). Assess the feasibility and viability of the project. Consider the technical and operational aspects, including the proposed timeline, budget and resources required for successful implementation. Evaluate the applicant's capacity to carry out the project effectively, including their track record, partnerships and relevant experience including:

a. financial capability including certification applicant is financially qualified, letter of credit or performance bond (as consistent with NTIA's Limited Waiver requirements) as applicable to non-deployment subgrant awards, audited financial statements, sustainability/business plan;

b. managerial capability including resumes for key individuals and narrative describing experience and readiness to carry out the project;

c. technical capability including certification applicant is technically qualified to complete and operate the project and detailed project plan;

d. compliance with laws including demonstrating ability to comply with all applicable laws;

e. operational capability including appropriate certifications or attestations to operational experience;

f. ownership information as described;

g. other public funding including disclosure of other broadband deployment projects.

3. Project Management Plan (20 points). Evaluate the quality of the project management plan presented by the applicant. Evaluate the clarity and comprehensiveness of the plan, including objectives, milestones, deliverables and risk mitigation strategies. Assess the applicant's ability to execute the project efficiently and effectively.

4. Partnerships and Collaboration (15 points). Assess the strength and relevance of the applicant's partnerships and collaborations. Evaluate the involvement of local community organizations, government entities, educational institutions and other stakeholders. Evaluate how these partnerships contribute to the success and sustainability of the project.

5. Budget and Cost-Effectiveness (10 points). Evaluate the proposed budget and cost-effectiveness of the project. Assess the reasonableness of the budget in relation to the proposed activities and expected outcomes. Evaluate the cost-effectiveness of the project in terms of the number of beneficiaries and the expected impact on broadband access.

6. The total score for each application will be calculated by summing up the scores from each criterion. The applicants with the highest overall scores will be selected as subgrantees for eligible non-deployment activities in the BEAD program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1503. Non-Deployment Project Plans

A. Selection Process and Initiatives

1. The following needs will be prioritized and metrics evaluated.

a. Return on investment for the state and its residents: the initiative will have a generational effect on residents of the state and will address the digital divide sustainably and permanently.

b. Addresses identified component of the digital divide: the non-deployment initiative addresses a component of the digital divide beyond access to broadband infrastructure that is supported by data from the Louisiana Digital Equity Plan.

c. Innovative solutions—the non-deployment initiative addresses an aspect of the digital divide without a

current solution or supplements an existing solution in an innovative manner.

d. Capacity and experience: organizations in the prospective pool of subgrantees generally have the experience and organizational capacity necessary to administer a potentially significant program.

B. Addressing Residents' Needs. Nondeployment initiatives will be prioritized in accordance with addressing residents' needs regarding—access to healthcare, education, employment and essential services.

C. Stakeholder Engagement Alignment. Grant applicants must conduct stakeholder engagement with local and tribal governments, as well as their citizens, to provide regular updates on project applications, award status, and construction status.

D. Effectiveness of Non-Deployment Activities to Meet BEAD Goals. Non-deployment funds must be used to satisfy the requirements of the BEAD program and may be used supplement funding from the Digital Equity Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1505. Ensuring the Priority of Universal Coverage

A. Awards are not final until approval of the final proposal and ensuring universal coverage of BSLs.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1507. Ensuring General Qualifications

A. Prior to entering into any subgrantee agreement, applicants will certify they are:

1. Capable of carrying out activities funded by the subgrant in a competent manner in compliance with all applicable federal, state and local laws.

2. Have the financial and managerial capacity to meet the commitments of the subgrantee under the subgrant, the requirements of the program and such other requirements as have been prescribed by the assistant secretary or ConnectLA.

3. Have the technical and operational capability to provide the services promised in the subgrant in the manner contemplated by the subgrant award.

B. To submit a grant application, prospective subgrantees shall provide the details listed below related to the items defined above.

C. To participate, prospective subgrantees must demonstrate suitable organizational and management capabilities. To determine whether applicants meet this criterion, prospective subgrantees and private sector partners must meet requirements defined by the assistant secretary and/or ConnectLA. Minimum compliance standards, methodology for review of standards and evidence/documentation required to make a determination of award are documented as part of the proposed scoring and review criteria listed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

Chapter 17. Low-Cost Broadband Service Option

§1701. Required Subgrantee Low-Cost Broadband Service

A. GUBMO 2.0 applicants and subgrantees may request a modification to their low-cost service option from the \$30 target effective rate as follows.

1. In no case may the offered rate exceed the \$65 average rate for comparable service plans in Louisiana as reflected in the 2023 FCC Urban Rate Survey, as adjusted for annual inflation as described below.

2. Modifications to offered rates to a level between \$30 and the \$65 not to exceed (NTE) level may be granted based on evidence supporting the newly proposed rate:

a. Per-subscriber costs in an area indicating that the target effective rate above would be financially unsustainable; and/or

b. The impact on average revenue per user (ARPU) and total project revenue of the target effective rate above would be financially unsustainable given actual or projected subscriber adoption patterns.

i. If a modification request is granted, the new modified level shall remain the maximum Not to Exceed offered rate for the provider for the duration of the federal interest.

B. All subgrantees ~~to~~ must offer to eligible households at locations included in a subgrant award a low-cost broadband service option as follows:

1. an end-user effective rate of \$30 per month for a service offering of 100 Mbps downstream, 20 Mbps upstream, and a minimum latency of 100 milliseconds.

2. GUMBO 2.0 applicants and subgrantees may request modifications to this rate based on evidence of financial non-viability, but the rate must always be at or below the initial \$65 not to exceed level, subject to adjustment for inflation as provided below;

3. is available to all households eligible for the Affordable Connectivity Program or a successor program as modified by congress;

4. the rate specified or subsequently modified, as well as the other provisions identified in this section, for this service option will be a contractual requirement of awardees for the duration of the federal interest, as specified by NTIA;

5. in the event that the FCC during the period of this obligation revises the federal definition of broadband to a performance level that is higher than the 100/20 standard required currently for BEAD, that new federal definition shall become the required performance standard;

6. allows the end user to apply the ACP benefit to the service price and encourages customers to participate in the ACP or successor program(s);

7. the specified price may be adjusted once per year based on the to the consumer price index, up to a maximum annual upward adjustment of 3.0 percent or the prior year level, as defined by the U.S. Bureau of Labor Statistics, beginning with an adjustment in the first new calendar year after the date of approval of this Initial Proposal Volume 2 by NTIA;

8. is not subject to data caps, installation or other non-recurring charges, surcharges or usage-based performance

reductions, and is subject only to the same acceptable use policies to which subscribers to all other broadband internet access service plans offered to home subscribers by the participating subgrantee must adhere;

9. in the event the provider later offers a low-cost plan with higher speeds downstream and/or upstream, permits Eligible Subscribers that are subscribed to a low-cost broadband service option to upgrade to the new low-cost offering at no cost;

10. to make households within subgrant service areas aware of the availability of the low-cost plan via public awareness campaign activities, as mandated by NOFO IV.C.2.c.iv.

C. Service Initiation Cost

1. Installation fees or any other non-recurring charge may not be assessed for households adopting the low-cost service option.

D. Basic Service Characteristics

1. Providers will be held to performance requirements as established by the BEAD program, with download speeds of at least 100 Mbps and upload speeds of at least 20 Mbps.

2. Provides typical latency measurements of no more than 100 milliseconds.

3. Is not subject to data caps, surcharges or usage-based performance reductions, and is subject only to the same acceptable use policies to which subscribers to all other broadband internet access service plans offered to home subscribers by the participating subgrantee must adhere.

E. Affordable Connectivity Subsidy

1. Subscribers using the low-cost broadband service option must be ACP eligible or eligible for a successor program enacted by Congress, and must also be permitted to apply the prevailing ACP subsidy amount toward the plan's rate.

F. Ability to Upgrade to New Low-Cost Option

1. The rate specified, as well as the other provisions identified in this section, for this service option will be a contractual requirement of awardees for the duration of the federal interest, as specified by NTIA. In the event that the FCC, during the period of this obligation, revises the federal definition of broadband to a performance level that is higher than the 100/20 standard required currently for BEAD, that new federal definition shall be the required performance standard.

2. In the event the provider later offers a low-cost plan with higher speeds downstream and/or upstream, permits Eligible Subscribers that are subscribed to a low-cost broadband service option to upgrade to the new low-cost offering at no cost.

3. If the provider voluntarily offers other low-cost plans elsewhere in the state of Louisiana, the provider must make the same offer(s) available on identical terms to households associated with all eligible locations included in the BEAD subgrant award.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1703. Certification for Subgrantee Participation in ACP

A. All subgrantees shall participate in the Affordable Connectivity Program or any successor program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

Veneeth Iyengar
Executive Director

2401#021

DECLARATION OF EMERGENCY

**Department of Revenue
Tax Policy and Planning Division**

Net Capital Gains Deduction (LAC 61:I.1312)

In accordance with the emergency provisions of the Administrative Procedures Act R.S. 49:962(A)(1), which allows the Department of Revenue, Tax Policy and Planning Division to use emergency procedures to establish rules, and R.S. 47:1511, which allows the department to make reasonable rules and regulations, the secretary hereby adopts LAC 61:I.1312 to effectively administer R.S. 47:293.2 relative to the net capital gains deduction.

Revised Statutes 47:293(9)(a)(xvii) and (10) provide an individual income tax deduction for net capital gains resulting from the sale or exchange of an equity interest in or substantially all of the assets of a non-publicly traded corporation, partnership, limited liability company, or other business organization commercially domiciled in Louisiana.

Act 242 of the 2023 Regular Legislative Session (“Act 242”) requires the department to promulgate regulations relative to the net capital gains deduction and outlines minimum rule requirements. Act 242 provides that the regulations must contain: 1) documentation requirements applicable to taxpayers claiming the deduction; 2) a de minimis exception to documentation requirements for small transaction eligible for the deduction; 3) restrictions on eligibility for transactions where the majority of the physical assets are located outside of Louisiana; and 4) restrictions on eligibility for transactions between related parties. Taxpayers seeking to claim the net capital gains deduction must begin applying the requirements set forth in this Emergency Rule to transactions occurring on or after January 1, 2024.

This Emergency Rule is necessary to effectively administer the net capital gains deduction as provided by R.S. 47:293.2 due to time constraints related to legislative passage of Act 242. This Emergency Rule shall be effective January 1, 2024, and shall remain in effect for 180 days, unless renewed or revoked, or until the adoption of the final Rule, whichever comes first.

Title 61

REVENUE AND TAXATION

Part I. Taxes Collected and Administered by the Secretary of Revenue

Chapter 13. Income: Individual

§1312. Net Capital Gains Deduction

A. General. R.S. 47:293(9)(a)(xvii) and (10) provide a deduction for resident individuals and nonresident individuals (“taxpayers”), respectively, for net capital gains resulting from the sale or exchange of an equity interest in, or from the sale or exchange of substantially all of the assets of a non-publicly traded corporation, partnership, limited liability company, or other business organization (“business”) commercially domiciled in Louisiana.

B. Definitions

Capital Gains from the Sale or Exchange of the Assets of a Business—capital gains from sales and exchanges that are reported on Federal Form 4797—Sales of Business Property, the gains from which are reportable on Schedule D of Federal Form 1040.

Commercial Domicile—the principle place from which the business is directed or managed.

Equity Interest—an ownership interest in a business entity that is not publicly traded, such as stock in a corporation, a partnership interest in a partnership, or a membership interest in a limited liability company.

Net Capital Gains—the amount reported as capital gains on the Federal Form 1040.

Related Party—

a. a taxpayer and all entities which are controlled entities with respect to such taxpayer;

b. a taxpayer and any trust in which such taxpayer (or his spouse) is a beneficiary, unless such beneficiary’s interest in the trust is five percent or less of the value of the trust property; and

c. except in the case of a sale or exchange in satisfaction of a pecuniary bequest, a taxpayer who is an executor of an estate and a beneficiary of such estate.

Sale or Exchange of an Equity Interest—a sale or exchange of an equity interest that is reportable on Schedule D of Federal Form 1040—Capital Gains and Losses.

Sale or Exchange of Substantially All of the Assets of a Business—a sale or exchange of assets that leaves the entity unable to carry-on its business. A sale or exchange of assets is presumed to be a sale or exchange of substantially all of the assets of the business if the selling business transfers at least 90 percent of the fair market value of the net assets and at least 70 percent of the fair market value of the gross assets that it held immediately before the transfer.

C. Documentation Requirements

1. Taxpayers claiming the deduction shall submit the following documentation at the time of filing their Louisiana individual income tax return claiming the deduction:

a. a completed Louisiana Form R-6180, Net Capital Gains Deduction Worksheet;

b. documentary evidence of the date the taxpayer acquired an equity interest in the business, such as articles of incorporation or organization, acts of sale or exchange, or donative instruments;

c. a copy of the taxpayer's federal Schedule K-1, if applicable, from the entity from which the gain was derived; and

d. a complete copy of the taxpayer's Federal Form 1040 filed with the IRS for the period in which the gain was recognized, including the Schedule D and any corresponding schedules and forms.

2. In addition to the documentation required by Paragraph 1 above, when the capital gain for which a deduction is being claimed is greater than \$250,000, taxpayers shall also submit the following at the time of filing their Louisiana individual income tax return claiming the deduction:

a. copies of the last two returns on which the income from the business was reported. If the gain is derived from a partnership, provide Form IT-565, Louisiana Partnership Return of Income, for the last two years.

b. If the gain is derived from a pass-through entity, provide detailed information on the pass-through structure, such as a complete organizational chart showing each tier between the taxpayer and the entity from which the gain is derived.

c. If the gain is from the sale of assets, the taxpayer shall also provide the following:

i. a depreciation schedule or fixed asset schedule showing a calculation of gross to net asset values; and

ii. an allocation of purchase price among assets as required by IRC Section 1060, and generally reportable on IRS Form 8594.

D. Eligibility Restrictions

1. Net capital gains resulting from the sale or exchange of real property or tangible assets may qualify for the deduction if 75 percent or more of the real property or tangible assets are located within Louisiana, provided however, that the income from the related business was subject to Louisiana income tax prior to the sale or exchange.

2. Net capital gains from the sale or exchange of an equity interest or from the sale or exchange of substantially all assets shall not qualify for the deduction if the transaction transfers ownership of the interest or assets to a related party.

E. The accrual of refund interest shall be suspended during any period of time that a delay in allowance or approval of the deduction is attributable to the taxpayer's failure to provide information or documentation required herein.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:293(9)(a)(xvii) and (10), 47:293.2 and 47:1511.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Tax Policy and Planning Division, LR 50:

Kevin J. Richard, CPA
Secretary

2401#016

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

2023 Recreational Red Snapper Season Closure

Louisiana's private recreational and state charter red snapper season was previously set by the Wildlife and Fisheries Commission at its regular April 2023 meeting to be open daily until further notice. Under the provisions of state management, NOAA Fisheries has delegated season and bag limit authority as well as an annual quota allocation to Louisiana. In order to avoid quota deductions towards the established allocation in 2024, the season must be closed at the end of 2023.

In accordance with the emergency provisions of R.S. 49:962, which allows the Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission to use emergency rules to set finfish seasons, R.S. 56:326.3 which provides that the commission may set seasons for saltwater finfish, and the authority given to the secretary by the commission at its regular April 2023 meeting and in LAC 76:VII.335.G.5 to modify the recreational red snapper season, size, and bag limits under the provisions of NOAA delegated state management, the secretary hereby declares:

The season for the private recreational and state charter harvest of red snapper in Louisiana state waters and federal waters off Louisiana shall close at 11:59 p.m. on December 31, 2023. The season for the private recreational and state charter harvest of red snapper will then remain closed until the regularly scheduled opening of the 2024 season, currently scheduled for May 24, 2024, or until such time as adjusted by the commission or the secretary. Effective with this closure, no person shall recreationally harvest or possess red snapper whether within or without Louisiana waters.

Robert E. Shadoin
Secretary

2401#001

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Shrimp Season Closure in Portions of State Inside Waters

The secretary of the Department of Wildlife and Fisheries has been notified that recent biological sampling conducted by the department has indicated that average white shrimp size within these waters to be closed is smaller than the minimum possession count and this action is being taken to protect these small white shrimp and provide opportunity for growth to larger and more valuable sizes. R.S. 56:498 provides that the possession count on saltwater white shrimp for each cargo lot shall average no more than 100 (whole specimens) per pound except during the time period from October 15 through the third Monday in December.

In accordance with the emergency provisions of R.S. 49:962 of the Administrative Procedure Act which allows the Wildlife and Fisheries Commission to use emergency procedures to set shrimp seasons; R.S. 56:497 which allows the Wildlife and Fisheries Commission to delegate to the secretary of the Department of Wildlife and Fisheries the powers, duties and authority to set shrimp seasons; and in accordance with a Declaration of Emergency adopted by the commission on August 3, 2023, which authorizes the secretary of the department to close the fall inshore shrimp season when biological and technical data indicate the need to do so or if enforcement problems develop, the secretary does hereby declare:

The 2023 Louisiana fall inshore shrimp season will close on Monday, December 18, 2023, at official sunset in all Louisiana inside waters from the Mississippi/Louisiana state line westward to the Louisiana/Texas state line, except for the following areas:

Lake Pontchartrain, Chef Menteur and Rigolets Passes, Lake Borgne, Mississippi Sound, Mississippi River Gulf Outlet, a section of the Gulf Intracoastal Waterway in Orleans parish from the Gulf Intracoastal Waterway East Closure Sector Gate westward to the Gulf Intracoastal Waterway intersection with the Inner Harbor Navigation Canal, and the open waters of Breton and Chandeleur Sounds as bounded by the double-rig line described in R.S. 56:495.1(A)2.

Existing data do not currently support shrimping closures in additional state inside and outside waters. However, historic data suggest additional closures may be necessary and the department will continue monitoring shrimp populations in these waters. Notice of any opening, delaying or closing of a season by the secretary will be made by public notice at least 72 hours prior to such action.

Robert E. Shadoin
Secretary

2401#004

Rules

RULE

Board of Elementary and Secondary Education

Associate Teacher Program (LAC 28:CXV.525)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) et seq., the Board of Elementary and Secondary Education (BESE) has amended LAC 28:CXV in *Bulletin 741—Louisiana Handbook for School Administrators*. The revisions align BESE policy with Act 99 of the 2023 Regular Legislative Session, which sets forth requirements regarding the implementation of the associate teacher program. This Rule is hereby adopted on the day of promulgation.

Title 28

EDUCATION

Part CXV. Bulletin 741—Louisiana Handbook for School Administrators

Chapter 5. Personnel

§525. Associate Teacher Program

A. An associate teacher is an employee authorized by the local governing authority (LEA) of a public elementary or secondary school to serve as a teacher of record. Such teacher must:

1. be at least 25 years old;
2. hold an associate's degree awarded by a college or university accredited in accordance with 34 CFR 602, et seq.;
3. be continuously enrolled in an undergraduate educator preparation program at a college or university accredited in accordance with 34 CFR 602, et seq., for the purpose of obtaining a bachelor's degree; and
4. meet any other qualifications established by the LEA.

B. The LEA shall conduct a criminal history background check in accordance with R.S. 17:15 and R.S. 15:587.1 prior to employment.

C. An individual shall not serve as a teacher of record under an associate teacher permit for more than five years.

D. An associate teacher shall be employed to teach only in the content area related to the associate's degree.

E. An associate teacher shall not teach in a class for students with identified exceptionalities, unless the students are identified as gifted or talented.

F. The LEA should assign a mentor teacher to an associate teacher for the purposes of providing on-site teacher training, demonstrating lessons, co-teaching, observation, and providing feedback for improving instruction.

G. Associate teachers shall participate in weekly teacher collaborations.

H. For an associate teacher enrolled in a BESE-approved teacher preparation program, hours spent teaching by an associate teacher shall count toward the student teaching

hours required in accordance with R.S. 17:8.1 and LAC 28:XLV.743 (*Bulletin 996*).

I. No more than 10 percent of the teaching staff of the school system shall be associate teachers.

J. Associate teachers shall be annually evaluated.

K. Documentation of the local permit must be maintained by the LEA and the associate teacher. The LEA must document compliance with the provisions of this Section.

L. LEAs shall provide information regarding the effectiveness of the associate teacher program, as requested, to the LDOE.

M. The salary paid to an associate teacher shall not exceed 75 percent of the average yearly classroom teacher salary of the employing school system.

N. The provisions of this Section shall terminate on December 31, 2033.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:8, and 17:3902.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 50:19 (January 2024).

Shan N. Davis
Executive Director

2401#030

RULE

Board of Elementary and Secondary Education

Teacher Certification and Preparation (LAC 28:XLV.743 and 745; CXXXI. 103, 303, 507, 509, 511, 515, 519, 525, 527, 531, 535, 536, 1301, 1305, 1307, 1309, 1311, 1323, 1325, 1327, 1329, 1331, 1701, and 1909)

Editor's Note: Section 303 of Part CXXXI has been promulgated in its entirety to show the incorporation of the new amendments into the current codification. Section 303 was recodified in December 2023. The recodification of Section 303 may be viewed in the December 20, 2023 *Louisiana Register* on pages 2096-2098.

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) et seq., the Board of Elementary and Secondary Education has amended LAC 28:XLV. *Bulletin 996—Standards for Approval of Teacher and/or Educational Leader Preparation Programs* and LAC 28:CXXXI. *Bulletin 746—Louisiana Standards for State Certification of School Personnel*. The aforementioned revisions align certification policy with legislation enacted by the 2022 and 2023 Regular Legislative Sessions. Acts 63, 371, and 392 require updates that include educator evaluations, military and out-of-state reciprocity, Teacher Certification Appeals Council appointing authority, literacy courses and training, and grade point average for certification and for entry to teacher preparation programs. Act 448 of the 2022 Regular Legislative Session requires certain elementary teacher

candidates to pass an assessment including foundational literacy skills. Further revisions update required examination titles and identification numbers. This Rule is hereby adopted on the day of promulgation.

**Title 28
EDUCATION**

**Part XLV. Bulletin 996—Standards for Approval of
Teacher and/or Educational Leader Preparation
Programs**

**Chapter 7. Louisiana State Standards for Educator
Preparation Programs**

Subchapter C. Teacher Preparation Programs

**§743. Minimum Requirements for Traditional Teacher
Preparation Programs**

A. A traditional teacher preparation program is a baccalaureate degree program that includes a minimum of 120 credit hours of coursework and required practice experiences. Beginning with the 2024-2025 school year, an approved teacher education program shall be no more than 120 credit hours unless designated by the Board of Regents as dual degrees or dual certifications. Beginning September 1, 2024, a portion of the total required credit or contact hours must include the minimum number of hours in the teaching of reading and literacy as follows:

1. for certification in Birth-K, PK-3 and 1-5—9 credit hours;
 - a. The instruction must:
 - i. - iii. ...
2. for certification in middle grades 4-8—6 credit hours;
3. for certification in secondary 6-12 or all-level K-12—3 credit hours; and
4. for special education areas (early interventionist, hearing impaired, significant disabilities, visually impaired, or mild/moderate special education 1-5, 4-8, or 6-12)—9 credit hours.
5. - 5.c. ...

6. Beginning January 1, 2024, an applicant for initial certification in kindergarten through third grade shall pass the BESE-approved Teaching of Reading: Elementary or Teaching of Reading: Elementary Subtest exam in accordance with LAC 28:CXXXI.303. (*Bulletin 746*). Candidates already enrolled in the year-long residency and holding the R credential prior to January 1, 2025, are not subject to this provision.

B. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411, and 17:7.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1330 (July 2017), amended LR 43:2492 (December 2017), LR 45:229 (February 2019), LR 48:1274 (May 2022), LR 48:1758 (July 2022), LR 49:41 (January 2023), LR 49:246 (February 2023), repromulgated LR 49:851 (May 2023), LR 50:20 (January 2024).

**§745. Minimum Requirements for Alternate Teacher
Preparation Programs**

A. - A.3. ...

B. Beginning September 1, 2024, a portion of the total required credit or contact hours for all alternate teacher

preparation programs must include the minimum number of hours in the teaching of reading and literacy as follows:

1. for certification in PK-3 and 1-5—9 credit hours or 135 contact hours;
 - a. The instruction must:
 - i. - iii. ...
2. for certification in middle grades 4-8—6 credit hours or 90 contact hours;
3. for certification in secondary 6-12 or all-level K-12 - 3 credit hours or 45 contact hours; and
4. for special education areas (early interventionist, hearing impaired, significant disabilities, visually impaired, or mild/moderate special education 1-5, 4-8, or 6-12)—9 credit hours or 135 contact hours.
5. - 5.c. ...

6. Beginning January 1, 2024, an applicant for initial certification in kindergarten through third grade shall pass the BESE-approved Teaching of Reading: Elementary or Teaching of Reading: Elementary Subtest exam in accordance with LAC 28:CXXXI.303. (*Bulletin 746*). Candidates already enrolled in the year-long residency and holding the R credential prior to January 1, 2025, are not subject to this provision.

C. - F.3. ...

4. Beginning June 14, 2023, an applicant who has not attained a 2.20 GPA may be issued certification if the following requirements are met in an alternate teacher preparation program:

a. If the program awards credit hours, the applicant shall achieve a minimum GPA of 3.00 on a 4.00 point scale in the alternate teacher preparation program courses by the end of the first 12 credit hours and successfully complete the program with a minimum of a 2.5 GPA.

b. If the program does not award credit hours, the applicant shall demonstrate mastery of competencies as required by the program and by the school system in which the applicant completes required clinical practice.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411; and 17:7.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1331 (July 2017), amended LR 43:2492 (December 2017), LR 45:1751 (December 2019), LR 46:324 (March 2020), LR: 48:1274 (May 2022), LR 48:1759 (July 2022), LR 49:41 (January 2023), LR 49:246 (February 2023), LR 49:256 (February 2023), repromulgated LR 49:852 (May 2023), LR 50:20 (January 2024).

**Part CXXXI. Bulletin 746—Louisiana Standards
for State Certification of School Personnel**

Chapter 1. Introduction

§103. General Provisions

A. Effectiveness for Teachers. Beginning September 1, 2023, for renewal or advancement of teaching certification as required in individual sections of this Part and the standards of effectiveness in accordance with LAC 28:CXLVII (*Bulletin 130*), effectiveness may be met for the specified number of years in the following manner:

1. A teacher serving in a nonpublic school setting must earn the specified number of effective ratings per local personnel evaluations.

2. A teacher serving in a public school setting is required to meet the standards of effectiveness in accordance with LAC 28:CXLVII (*Bulletin 130*) Chapter 3.

3. A teacher providing instruction in a public school setting, not employed by but contracted to the public school with a BESE-approved company, must earn effective ratings per employer personnel evaluations.

4. Educators serving in multiple settings may be credited with evaluations appropriate to the employment setting for each year.

5. Any out-of-state experience must be verified as successful by the out-of-state employing authority or SEA.

B. Effectiveness for Leaders. Beginning September 1, 2023, for renewal or advancement of leadership certification as required in individual sections of this Part and the standards of effectiveness in accordance with LAC 28:CXLVII (*Bulletin 130*), effectiveness may be met for the specified number of years in the following manner:

1. Individuals employed in a leadership capacity at the school level in the public school setting must meet the standards of effectiveness in accordance with LAC 28:CXLVII (*Bulletin 130*) Chapter 3.

2. Individuals employed in a leadership capacity at the district level must earn effective ratings per local personnel evaluations.

3. Individuals employed in a leadership capacity in a nonpublic setting must earn effective ratings per local personnel evaluations.

4. Any out-of-state experience must be verified as successful by the out-of-state employing authority or SEA.

5. Educational leaders serving in multiple settings may be credited with evaluations appropriate to the setting for each year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(6), 17:10, 17:8.3 and 8.4, and 17:3902

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 50:20 (January 2024).

Chapter 3. Initial Teacher Certification

Subchapter B. Testing Required for Certification

§303. Certification Exams and Scores

A. A teacher applicant for certification must successfully complete the appropriate written or computer-delivered assessment identified in this Section prior to issuance of a Louisiana educator credential.

B. Pedagogy Exams

1. Principles of Learning and Teaching (PLT) Exams:

a. Principles of Learning and Teaching: Early Childhood (0621 or 5621), effective 1/1/12, score 157;

b. Principles of Learning and Teaching: K-6 (0622 or 5622), effective 1/1/12, score 160;

c. Principles of Learning and Teaching: 5-9 (0623 or 5623), effective 1/1/12, score 160; or

d. Principles of Learning and Teaching: 7-12 (0624 or 5624), effective 1/1/12, score 157.

2. Early Intervention Pedagogy Exams:

a. Special Education: Core Knowledge and Applications (0354 or 5354), effective 1/1/12 to 12/31/13, score 145;

b. Special Education: Early Childhood (0691 or 5691), effective 1/1/14 to 8/31/23, score 159; or

c. Special Education: Early Childhood/Early Intervention (5692), effective 9/1/22, score 159.

3. Deaf and Hard of Hearing Pedagogy Exams:

a. Special Education: Core Knowledge and Applications (0354 or 5354), score 145; and Education of Deaf and Hard of Hearing Students (0271), effective 11/1/11 to 12/31/13, score 160; or

b. Special Education: Core Knowledge and Applications (0354 or 5354), score 145; and Special Education: Education of Deaf and Hard of Hearing Students (0272 or 5272), effective 1/1/14 to 8/31/24, score 160; or

c. Special Education: Foundational Knowledge (5355), score 145; and Special Education: Education of Deaf and Hard of Hearing Students (0272 or 5272), effective 9/1/23, score 160.

4. Mild to Moderate Pedagogy Exams:

a. Special Education: Core Knowledge and Mild to Moderate Applications (0543 or 5543), effective 9/1/11 to 8/31/24, score 153; and PLT specific to grade level (K-6, 5-9, or 7-12); or

b. Special Education: Foundational Knowledge (5355), effective 9/1/23, score 145.

5. Significant Disabilities Pedagogy Exams:

a. Special Education: Core Knowledge and Severe to Profound Applications (0545 or 5545), effective 9/1/11 to 8/31/24, score 153; or

b. Special Education: Severe to Profound (5547), effective 9/1/23, score 156.

6. Visual Impairments/Blind Pedagogy Exams:

a. Special Education: Core Content Knowledge and Applications (0354 or 5354), effective 11/1/11 to 12/31/13, score 145; or

b. Special Education: Core Content Knowledge and Applications (0354 or 5354), effective 1/1/14 to 8/31/24, score 145 and Special Education: Teaching Students with Visual Impairments (0282), effective 1/1/14 to 8/31/24, score 163;

c. Special Education: Foundational Knowledge (5355), effective 9/1/23, score 145; and Special Education: Teaching Students with Visual Impairments (0282 or 5282), effective 9/1/23, score 163.

C. Birth to Kindergarten

1. Content Requirements:

a. Early Childhood Content Knowledge (5022) prior to 9/1/15, score 160;

b. Early Childhood Education (5025), effective 9/1/15, score 156;

c. Education of Young Children (5024), effective 9/1/15, score 160; or

d. Pre-Kindergarten Education (5531), effective 9/1/15, score 155.

2. Principles of Learning and Teaching: Early Childhood in accordance with §303.B.

D. Early Childhood PK-3

1. Content Requirements:

a. Elementary Education: Content Knowledge (0014 or 5014) prior to 9/1/15, score 150;

b. Elementary Education: Content Knowledge (5018), effective 9/1/15 to 8/31/17, score 163; or

c. Elementary Multiple Subjects (5001), effective 9/1/15.

i. Reading Language Arts (5002), score 157;

ii. Mathematics (5003), score 157;

- iii. Social Studies (5004), score 155; and
 - iv. Science (5005), score 159.
2. Reserved.
3. Principles of Learning and Teaching: Early Childhood in accordance with §303.B.
- E. Elementary Grades 1-5
1. Content Requirements:
- a. Elementary Education: Content Knowledge (0014 or 5014) prior to 9/1/15, score 150;
 - b. Elementary Education: Content Knowledge (5018), effective 9/1/15 to 8/31/17, score 163; or
 - c. Elementary Multiple Subjects (5001), effective 9/1/17.
 - i. Reading Language Arts (5002), score 157;
 - ii. Mathematics (5003), score 157;
 - iii. Social Studies (5004), score 155; and
 - iv. Science (5005), score 159.
2. Reserved.
3. Principles of Learning and Teaching: K-6 in accordance with §303.B.
- F. Middle School Grades 4-8 Certification Areas
1. Content Requirements
- a. Mathematics 4-8:
 - i. Middle School Mathematics (0069) prior to 1/1/14, score 148;
 - ii. Middle School Mathematics (5169) effective 1/1/14 to 8/31/22, score 165; or
 - iii. Middle School Mathematics (5164), effective 9/1/21, score 157.
 - b. Science 4-8:
 - i. Middle School Science (0439), prior to 6/8/14, score 150;
 - ii. Middle School Science (5440), effective 6/8/14 to 3/31/22, score 150; or
 - iii. Middle School Science (5442), effective 4/1/21, score 152.
 - c. Social Studies 4-8:
 - i. Middle School Social Studies (0089 or 5089), score 149.
 - d. English/Language Arts 4-8:
 - i. Middle School English/Language Arts (0049 or 5049), prior to 1/1/14, score 160; or
 - ii. Middle School English (5047), effective 1/1/14, score 164.
2. Principles of Learning and Teaching: 5-9 in accordance with §303.B.
- G. Grades 6-12 Core Certification Areas
1. Content Requirements
- a. Biology:
 - i. Biology: Content Knowledge (0235 or 5235), effective 9/1/12 to 8/31/23, score 150; or
 - ii. Biology: Content Knowledge (5236), effective 9/1/22, score 154.
 - b. Chemistry:
 - i. Chemistry: Content Knowledge (0245 or 5245), effective 9/1/12 to 8/31/23, score 151; or
 - ii. Chemistry: Content Knowledge (5246), effective 9/1/22, score 146.
 - c. Earth Science or Environmental Science:
 - i. At this time, a content area exam is not required for certification in Louisiana. For initial teacher certification, 30 semester hours in the content area is required in lieu of an exam.
 - d. English:
 - i. English Language, Literature, and Composition: Content Knowledge (0041 or 5041), effective 5/8/12 to 7/20/13, score 160; and English Language, Literature, and Composition: Pedagogy (0043), effective 5/8/12 to 7/20/13, score 130;
 - ii. English Language, Literature and Composition: Content Knowledge (0041 or 5041), effective 7/20/13 to 8/31/14, score 160; or
 - iii. English Language Arts: Content and Analysis (503), effective 1/1/14, score 168.
 - e. General Science:
 - i. General Science: Content Knowledge (0435 or 5435), effective 9/1/12 to 8/31/23, score 156; or
 - ii. General Science: Content Knowledge (5436), effective 9/1/22, score 141.
 - f. Mathematics:
 - i. Mathematics: Content Knowledge (0061 or 5061), effective 6/1/10 to 12/31/13, score 135; or
 - ii. Mathematics: Content Knowledge (5161), effective 1/1/14 to 8/31/22, score 160; or
 - iii. Mathematics: Content Knowledge (5165), effective 9/1/21, score 159.
 - g. Physics:
 - i. Physics: Content Knowledge (0265 or 5265), effective 9/1/12 to 8/31/23, score 141; or
 - ii. Physics: Content Knowledge (5266), effective 9/1/22, score 145.
 - h. Social Studies:
 - i. Social Studies: Content and Interpretation (0086 or 5086), effective 1/2/12 to 12/31/19, score 160; or
 - ii. Social Studies: Content and Interpretation (0086 or 5086), effective 1/1/20, score 153.
2. Principles of Learning and Teaching: 7-12 in accordance with §303.B.
- H. Grades 6-12 Core Foreign Language Certification Areas
1. Content Requirements:
- a. American Sign Language. American Sign Language Proficiency Interview (ASLPI-0634), score 3+170;
 - b. Chinese. Chinese (Mandarin): World Language (5665), effective 6/1/13, score 164;
 - c. French. French: World Language (5174), effective 10/1/10, score 157;
 - d. German. German: World Language (5183), effective 10/1/10, score 157;
 - e. Latin. At this time, a content area exam is not required for certification in Louisiana. For initial teacher certification, 30 semester hours in the content area is required in lieu of an exam; or
 - f. Spanish. Spanish: World Language (5195), effective 10/1/10, score 157.

2. Pedagogy Requirements:
 - a. Principles of Learning and Teaching: 7-12 (0624 or 5624), effective 1/1/12, score 157 until 6/30/13; or
 - b. World Languages Pedagogy 0841, effective 7/1/13, score 158.
- I. Grades 6-12 Non-Core Content Certification Areas
 1. Content Requirements
 - a. Agriculture:
 - i. Agriculture (0700), prior to 6/8/14, score 510; or
 - ii. Agriculture (5701), effective 6/8/14, score 147.
 - b. Business. Business Education: Content Knowledge (0101 or 5101), effective 11/1/10, score 154.
 - c. Reserved.
 - d. Family and Consumer Sciences:
 - i. Family and Consumer Sciences (0121 or 5121), prior to 6/8/14, score 141; or
 - ii. Family and Consumer Sciences (5122), effective 6/8/14, score 153.
 - e. Journalism or Marketing. At this time, a content area exam is not required for certification in Louisiana. For initial teacher certification, 30 semester hours in the content area is required in lieu of an exam.
 - f. Speech. Speech Communications (0221 or 5221), effective 9/1/09, score 146.
 - g. Technology Education. Technology Education (0051 or 5051), effective 1/1/12, score 159.
 2. Principles of Learning and Teaching: 7-12 in accordance with §303.B.
- J. Secondary (6-12) Content Add-on Certification Areas
 1. Content Requirements
 - a. Algebra I. Algebra I (5162), effective 8/14/18, score 157.
 - b. Geometry. Geometry (5163), effective 6/15/22, score 148.
 - K. All-Level K-12 Certification Areas
 1. Content Requirements
 - a. Art K-12: Art: Content Knowledge (0134 or 5134), effective 1/1/12, score 159.
 - b. Dance K-12 or Theater K-12: No exam available. Thirty semester hours in the content area is required in lieu of an exam.
 - c. Health and Physical Education K-12:
 - i. Physical Education: Content Knowledge (0091 or 5091), prior to 6/8/14, score 146; or
 - ii. Health and Physical Education (5857), effective 6/8/14, score 160.
 - d. Music K-12. Music: Content Knowledge (0113 or 5113), effective 7/1/03, score 151.
 2. Pedagogy Requirements:
 - a. Principles of Learning and Teaching: K-6 in accordance with §303.B;
 - b. Principles of Learning and Teaching: 5-9 in accordance with §303.B; or
 - c. Principles of Learning and Teaching: 7-12 in accordance with §303.B.
 - L. All-Level K-12 Foreign Language
 1. Content Requirements:
 - a. American Sign Language. American Sign Language Proficiency Interview (ASLPI-0634), score 3+170;
 - b. Chinese. Chinese (Mandarin): World Language (5665), effective 6/1/13, score 164;
 - c. French. French: World Language (5174), effective 10/1/10, score 157;
 - d. German. German: World Language (5183), effective 10/1/10, score 157;
 - e. Latin. At this time, a content area exam is not required for certification in Louisiana. For initial teacher certification, 30 semester hours in the content area is required in lieu of an exam; or
 - f. Spanish. Spanish: World Language (5195), effective 10/1/10, score 157.
 2. Pedagogy Requirements
 - a. Prior to 6/30/13:
 - i. Principles of Learning and Teaching: K-6 (0622 or 5622), effective 1/1/12, score 160;
 - ii. Principles of Learning and Teaching: 5-9 (0623 or 5623), effective 1/1/12, score 160; or
 - iii. Principles of Learning and Teaching: 7-12 (0624 or 5624), effective 1/1/12, score 157.
 - b. World Languages Pedagogy 0841, effective 6/30/13, score 158.
 - M. Special Education Areas
 1. Early Interventionist:
 - a. Content Requirements: Early Childhood Education content exam in accordance with §303.D.1;
 - b. Principles of Learning and Teaching: Early Childhood in accordance with §303.B.1; or
 - c. Early Interventionist Pedagogy Exam in accordance with §303.B.2.
 2. Deaf and Hard of Hearing:
 - a. Content Requirements: Elementary Content Knowledge exam in accordance with §303.E;
 - b. Deaf and Hard of Hearing Pedagogy exam in accordance with §303.B.3.
 3. Mild to Moderate Disabilities:
 - a. All candidates must pass a content area exam appropriate to the certification level 1-5, 4-8, or 6-12, or core subject-specific exams for middle or secondary grades;
 - b. Mild to Moderate Pedagogy exam in accordance with §303.B.4;
 - c. Integrated to Merged program completers: Principles of Learning and Teaching appropriate to grade level K-6, 5-9, or 7-12.
 4. Significant Disabilities:
 - a. Content Requirements: Elementary Content Knowledge exam in accordance with §303.E;
 - b. Significant Disabilities Pedagogy exam in accordance with §303.B.5.
 5. Visual Impairments/Blind:
 - a. Content Requirements: Elementary Content Knowledge exam in accordance with §303.E;
 - b. Visual Impairments/Blind Pedagogy exams in accordance with §303.B.6.
 - N. Administrative and Instructional Support Areas
 1. Educational Leader—Level 1:
 - a. School Leaders Licensure Assessment (SLLA), (1011 or 6011), effective 9/1/09 to 7/31/20, score 166;
 - b. School Leaders Licensure Assessment (SLLA) (6990), effective 9/1/19, score 151; or

c. Louisiana Leadership Assessment Series (LLAS), effective 4/1/20, score of ‘demonstrated’ for at least 9 assessments within the series.

2. Educational Leader—Level 3:

a. School Superintendent Assessment (SSA) (6021), effective 1/1/13 to 7/31/20, score 160; or

b. School Superintendent Assessment (SSA) (6991), effective 9/1/19, score 162.

3. School Counselor (K-12):

a. Professional School Counselor (0421 or 5421), effective 7/1/15 to 8/31/23, score 156; or

b. School Counselor (5422), effective 9/1/22, score 159.

4. School Librarian:

a. Library Media Specialist (0311 or 5311), effective 9/1/12 to 8/31/23, score 136; or

b. School Librarian (5312), effective 9/1/22, score 154.

O. Reading Exams:

1. Teaching of Reading Exam (0204 or 5204), effective 9/1/11 to 7/31/20, score 157;

2. Teaching of Reading: K-12 Exam (0206 or 5206), effective 9/1/19, score 156;

3. Teaching of Reading: Elementary Exam (5205), effective 1/1/23, score 159.

P. Mentor Teacher and Content Leader. The mentor teacher certificate and content leader certificate may be earned by passing the applicable Louisiana assessment series.

1. Mentor Teacher. Louisiana Mentor Teacher Assessment Series—Elementary, Secondary ELA, Secondary Math, or Universal, must pass two coaching-related components.

2. Content Leader:

a. Louisiana Content Leader Assessment Series, must pass four components; or

b. Louisiana Intervention Content Leader Assessment Series, must pass three components.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1797 (October 2006), amended LR 37:558 (February 2011), LR 38:1951 (August 2012), LR 46:01375 (October 2020), amended LR 48:416 (March 2022), repromulgated LR 48:1018 (April 2022), LR 48:2099 (August 2022), LR 48:2554 (October 2022), LR 48:2730 (November 2022), LR 49:36 (January 2023), repromulgated LR 49:2096 (December 2023), amended LR 50:21 (January 2024).

Chapter 5. Teaching Credentials, Licenses and Certifications

Subchapter A. Standard Teaching Certificates

§507. Professional Level Certificates

A. - B.4. ...

5. Grade Point Average Requirements:

a. minimum 2.20 undergraduate grade point average (GPA) on a 4.00 scale for entry into a teacher preparation program;

b. if an applicant does not meet the GPA requirement, certification may be issued if the following requirements are met:

i. if the program awards credit hours, the applicant shall achieve a minimum GPA of 3.00 on a 4.00 scale in the alternate teacher preparation program courses by the end of the first 12 credit hours and successfully complete the program.

ii. if the program does not award credit hours, the applicant shall demonstrate mastery of competencies as required by the program administrator and by the school system in which the applicant completes required clinical practice; and

c. minimum 2.50 GPA on a 4.00 scale upon completion of teacher preparation program, or if the program does not award credit hours, the applicant shall demonstrate mastery of competencies as required by the program administrator and by the school system in which the applicant completes required clinical practice;

d. satisfactorily complete all program requirements as set forth by BESE, including any requirements for clinical practice, at graduation or program completion;

e. an applicant who does not have the required program GPA shall demonstrate mastery of competencies as required by the program and by the school system in which the applicant completes required clinical practice and may be issued a TEP.

6. - 8.e....

f. Repealed.

9. Beginning September 1, 2024, completers must earn the required number of semester hours or contact hour equivalent in the teaching of reading and literacy in alignment with the science of reading competencies for certification.

a. Birth-K, PK-3, Grades 1-5: 9 semester hours.

b. Middle Grades 4-6: 6 semester hours.

c. Secondary 6-12 content areas, all-level K-12 areas: 3 semester hours.

d. General and Special Education Integrated to Merged (Grades 1-5, 4-8, or 6-12), Early Interventionist, Hearing Impaired, Significant Disabilities, and Visually Impaired: 9 semester hours.

10. Beginning January 1, 2024, an applicant for initial certification in kindergarten through third grade shall pass the BESE-approved Teaching of Reading: Elementary or Teaching of Reading: Elementary Subtest exam in accordance with §303 of this Part. Candidates already enrolled in the year-long residency and holding either the PL or R credential prior to January 1, 2025, are not subject to this provision.

11. Beginning September 1, 2028, literacy requirements include a minimum of three credit hours or contact hour equivalent regarding teaching students with dyslexia.

C. Out-of-state (OS) Graduate Eligibility. Level 1 professional certificate requires a minimum of a baccalaureate degree from a college or university accredited in accordance with 34 CFR 602. Credentials awarded from an institution outside of the United States and not accredited by one of the U.S. accrediting agencies may be submitted to a credentialing agency that follows the standards of the American Association of Collegiate Registrars and Admissions Officers (AACRAO) for evaluation with the

original course-by-course evaluation including a statement verifying the comparability of the baccalaureate or graduate degree in the field of education; and

1. - 2. ...
3. complete student teaching, internship, residency, or year(s) of successful teaching experience as required by teacher preparation program provider or SEA; and
4. ...
5. An applicant who has not taught successfully for at least one year in the five years prior to date of application may be issued a one-year non-renewable OS1 certificate during which time the holder must earn an effective rating in accordance with §103 of this Part for issuance of a three-year non-renewable OS certificate.
6. ...
7. Three years of successful teaching experience in another state, prior to first employment in or licensure application in Louisiana, as verified by the employing authority or SEA, fulfills exam requirements.
8. ...
9. Active military or military spouse applicants holding a standard professional certificate in another state, serving in Louisiana on a five-year OS, must earn effective ratings in accordance with §103 of this Part for at least three years during the five-year OS period to advance to a higher level professional certificate.

D. Foreign Applicant Eligibility. OS and Level 1 professional certificates require a minimum of a baccalaureate degree from a college or university accredited in accordance with 34 CFR 602. Credentials awarded from an institution outside of the United States and not accredited by one of the U.S. accrediting agencies may be submitted to a credentialing agency that follows the standards of the American Association of Collegiate Registrars and Admissions Officers (AACRAO) for evaluation with the original course-by-course evaluation including a statement verifying the comparability of the baccalaureate or graduate degree in the field of education.

1. - 2. ...
- E. Level 2 Professional Certificate eligibility requirements:
 1. ...
 2. earn effective ratings for three years in accordance with §103 of this Part; and
 3. accrue three years of teaching experience in an approved educational setting.
- E.4. - F.2. ...
 3. have five years of teaching experience in an approved educational setting with any out-of-state experience verified as successful by the out-of-state employing authority or SEA.
 4. If the level 3 certificate is the initial certificate, a state-approved teacher preparation program provider must submit the request.
- E.5. - G.1. ...
 2. Level 2 and level 3 certificates are valid for five years initially and may be renewed thereafter for a period of five years at the request of a Louisiana employing authority, contingent upon candidates being found effective in accordance with §103 of this Part for at least three years during the five-year initial or renewal period.

H. Temporary Employment Permit (TEP) Applicant Eligibility. Level 1 professional certificates require a minimum of a baccalaureate degree from a college or university accredited in accordance with 34 CFR 602. The Louisiana employing authority must submit the application recommending certification to the LDOE including a signed affidavit verifying there is no other available applicant meeting certification requirements for the specific teaching position.

1. Candidates serving on a TEP must successfully meet the standards of effectiveness by earning highly effective or effective proficient for five years in accordance with LAC 28:CXLVII (*Bulletin 130*) while serving on the TEP.
 - a. - b. Repealed.
 2. Upon successful passage of required examinations, a candidate serving on a TEP Option 1 is eligible for a Level 1 teaching certification.
 - a. - c. Repealed.
 3. The candidate must participate in a school-based mentor program for at least three years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7(6), and R.S. 17:8.1. – 8.3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1813 (October 2006), amended LR 35:2752 (December 2009), LR 36:2843 (December 2010), LR 38:2366 (September 2012), LR 40:1331 (July 2014), LR 46:1381 (October 2020), amended, LR 48:430 (March 2022), LR 48:1273 (May 2022), LR 48:2554 (October 2022), LR 49:37 (January 2024), LR 50:24 (January 2024).

§509. Type C Certificates

- A. - D.1.a. ...
 - b. have three years of successful evaluations;
- D.1.c. - E.1. ...
 2. A lapsed certificate may be reactivated upon request of the Louisiana employing authority at the level attained prior to the five-year period of disuse. During the reactivated period the holder must earn effective ratings for at least three years during the five-year reactivation period. Upon earning three effective evaluations, the lifetime validity of the certificate will be reinstated. The request for reinstatement must be submitted directly to the LDOE by the Louisiana employing authority.
 3. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(6), R.S. 17:10, and R.S. 17:8.3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1814 (October 2006), amended LR 33:2356 (November 2007), LR 35:2753 (December 2009), LR 36:2000 (September 2010), LR 38:3137 (December 2012), LR 40:1331 (July 2014), LR 45:1460 (October 2019), LR 46:1381 (October 2020), LR 48:431 (March 2022), repromulgated LR 48:1035 (April 2022), LR 50:25 (January 2024).

§511. Out-of-State (OS) Certificate

- A. - B.3. ...
 4. complete student teaching or internship in a certification area, or in lieu of student teaching or internship have the years of successful teaching experience as required by the teacher preparation program provider or SEA;
 5. a candidate who has not taught successfully for at least one year in the five years prior to the date of application may be issued a one-year non-renewable (OS1) certificate during which time the holder must be found

effective in accordance with §103 of this Part for the issuance of a three-year non-renewable (OS) certificate; and

6. beginning January 1, 2017, the LDOE will issue a letter of eligibility for an OS certificate to requesting teachers who are not yet employed in Louisiana. Once employed as a teacher of record in an approved Louisiana school system, the OS certificate will be issued at the request of the Louisiana employing authority.

7. Active military or military spouse out-of-state applicants stationed in Louisiana who meet the above criteria will be issued eligibility for a five-year certificate. Notification of eligibility will be issued no later than 20 days from the receipt of a complete application. Once employed in Louisiana, a five-year OS will be issued at the request of the Louisiana employing authority.

C. - C.2. ...

3. Three years of successful teaching experience in another state prior to first employment or licensure application in Louisiana, as verified by the employing authority or SEA fulfills exam requirements. For active military or military spouses, any three years of successful teaching experience in another state, as verified by the employing authority or SEA, may fulfill exam requirements.

4. ...

5. Active military or military spouse applicants serving in Louisiana and holding a standard professional certificate in another state, not meeting exam exclusion, on a five-year OS must earn effective ratings, in accordance with §103 of this Part, for at least three years during the five-year OS period to advance to a higher level professional certificate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(6) and R.S. 17:8.1. – 8.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1814 (October 2006), amended LR 35:2754 (December 2009), LR 36:2001 (September 2010), LR 40:1332 (July 2014), LR 48:432 (March 2022), repromulgated LR 48:1036 (April 2022), LR 49:39 (January 2023), LR 50:25 (January 2024).

§515. Practitioner Licenses

A. Issuance and Renewals

1. Practitioner licenses (PL) 1 and 2 may be issued for one year, renewed annually, and held for a maximum of three years while the holder completes an alternate program. Upon completion of the three years of employment on a PL certificate, the holder must fulfill guidelines for a level 1 or higher-level certificate for continued employment in a Louisiana school system.

2. The practitioner license 3 may be issued for one year, renewed annually, and held for a maximum of four years while the holder completes an alternate program. Upon completion of the four years of employment on a PL certificate, the holder must fulfill guidelines for a level 1 or higher-level certificate for continued employment in a Louisiana school system.

3. - 4.a. ...

b. 2.20 or higher undergraduate GPA on a 4.00 scale to enter a teacher preparation program or documentation of conditional acceptance into a teacher preparation program; and

c. passing scores on certification content area exam requirements in accordance with §303 of this Part, or if no examination has been adopted for Louisiana in the

certification area, candidates must present a minimum of 30 semester hours of coursework specific to the content area for admission to the program.

d. Special education mild/moderate certification candidates must qualify for admission to alternate programs by passing a Praxis content area exam, and secondary education candidates (grades 6-12) must pass a Praxis core subject area exam, or if there is no content Praxis exam adopted by the State in the specific secondary core subject area, candidates must demonstrate content mastery by presenting 30 semester credit hours in the core subject area.

5. - 6.a. ...

7. - 7.e. Repealed.

8. The teacher must teach in the specific grade level and content area as designated on the practitioner license as outlined in LAC 28:XLV (*Bulletin 996*).

B. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:8.1 – 8.2. and R.S. 17:6, 17:7(6).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:433 (March 2022), repromulgated LR 48:1037 (April 2022), LR 48:2555 (October 2022), LR 49:39 (January 2023), LR 50:26 (January 2024).

§519. Standard Certificates for Teachers in Nonpublic Schools

A. A standard certificate with an asterisk (*) following the certificate type is issued to a teacher in a nonpublic school. If the teacher enters a public school system in Louisiana, the educator will be required to meet the standards of effectiveness pursuant to state law and in accordance with LAC 28:CXLVII (*Bulletin 130*) for issuance or renewal of a level 2 or level 3 teaching certificate. Beginning September 1, 2023, asterisk certificates will no longer be issued.

B. Level 2* (2-asterisk) Certificate—valid for five years.

1. - 2. Repealed.

C. Level 3* (3-asterisk) Certificate—valid for five years.

1. - 2. Repealed.

3. Renewal Guidelines for Level 2* and Level 3* Certificates

a. A teacher must earn effective ratings for at least three years during the five-year initial or renewal period.

b. ...

D. Type B* (B-asterisk) Certificate is valid for life for continuous service, provided the holder does not allow any period of 5 or more consecutive years of disuse to accrue where not a regularly employed teacher for at least 1 semester, or 90 consecutive days, and/or certificate is not revoked by BESE.

1. - 2. Repealed.

3. The type B* certificate is valid for life of continuous service in an approved school setting, and if the teacher enters a Louisiana public school the requirement shall be to successfully meet the standards of effectiveness.

E. Type A* (A-asterisk) Certificate is valid for life for continuous service in an approved school setting, provided the holder does not allow any period of 5 or more consecutive years of disuse to accrue where not a regularly employed teacher for at least 1 semester, or 90 consecutive days, and/or the certificate is not revoked by BESE.

1. - 2. Repealed.

3. The type A* certificate is valid for life of continuous service in an approved school setting, and if the

teacher enters a Louisiana public school the requirement shall be to successfully meet the standards of effectiveness.

F. - F.1. ...

2. A lapsed certificate may be reactivated upon request of the Louisiana employing authority at the level attained prior to the five-year period of disuse. During the reactivated period the holder must earn effective ratings for at least three years during the five-year reactivation period. Upon earning three effective evaluations, the lifetime validity of the certificate will be reinstated. The request for reinstatement must be submitted directly to the LDOE by the Louisiana employing authority.

3. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(6) and R.S. 17:8.3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:435 (March 2022), repromulgated LR 48:1038 (April 2022), LR 50:26 (January 2024).

Subchapter B. Nonstandard Teaching Credentials

§525. Introduction

A.1. There are five types of nonstandard teaching credentials issued in Louisiana:

- a. - c. ...
- d. nonpublic temporary certificate (T); and
- e. resident teacher certificate (R).
- f. Repealed.

2. ...

B. Repealed.

C. Medical Excuse and Exceptions. Exceptions to policy will be considered in the case of serious medical condition or unavailability of required coursework or exams. When serious medical problems of the teacher or immediate family exist, a doctor statement is required. Also required is a letter of assurance from the teacher documenting that the unmet policy requirements will be completed within a specified time period, as determined by the LDOE. The final authority for approval and policy flexibility is at the discretion of the LDE in accordance with BESE policy.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and R.S. 17:7(6).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:437 (March 2022), repromulgated LR 48:1040 (April 2022), LR 48:1749 (July 2022), LR 50:27 (January 2024).

§527. Temporary Authority to Teach (TAT)

A. - B.2. ...

3. The applicant must have at least a 2.20 undergraduate GPA. An applicant who does not meet the GPA requirement may be certified upon satisfactory completion of a personal interview by the employing school system.

C. - D.1.a. ...

b. evidence the applicant has met the standards of effectiveness in accordance with LAC 28:CXLVII (*Bulletin 130*);

c. - d. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7(6), and R.S. 17:8.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:437 (March 2022), repromulgated LR 48:1041 (April 2022), LR 49:39 (January 2023), LR 50:27 (January 2024).

§531. Temporary Employment Permit (TEP)

A. Temporary Employment Permit (TEP) is issued for one year, renewable annually, and may be held a maximum of five years while the holder pursues standard certification via successful years of teaching or satisfaction of state exam requirements. Upon completion of the five years of employment on a TEP, for continued employment in a Louisiana school system, the holder must fulfill guidelines for a level I or higher-level certificate.

1. The Louisiana employing authority must submit to the LDOE:

a. the application recommending certification or requesting renewal; and

b. an affidavit signed by the local superintendent, or designee, attesting that after posting positions for which a TEP is issued, good faith efforts failed to recruit competent and suitable certified personnel.

2. For all teacher candidates serving on the TEP, the candidate must participate in a school-based mentoring program.

B. Eligibility Guidelines 1. Applicant meets all certification requirements with the exception of passing all exam requirements in accordance with §303 of this Part but scores within 10 percent of the score required for passage of exams. The BESE-approved teacher preparation provider must verify that all program requirements are met with the exception of exam(s).

1. - 4. Repealed.

C. Eligibility Guidelines 2. Applicant has not completed a teacher preparation program but holds a graduate degree from a college or university accredited in accordance with 34 CFR 602 in the subject area for which employment is granted. The applicant must complete pre-service training prior to the first day as a teacher of record.

1. - 3. Repealed.

D. Eligibility Guidelines 3. Applicant has not completed a teacher preparation program but holds a bachelor's degree from a college or university accredited in accordance with 34 CFR 602 in the secondary subject area for which employment is granted and has a 2.5 cumulative undergraduate GPA or higher on a 4.00 scale.

1. The applicant must complete pre-service training prior to the first day as a teacher of record.

2. The applicant must pass the adopted content exam in alignment with the degree and the courses hired to teach prior to the first day as a teacher of record.

3. - 6. Repealed.

E. Eligibility Guidelines 4. Applicant has completed a BESE-approved teacher preparation program with a GPA lower than required but the program provider verifies that all other program requirements have been met.

F. Renewal Requirements. A TEP can be renewed up to four times upon verification of the following:

1. For a candidate issued the TEP via completion of a teacher preparation program but lacking passing scores on required exams, required exams are retaken twice within one year from the date the TEP was issued or renewed.

2. Standards of effectiveness are successfully met at the level of highly effective or effective proficient in

accordance with LAC 28:CXLVII (*Bulletin 130*) during each year on the TEP.

3. The candidate must participate in a school-based mentoring program during each year of the TEP until the candidate has received three years of successful evaluations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(6), and R.S. 17:8.1 – 8.3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:438 (March 2022), repromulgated LR 48:1041 (April 2022), LR 49:40 (January 2023), LR 50:27 (January 2024).

§535. Resident Teacher Certificate (R)

A. - G. ...

H. Holders of the resident teacher certificate may serve as a substitute teacher in the residency school system. Such service shall not impede residency performance or ability to successfully complete the preparation program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7(6), and R.S. 17:8.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:438 (March 2022), repromulgated LR 48:1042 (April 2022), LR 49:40 (January 2023), LR 50:28 (January 2024).

§536. Teaching Authorizations

A. A teaching authorization (TA) is a nonstandard credential that only indicates a cleared criminal background check and is neither the equivalent of a teaching certificate nor substantiation of enrollment in or completion of an educator preparation program.

B. Beginning June 14, 2023, TAs will no longer be issued.

C. - F. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and R.S. 17:7(6).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1749 (July 2022), amended LR 50:28 (January 2024).

Chapter 13. Endorsements to Existing Certificates

§1301. Introduction

A. Endorsement areas are permanent credentials added to a teaching certificate. Upon completion of requirements for an additional area of certification, as outlined in this bulletin, the holder of a valid Louisiana teaching certificate may have the endorsement added. For endorsement purposes, the following apply.

1. A generalized reference to a Praxis exam means the applicable exam(s) in policy, with the established passing score(s) in accordance with §303 of this Part.

2. - 5. ...

6. Non-university private providers of teacher and/or educational leader preparation programs must submit proposals for approval by LDOE and BESE, in accordance with LAC 28:XLV (*Bulletin 996*) Chapter 3.

7. ...

8. General reading and literacy hours may be fulfilled with the indicated semester hours, equivalent contact hours, or passing the adopted Teaching of Reading exam in accordance with §303 of this Part. Successful completion of the BESE-approved literacy foundations training may be accepted for the number of hours approved per program.

B. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(6), and R.S. 17:8.1. – 8.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 33:2059 (October 2007), LR 48:454 (March 2022), repromulgated LR 48: 1062 (April 2022), LR 50:28 (January 2024).

Subchapter A. Regular Education Level and Area Endorsements

§1305. Requirements to add Birth to Kindergarten

A. Individuals holding a valid early childhood certificate for PK-K, PK-3, elementary certificate for grade levels 1-4, 1-5, 1-6, or 1-8, or early interventionist certificate must achieve the following:

1. earn a passing score for Praxis—principles of learning and teaching early childhood; or

2. 12 semester hours of combined early childhood and kindergarten coursework.

3. Individuals must complete nine semester hours in the teaching of reading and literacy, or other literacy options as outlined in §1301 of this Chapter.

B. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(6), and R.S. 17:8.1. – 8.3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 33:2060 (October 2007), amended LR 46:1385 (October 2020), amended LR 48:455 (March 2022), repromulgated LR 48:1063 (April 2022), LR 48:2555 (October 2022), LR 50:28 (January 2024).

§1307. Requirements to add Early Childhood (Grades PK-3)

A. Individuals holding a valid elementary certificate for grade levels 1-4, 1-5, 1-6, or 1-8 must achieve the following:

1. earn a passing score for Praxis—principles of learning and teaching early childhood; or

2. 12 semester hours of combined early childhood and kindergarten coursework.

3. Individuals must complete nine semester hours in the teaching of reading and literacy in alignment with the literacy foundations competencies or other literacy options as outlined in §1301 of this Chapter.

4. Repealed.

B. Individuals holding a valid upper elementary or middle school certificate for grade levels 4-8, 5-8, or 6-8, secondary school certificate for grade levels 6-12, 7-12, or 9-12, special education certificate other than early interventionist, or an all-level K-12 certificate in the areas of art, dance, foreign language, health, physical education, health and physical education, theater, or music must achieve the following:

1. - 2. Repealed

3. for endorsements issued 9/1/17 and beyond, earn a passing score for Praxis elementary education: multiple subjects; and

4. earn a passing score for Praxis principles of learning and teaching early childhood or accumulate 12 credit hours of combined early childhood and kindergarten coursework; and

5. complete nine semester hours in the teaching of reading and literacy, or other literacy options as outlined in §1301 of this Chapter in alignment with the literacy foundations competencies.

6. Repealed.

C. Individuals holding a valid early interventionist certificate must achieve the following:

1. earn a passing score for Praxis—Elementary Education;
2. ...
3. complete nine semester hours in the teaching of reading and literacy, or other literacy options as outlined in §1301 of this Chapter in alignment with the literacy foundations competencies.

4. Repealed.

D. Individuals holding a valid birth to kindergarten certificate must achieve the following:

1. earn passing score for Praxis Elementary Education in accordance with §303 of this Part; and
2. complete nine semester hours in the teaching of reading and literacy, or other literacy options as outlined in §1301 of this Chapter in alignment with the literacy foundations competencies.

3. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7(6) and R.S. 17:8.1. – 8.3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:455 (March 2022), repromulgated LR 48:1063 (April 2022), LR 48:2555 (October 2022), LR 50:28 (January 2024).

§1309. Requirements to add Elementary (Grades 1-5)

A. Individuals holding a valid early childhood certificate for PK-K or PK-3 must achieve the following:

1. earn a passing score for Praxis—Elementary Education in accordance with §303 of this Part;
2. ...
3. complete nine semester hours in the teaching of reading and literacy, or other literacy options as outlined in §1301 of this Chapter in alignment with the literacy foundations competencies.

4. Repealed.

B. Individuals holding a valid upper elementary or middle school certificate for grade levels 4-8, 5-8, and 6-8, secondary certificate grade levels 6-12, 7-12, or 9-12, special education certificate, or all-level K-12 certificate for art, dance, foreign language, health, physical education, health and physical education, theater, or music must achieve the following:

1. earn passing score for Praxis—Elementary Education in accordance with §303 of this Part or accumulate 12 semester hours in each subject area of mathematics, science, ELA, and social studies;

2. - 2.d.Repealed.

3. ...

4. complete nine semester hours in the teaching of reading and literacy, or other literacy options as outlined in §1301 of this Chapter in alignment with the literacy foundations competencies.

5. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(6), and R.S. 17:8.1. – 8.3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:455 (March 2022), repromulgated LR 48:1064 (April 2022), LR 48:2555 (October 2022), LR 50:29 (January 2024).

§1311. Requirements to add Middle School (Grades 4-8) Specialty Area Endorsement for English, Mathematics, Science, or Social Studies

A. Individuals holding a valid OS, Type C, Level 1 or higher teaching certificate must achieve the following:

1. - 2. ...

3. complete six semester hours in the teaching of reading and literacy, or other literacy options as outlined in §1301 of this Chapter.

B. - B.3. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(6), and R.S. 17:8.1. – 8.3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:456 (March 2022), repromulgated LR 48:1064 (April 2022), LR 50:29 (January 2024).

Subchapter B. Special Education Level and Area Endorsements

§1323. Requirements to add Early Interventionist Birth to Five Years

A. Individuals holding a valid early childhood certificate for PK-K or PK-3, elementary certificate for grade levels 1-4, 1-5, 1-6, or 1-8, upper elementary or middle school certificate for grade levels 4-8, 5-8, or 6-8, secondary certificate for grade levels 6-12, 7-12, or 9-12, special education certificate, or an All-Level K-12 certificate in art, dance, foreign language, health, physical education, health and physical education, theater, or music must achieve the following:

1. earn a passing score for Praxis exams: Principles of Learning and Teaching; Early Childhood and Special Education: Early Childhood;

2. - 2.f. ...

3. complete nine semester hours in the teaching of reading and literacy, or other literacy options as outlined in §1301 of this Chapter in alignment with the literacy foundations competencies.

4. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(6), and R.S. 17:8.1. – 8.3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:457 (March 2022), repromulgated LR 48:1066 (April 2022), LR 48:2556 (October 2022), LR 50:29 (January 2024).

§1325. Requirements to add Deaf or Hard of Hearing K-12

A. Individuals holding a valid early childhood certificate for PK-K or PK-3, elementary certificate for grade levels 1-4, 1-5, 1-6, or 1-8, upper elementary or middle school certificate for grade levels 4-8, 5-8, or 6-8, secondary certificate for grade levels 6-12, 7-12, or 9-12, special education certificate, or an All-Level K-12 certificate in art, dance, foreign language, health, physical education, health and physical education, theater, or music must earn the following:

1. 21 semester credit hours that pertain to children who are deaf or hard of hearing:

a. introduction to special education;

b. physiological, psychosocial, historical, sociological, and cultural aspects of deafness;

c. language development that includes linguistic principles and assessment strategies in language acquisitions for deaf and hard of hearing;

d. speech and speech reading;

e. educational audiology, auditory assistive devices and technology;

f. instructional strategies and curriculum development for deaf and hard of hearing students; and

g. communication methodology;

2. three semester hours of internship regarding students who are deaf or hard of hearing or three years of successful teaching experience with students who are deaf or hard of hearing verified in accordance with §103 of this Part;

3. Proficiency in signed, cued, or oral communication evidenced by one or more of the following means:

a. signed:

i. Intermediate on the Educational Sign Skills Evaluation: Teacher (ESSE:T);

ii. Advanced on the Signed Communication Proficiency Interview (SCPI); or

iii. Level III of the Educational Interpreter Performance Assessment;

b. cued—mini-proficiency, as measured on the Basic Cued Speech Proficiency Rating Test (BCSPR c1983, Beaupre);

c. oral—successfully passing an additional course in Methods in Oral/Auditory Education; and

4. Passing score for Praxis exams in accordance with §303 of this Part.

5. - 11. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(6) and R.S. 17:8.1. – 8.3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:457 (March 2022), repromulgated LR 48:1066 (April 2022), LR 50:29 (January 2024).

§1327. Requirements to add Mild/Moderate (1-5), (4-8), and (6-12)—Mandatory 7/1/2010

A. - A.1.f. ...

2. passing score for Praxis exams—Special Education: Core Knowledge and Mild to Moderate Applications or Special Education: Foundational Knowledge; and

3. complete six semester hours in the teaching of reading and literacy, or other literacy options as outlined in §1301 of this Chapter in alignment with the literacy foundations competencies;

4. Repealed.

B. Mild/Moderate: 1-5. Individuals holding a valid upper elementary or middle school certificate grade levels 4-8, 5-8, or 6-8, secondary certificate grade levels 6-12, 7-12, or 9-12, all-level special education certificate in significant disabilities, visually impaired, or deaf or hard of hearing, or an all-level K-12 certificate in art, dance, foreign language, health, physical education, health and physical education, theater, or music must earn the following:

1. - 1.f. ...

2. passing score for Praxis exams in accordance with §303 of this Part; and

3. complete six semester hours in the teaching of reading and literacy, or other literacy options as outlined in §1301 of this Chapter in alignment with the literacy foundations competencies;

4. Repealed.

C. - C.2.a. ...

i. Special Education: Core Knowledge and Mild to Moderate Applications or Special Education: Foundational Knowledge;

a.ii. - b. ...

i. Special Education: Core Knowledge and Mild to Moderate Applications or Special Education: Foundational Knowledge;

ii. - iii. ...

3. complete nine semester hours in the teaching of reading and literacy, or other literacy options as outlined in §1301 of this Chapter in alignment with the literacy foundations competencies.

4. Repealed.

D. - D.2. ...

a. Mild/Moderate (4-8)—Special Education: Core Knowledge and Mild to Moderate Applications or Special Education: Foundational Knowledge;

b. Mild/Moderate (6-12):

i. Special Education: Core Knowledge and Mild to Moderate Applications or Special Education: Foundational Knowledge;

ii. - iii. ...

3. complete nine semester hours in the teaching of reading and literacy, or other literacy options as outlined in §1301 of this Chapter in alignment with the literacy foundations competencies;

4. Repealed.

E. - E.2.a. ...

i. Special Education: Core Knowledge and Mild to Moderate Applications or Special Education: Foundational Knowledge; and

ii. - iii. ...

b. Mild/Moderate (6-12)—Special Education: Core Knowledge and Mild to Moderate Applications or Special Education: Foundational Knowledge and Secondary Content Exam(s); and

3. complete nine semester hours in the teaching of reading and literacy, or other literacy options as outlined in §1301 of this Chapter in alignment with the literacy foundations competencies;

4. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(6), and R.S. 17: 17:8.1. – 8.3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:458 (March 2022), repromulgated LR 48:1066 (April 2022), LR 48:2556 (October 2022), LR 50:30 (January 2024).

§1329. Requirements to add Significant Disabilities 1-12

A. Individuals holding a valid early childhood certificate in grade levels PK-K or PK-3, elementary certificate in grade levels 1-4, 1-5, 1-6, or 1-8, upper elementary or middle school certificate in grade levels 4-8, 5-8, 6-8, secondary certificate in grade levels 6-12, 7-12, or 9-12, special education certificate, or All-Level K-12 certificate in art, dance, foreign language, health, physical education, health and physical education, theater, or music must earn the following:

1. - 1.g. ...

2. Three semester hours of internship of students with significant disabilities; or three years of successful teaching

experience of students with significant disabilities verified in accordance with §103 of this Part; and

3. passing score for Praxis exams in accordance with §303 of this Part; and

4. complete nine semester hours in the teaching of reading and literacy, or other literacy options as outlined in §1301 of this Chapter in alignment with the literacy foundations competencies.

B. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(6), and R.S. 17:8.1. – 8.3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR: 48:460 (March 2022), repromulgated LR 48:1069 (April 2022), LR 48:2556 (October 2022), LR 50:30 (January 2024).

§1331. Requirements to add Visual Impairments/Blind K-12

A. Individuals holding a valid early childhood certificate in grade levels PK-K or PK-3, elementary certificate in grade levels 1-4, 1-5, 1-6, or 1-8, upper elementary or middle school certificate in grade levels 4-8, 5-8, 6-8, secondary certificate in grade levels 6-12, 7-12, or 9-12, special education certificate, or All-Level K-12 certificate in art, dance, foreign language, health, physical education, health and physical education, theater, or music must earn the following:

1. - 1.g....

2. three semester hours of internship of students who are visually impaired or three years of successful teaching experience of students who are visually impaired or blind, verified in accordance with §103 of this Part; and

3. passing scores on exams aligned with the area in accordance with §303 of this Part.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(6) and R.S. 17:8.1. – 8.3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:461 (March 2022), repromulgated LR 48:1069 (April 2022), LR 50:31 (January 2024).

Chapter 17. Certification Appeal Process

§1701. Overview

A. The certification appeal process is available to an individual who has applied for certification and has been denied the requested certification due to the absence of certification requirements. The process provides such an individual the opportunity to have the appeal evaluated by the Teacher Certification Appeals Council (TCAC). TCAC will evaluate all appeals and submit a written report of decisions to BESE. The decision of the TCAC is final.

B. - B.3. ...

4. Upon the notification of the dissolution of any association with nominating authority, BESE shall name a similar association to act as a nominating authority. The association shall submit a list of three nominees to the superintendent. The superintendent shall recommend one person from the list for approval by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(6) and R.S. 17:8.8.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:474 (March 2022), repromulgated LR 48:1082 (April 2022), LR 50:31 (January 2024).

Chapter 19. Actions Related to the Suspension/Denial and Revocation of Louisiana Certificates

§1909. Criminal History Reporting

A. - E. ...

* * *

F. - G. Repealed.

H. - H.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:587.1, 17:6, 17:7, and 17:15.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1752 (July 2022), LR 50:31 (January 2024).

Shan N. Davis
Executive Director

2401#039

RULE

Department of Environmental Quality Office of the Secretary Legal Affairs and Criminal Investigations Division

Clean Air Interstate Rule Requirements (LAC 33:III.506)(AQ392)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary has amended the Air regulations, LAC 33:III.506 (AQ392).

On August 8, 2011, the United States Environmental Protection Agency (EPA) issued the Cross-State Air Pollution Rule (CSAPR) to address Clean Air Act requirements concerning interstate transport of air pollution and to replace the previous Clean Air Interstate Rule (CAIR), which the D.C. Circuit remanded to EPA for replacement.

Per EPA's "Rulemaking to Amend Dates in Federal Implementation Plans Addressing Interstate Transport of Ozone and Fine Particulate Matter" promulgated on December 3, 2014, when CSAPR was implemented in 2015, CAIR sunset in compliance with the terms of the 2008 remand, effective December 31, 2014.

Accordingly, LAC 33:III.506, which prescribes how CAIR annual NO_x and ozone season NO_x allowances are to be allocated and incorporates the federal SO₂ model Rule under 40 CFR 96 by reference, is no longer necessary. This Rule repeals LAC 33:III.506 (Clean Air Interstate Rule Requirements). The basis and rationale for this Rule are to repeal LAC 33:III.506. This Rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:963.B(3); therefore, no report regarding environmental/health benefits and social/economic costs is required. This Rule is hereby adopted on the day of promulgation.

Title 33

ENVIRONMENTAL QUALITY

Part III. Air

Chapter 5. Permit Procedures

§506. Clean Air Interstate Rule Requirements

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 32:1597 (September 2006), amended LR 33:1622 (August 2007), LR 33:2083 (October 2007), LR 34:978 (June 2008), LR 35:1107 (June 2009), LR 36:2272 (October 2010),

repromulgated LR 36:2551 (November 2010), amended LR 37:2989 (October 2011), LR 38:1229 (May 2012), amended by the Office of the Secretary, Legal Division, LR 39:1276 (May 2013), LR 40:1334 (July 2014), LR 42:1085 (July 2016), repealed by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 50:31 (January 2024).

Courtney J. Burdette
Executive Counsel

2401#027

RULE

**Department of Environmental Quality
Office of the Secretary
Legal Affairs and Criminal Investigations Division**

Subscriber Agreements
(LAC 33:I.2105)(OS102)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary has amended the Office of the Secretary regulations, LAC 33:I.2105.B (OS102).

The changes to LAC 33:I.2105.B clarify the approval procedure for subscriber agreements as defined in LAC 33:I.2103.A. Previously, the approval procedure for subscriber agreements, as found in LAC 33:I.2105.B, differed from the definition of subscriber agreement, as found in LAC 33:I.2103.A. The changes to LAC 33:I.2105.B are to bring such language into conformity. The basis and rationale for this Rule are to increase procedural clarity and reduce confusion. This Rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:963.B(3); therefore, no report regarding environmental/health benefits and social/economic costs is required. This Rule is hereby adopted on the day of promulgation.

**Title 33
ENVIRONMENTAL QUALITY**

Part I. Office of the Secretary

Subpart 1. Departmental Administrative Procedures

Chapter 21. Electronic Submittals and Electronic Signatures

§2105. Procedures

A. - A.4. ...

B. Each *subscriber agreement*, as defined in LAC 33:I.2103.A., shall receive approval from the department, and be retained on file with the department while the subscriber agreement is active and for an additional five years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2043 and 9:2601.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 34:1612 (August 2008), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 50:32 (January 2024).

Courtney J. Burdette
Executive Counsel

2401#028

RULE

**Office of the Governor
Boxing and Wrestling Commission**

London Ring Fighting
(LAC 46:XI.101 and Chapter 9)

The Boxing and Wrestling Commission does hereby exercise the provisions of the Administrative Procedure Act, R.S. 49:950 et seq. to adopt the following rules. The commission amends §101 to define a new ring sport, London Ring Fighting, and promulgates new Chapter 9, London Ring Fighting, is a traditional ring sport where fighters are gloveless.

As more requests for these types of events are received, this commission determined it necessary to immediately establish a new chapter, with stringent rules, in order to achieve proper oversight of this ring sport to protect the health and welfare of the contestants and general public. This Rule is hereby adopted on the day of promulgation.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part XI. Boxing and Wrestling

Chapter 1. General Rules

§101. Definitions

A. - B. ...

London Ring Fighting—the sport of boxing conducted without the use of boxing gloves or other padding on the participant’s hands.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:61(D) and R.S. 4:64.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Boxing and Wrestling Commission, LR 22:697 (August 1996), amended by the Office of the Governor, Boxing and Wrestling Commission, LR 31:2003 (August 2005), LR 32:242 (February 2006), LR 45:237 (February 2019), amended by Office of the Governor, Boxing and Wrestling Commission LR 50:32 (January 2024).

Chapter 9. London Ring Fighting (LRF)

§901. Application of General Rules and Professional Boxing Rules and Mixed Technique Event Rules

A. All general rules, excluding provision in §127, Charity Events, shall apply to all LRF events.

B. All Chapter 3, Professional Boxing, rules will apply to LRF events excluding §§307, 309, 318, 320 and 322. Additionally, the following Chapter 9, London Ring Fighting, rules will apply.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:61(D) and R.S. 4:64.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Boxing and Wrestling Commission, LR 50:32 (January 2024).

§903. Weight Class

A. Except with the approval of the commission or its commissioner, the classes for unarmed combatants competing in LRF events and the weights for each class are shown in the following schedule.

Weight Class	Weight Difference Allowed
Mini Flyweight (up to and including 108 pounds)	not more than 3 pounds
Flyweight (over 108 to 111 pounds)	not more than 3 pounds
Bantamweights (over 112 to 118 pounds)	not more than 3 pounds
Featherweights (over 119 to 126 pounds)	not more than 3 pounds
Jr. Lightweight (over 127 to 130 pounds)	not more than 4 pounds
Lightweight (over 131 to 135 pounds)	not more than 5 pounds
Jr. Welterweight (over 136 to 140 pounds)	not more than 5 pounds
Welterweight (over 141 to 147 pounds)	not more than 7 pounds
Jr. Middleweight (over 148 to 154 pounds)	not more than 7 pounds
Middleweight (over 155 to 160 pounds)	not more than 7 pounds
Super Middleweight (over 161 to 168 pounds)	not more than 7 pounds
Light Heavyweight (over 169 to 175 pounds)	not more than 7 pounds
Cruiserweight (over 176 to 190 pounds)	not more than 12 pounds
Heavyweight (over 190 pounds)	

B. After the weigh-in of an unarmed combatant competing in LRF events:

1. weight loss in excess of two pounds is not permitted for an unarmed combatant who weighed in at 145 pounds or less;
2. weight loss in excess of three pounds is not permitted for an unarmed combatant who weighed in at over 145 pounds;
3. the weight loss described in Paragraph 2 of this Subsection must not occur later than two hours after the initial weigh-in.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:64.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Boxing and Wrestling Commission, LR 50:32 (January 2024).

§905. Rounds, Duration and Intermission

A. Rounds shall be a minimum of 120 seconds long for male contestants and 60 seconds long for female fighters.

B. There shall be a 60-second intermission between rounds, unless otherwise directed or authorized by the commission. The referee, at the request of the ringside physician, may extend this intermission, if necessary to examine a participant, for up to 30 additional seconds.

C. No bout may be scheduled for longer than five rounds nor less than three rounds. Each championship contest will be scheduled for five rounds.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:61(D) and R.S. 4:64

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Boxing and Wrestling Commission, LR 50:33 (January 2024).

§907. Fouls

A. All LRF events shall be subject to the rules for fouls under Chapter 3, Professional Boxing, §321, Fouls, Deductions, of Points Because of a Foul and Accidental Fouling. Subsection 321.A of this Rule shall be amended as

follows: any participant persistently using foul tactics may be disqualified by either the referee or the commission and in addition be subject to such penalty as the commission may impose. Foul tactics include, but are not limited to:

1. hitting below the belt;
2. hitting an opponent who is down or who is getting up after being down;
3. holding an opponent with both hands or arms in an attempt to hold their opponent;
4. deliberately maintaining a clinch;
5. butting with the head or shoulder or using the knee;
6. hitting with inside or butt of the hand, the wrist or the elbow; except a fighter may strike with the palm of his hand when in a clinch;
7. hitting or "flicking" with an open hand;
8. wrestling or roughing at the ropes;
9. purposely going down without being hit;
10. striking deliberately at that part of the body over the kidneys;
11. use of the pivot, backhand and rabbit punch;
12. the use of profane or abusive language;
13. engaging in any unsportsmanlike trick or action which causes injury to an opponent;
14. hitting on the break;
15. hitting after the bell has sounded the end of the round;
16. hitting an opponent whose head is between and outside of the ropes;
17. pushing an opponent about the ring or into the ropes;
18. hitting with an open hand;
19. kicking or kneeing an opponent;
20. eye gouging of any kind;
21. biting;
22. hair pulling;
23. fishhooking;
24. groin attacks of any kind;
25. putting a finger into any orifice or into any cut or laceration on an opponent;
26. small joint manipulation;
27. striking to the spine or the back of the head;
28. throat strikes of any kind, including without limitation, grabbing the trachea;
29. clawing, pinching or twisting the flesh;
30. grabbing the clavicle;
31. holding the shorts or hands of an opponent;
32. spitting at an opponent;
33. engaging in any unsportsmanlike conduct that causes an injury to an opponent;
34. holding the ropes or the fence;
35. attacking an opponent on or during the break;
36. attacking an opponent who is under the care of the referee;
37. attacking an opponent after the bell has sounded the end of the period of unarmed combat;
38. flagrantly disregarding the instructions of the referee;
39. timidity, including, without limitation, avoiding contact with an opponent, intentionally or consistently dropping the mouthpiece or faking an injury;
40. interference by the corner; and
41. throwing in the towel during the competition.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:61(D) and R.S. 4:64

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Boxing and Wrestling Commission, LR 50:33 (January 2024).

§909. Wrapping of Hands

A. Hands may be wrapped with gauze and tape that ends no closer than one inch from the fighter's knuckles. The wrap must include the wrist and may travel up to three inches past the junction of the wrist bone.

B. Gauze may be applied to the wrist, palm of the hand, back of the hand and thumb. The length of gauze to be utilized may not exceed a length of 15 feet per hand.

C. Tape may be applied to the wrist, palm of the hand, back of the hand and thumb. The tape shall not be greater than one inch in width and shall not exceed 10 feet in length per hand.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:61(D) and R.S. 4:64

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Boxing and Wrestling Commission, LR 50:34 (January 2024).

§911. London Ring Fighting Ring

A. All LRF events shall be subject to Chapter 3, Professional Boxing, §320, Boxing Ring and Ropes, which is hereby supplemented to permit the use of a circular ring.

B. LRF events may use a circular ring which is defined as follows.

1. The ring must be a minimum of no less than 18 feet or past a maximum of 26 feet within the ropes.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:61(D) and R.S. 4:64

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Boxing and Wrestling Commission, LR 50:34 (January 2024).

§913. Toeing the Line

A. Any LRF event may use the following rules referred to as "toeing the line". If the promoter wishes to use the toeing the line rules, he must notify the commission in his event request form.

1. In every ring utilizing the toeing the line rule, there are 2 four-foot long lines painted in the center of the ring at a distance of two feet apart.

2. At the beginning of every round, both fighters will place at least one foot onto the line designated by the position of their corner before the match can be started by a signal from the referee.

3. If the participant is slow or stalling in approaching the line for the referee to start the round, the fighter can be either warned, have points deducted or be disqualified from the fight.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:61(D) and R.S. 4:64

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Boxing and Wrestling Commission, LR 50:34 (January 2024).

§915. Two Ringside Physicians

A. At all LRF events there shall be in attendance two physicians who are licensed in the state of Louisiana. Both physicians must be in attendance at ringside at all times during the fight:

1. a fight/round shall not begin unless the referee insures that both ringside physicians are present at ringside; and

2. at least one of the two ringside physicians shall be certified as an expert in the area of plastic surgery.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:61(D) and R.S. 4:64

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Boxing and Wrestling Commission, LR 50:3400 (January 2024).

§917. Judges and Referees

A. Judges and referees for LRF events will be licensed officials in accordance with Chapter 3, Professional Boxing, §311, Judges and Referees, herein.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:61(D) and R.S. 4:64

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Boxing and Wrestling Commission, LR 50:34 (January 2024).

L. "Buddy" Embanato, Jr.
Chairman

2401#042

RULE

Department of Health Board of Pharmacy

Temporary Closure of Pharmacy (LAC 46:LIII.1107)

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950 et seq.) and the Pharmacy Practice Act (R.S. 37:1161 et seq.), the Board of Pharmacy hereby amended §1107 of its rules relative to pharmacy operations. The Rule amendment addresses prepared prescriptions affected by the temporary closure of a pharmacy pursuant to a state of emergency declared by the governor or a need determined by the pharmacist-in-charge during an emergency or Act of God. The Rule amendment allows for the storage of those prescriptions in a secure area and the delivery of those prescriptions to the patient, or an agent or caregiver of the patient, regardless of whether a pharmacist is on duty. This Rule is hereby adopted on the day of promulgation.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part LIII. Pharmacists

Chapter 11. Pharmacies

Subchapter A. General Requirements

§1107. Pharmacy Operations

A. - D. ...

E. Temporary Closure of Pharmacy in an Emergency

1. When the governor issues or renews a state of emergency pursuant to the Emergency Assistance and Disaster Act of 1993, R.S. 29:721 et seq., or a state of public health emergency pursuant to the Louisiana Health Emergency Powers Act, R.S. 29:760 et seq., or when the pharmacist-in-charge determines it necessary to close the pharmacy for a temporary period of time during an emergency or Act of God, the following provisions shall apply.

a. The pharmacy shall notify the board in written form with information as to the anticipated duration of the temporary closure as well as the provisions for continuity of patient care no later than the next business day.

b. The pharmacy may establish a secure storage area separate from, but adjoining to, the secured prescription department within which the pharmacy may store prescriptions prepared for delivery to the patient, or his agent or caregiver. In the alternative, but only after receiving approval from the board, the pharmacy may establish a temporary secure storage area separate from and not adjoining the prescription department within which the pharmacy may store prescriptions prepared for delivery to the patient, or his agent or caregiver.

c. Access to prescriptions stored in the temporary secure storage area shall be restricted to individuals designated by the pharmacist-in-charge.

d. Prepared prescriptions stored in a temporary secure storage area may be delivered to the patient, or his agent or caregiver, whether or not a pharmacist is on duty, but only when so authorized by the pharmacist-in-charge.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1182.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 23:1310 (October 1997), amended LR 29:2088 (October 2003), effective January 1, 2004, LR 34:1408 (July 2008), amended by the Department of Health, Board of Pharmacy, LR 47:1643 (November 2021), LR 48:2105 (August 2022), amended LR 50:34 (January 2024).

M. Joseph Fontenot Jr.
Executive Director

2401#014

RULE

Department of Natural Resources Office of Conservation

Pipeline Safety (LAC 43:XI.3501)

The Department of Natural Resources, Office of Conservation has amended 43:XI.3501 in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and pursuant to the power delegated under the laws of the state of Louisiana. This Rule is hereby adopted on the day of promulgation.

Title 43

NATURAL RESOURCES

Part XI. Office of Conservation—Pipeline Division

Subpart 4. Carbon Dioxide

Chapter 35. Requirements

§3501. Operation, Construction, Extension, Acquisition, Interconnection or Abandonment of Carbon Dioxide Transmission Facilities (Formerly §703)

A. - G.4. ...

H. Certificate of public convenience and necessity shall be issued on the application of any qualified person upon the above findings. The commissioner may attach to any such certificate, and to the exercise of the rights granted thereunder, such reasonable terms and conditions as the public interest may require. Any facility to which a certificate of public convenience and necessity is issued by the commissioner under R.S. 30:4(C)(17) and these rules and regulations shall possess the right of expropriation with authority to expropriate private property under the general

expropriation laws of the state, including R.S. 19:2(10) and R.S. 19:2(12).

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:4(C)(17), R.S. 30:1104(A), and R.S. 30:1107.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 12:115 (February 1986), repromulgated LR 49:303 (February 2023), amended LR 49:904 (May 2023), LR 49:1096 (June 2023), LR 50:35 (January 2024).

Monique M. Edwards
Commissioner

2401#009

RULE

Department of Natural Resources Office of Conservation

Termination of Units (LAC 43:XIX.3105)

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950, et seq.) and Title 30 of the Revised Statutes of 1950 (R.S. 30:4 et seq.), the Department of Natural Resources, Office of Conservation has amended LAC 43:XIX and Subpart 13 (Statewide Order No. 29-L-3) Chapter 31 (Termination of Units) to codify policy established by memorandum. Specifically, the additions clarify when an operator of record should apply for a hearing if production is reestablished in a terminated unit, establishment of new units overlapping terminated units, and termination of units subsequent to dissolution. This Rule is hereby adopted on the day of promulgation.

Title 43

NATURAL RESOURCES

Part XIX. Office of Conservation—General Operations Subpart 13. Statewide Order No. 29-L-3

Chapter 31. Termination of Units

§3105. Order

A. - A.4. ...

a. Any well which was not officially plugged and abandoned on the effective date of unit termination which is sidetracked around junk to the same bottomhole location and brought back on production shall require the operator of record to be subject to the requirements of §3105.A.4 of this Part.

b. Any well which was not officially plugged and abandoned on the effective date of unit termination which is sidetracked to a different bottomhole location shall be considered a new well and the operator of record shall not be subject to the requirements of §3105.A.4 of this Part.

c. The re-entry of a well which was officially plugged and abandoned on the effective date of unit termination shall be considered a new well and the operator of record shall not be subject to the requirements of §3105.A.4 of this Part.

B. - E. ...

F. Establishment of Unit(s) Overlapping Terminated Units

1. An application for a public hearing to create a drilled or undrilled unit(s) overlapping a terminated unit(s) for what the applicant considers to be the same or a different pool or for a multiple pool zone which overlies and includes

lands within a previously terminated unit(s), shall be allowed.

2. The vertical extent of any zonal, multi-pool defined unit interval shall be based upon industry and Office of Conservation accepted economic, efficient and safe operation reasons and such reasons shall be stated by the applicant at the public hearing to create such unit(s).

G. Any party desiring to terminate a unit previously dissolved by order of the commissioner shall apply for a public hearing in accordance with rules of procedure within Chapter 39 of this Part (30-day legal notice) to accomplish same.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:4, et seq.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 15:741(September 1989), amended LR 19:776 (June 1993), repromulgated LR 19:1030 (August 1993), amended LR 21:1084 (October 1995), LR 30:255 (February 2004), repromulgated LR 30:437 (March 2004), amended LR 50:35 (January 2024).

Monique M. Edwards
Commissioner

2401#043

RULE

**Department of Natural Resources
Office of Conservation**

**Venting and Flaring of Natural Gas
(LAC 43:XIX.103, 3503, 3507, 3509, and 3511)**

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950, et seq.) and Title 30 of the Louisiana Revised Statutes of 1950 (R.S. 30:4 et seq.), the Department of Natural Resources, Office of Conservation hereby amends LAC 43:XIX and Subpart 1. (Statewide Order No. 29-B) Chapter 1 (General Provisions) and Subpart 15 (Statewide Order No. 45-I-A) Chapter 35 (Gas/Oil Ratios, Allowables and Venting of Natural Gas) to prohibit venting and flaring of natural gas except as authorized in Subpart 15. Benefits of these amendments include reducing natural gas waste and recovering reserves. This Rule is hereby adopted on the day of promulgation.

Title 43

NATURAL RESOURCES

Part XIX. Office of Conservation—General Operations

Subpart 1. Statewide Order No. 29-B

Chapter 1. General Provisions

§103. Application to Drill

A. - A.2. ...

3. After [effective date of rule], the operator shall certify that it has determined at the time of submitting an application for permit to drill that:

a. it will be able to connect the well to a natural gas gathering system in the general area with sufficient capacity to transport one hundred percent of the volume of natural gas the operator anticipates the well will produce; or

b. it will not be able to connect to a natural gas gathering system in the general area with sufficient capacity to transport one hundred percent of the volume of natural

gas the operator anticipates the well will produce. The operator shall state that they will either:

i. shut-in the well until the operator can comply with §103.A.3.a; or

ii. evaluate if well is candidate for flaring based on economic hardship per §3507.B; or

iii. provide a gas capture plan that evaluates and selects one or more beneficial uses until a natural gas gathering system is available, including:

(a). field use;

(b). power generation for alternative use;

(c). enhanced recovery operations; and

(d). other alternative beneficial use that does not result in venting or flaring.

B. - E.4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S.30:4 et seq., and R.S. 30:28(I).

HISTORICAL NOTE: Adopted by the Department of Conservation (August 1943), amended (August 1958), (August 1961), (May 1973), amended by the Department of Natural Resources, Office of Conservation, LR 34:2639 (December 2008), LR 39:515 (March 2013), effective on May 1, 2013, LR 50:36 (January 2024).

**Subpart 15. Statewide Order No. 45-I-A
Chapter 35. Gas/Oil Ratios, Allowables, Venting and
Flaring of Natural Gas**

§3503. Definitions

A. ...

Routine Flaring—flaring during normal oil production operations in the absence of sufficient facilities or amenable geology to re-inject the produced gas, utilize it on-site, or dispatch it to a market.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:4 et seq.

HISTORICAL NOTE: Adopted by Department of Conservation, July 20, 1943, amended January 1, 1966, December 1, 1973, amended and promulgated by the Department of Natural Resources, Office of Conservation, LR 23:581 (May 1997), amended LR 50:36 (January 2024).

§3507. Venting and Flaring of Gas

A. The venting of natural gas from any well producing in the state of Louisiana is hereby expressly prohibited except in those instances where routine flaring as specified in §3507.B is not an economical or safe alternative, or those instances which are included as exceptions under §3509.

B. The routine flaring of natural gas from any well producing in the state of Louisiana with a gas/oil ratio > 2000/1 is hereby expressly prohibited except in those instances where the Office of Conservation finds, upon written application, that such prohibition would result in an economic hardship on the operator of the well, lease or production facility from which the gas is proposed to be flared; provided, however, that no such economic hardship can be found in the case where the current market value, at the point of delivery, of the gas proposed to be flared exceeds the cost involved in making such gas available to a market, or where revenue or economic benefit from a beneficial use identified in §103.A.3.b.iii.(a)-(d) exceeds the cost involved in implementing same. Such applications shall be filed with the district office and approval thereof will be

at the discretion of the district manager and documented with the allowable. Applications shall include relevant well information and:

1. statement of need;
2. economic justification;
3. evaluation of alternative beneficial use per §103.A.3.b.iii.(a)-(d);
4. rate; and
5. length of time.

C. The routine flaring of natural gas from any horizontal well in the state of Louisiana with a gas/oil ratio < 2001/1 is hereby expressly prohibited except in those instances where application is made to and approved by the Office of Conservation as outlined in §3507.B.

D. Any flares must be placed a sufficient distance from wells, storage tanks, and any other significant structures or objects so that the flare does not create a safety hazard.

E. Any permissible venting or flaring, except in those instances which are included as exceptions under §3509.A.3, shall be reported, including measured or estimated volumes of each, on the monthly OGP and R5D.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:4 et seq.

HISTORICAL NOTE: Adopted by Department of Conservation, July 20, 1943, amended January 1, 1966, December 1, 1973, amended and promulgated by the Department of Natural Resources, Office of Conservation, LR 23:582 (May 1997), amended LR 50:36 (January 2024).

§3509. Exceptions and Hearings

A. ...

1. where the production of oil and gas or both is regulated by special field orders; or
2. in the recognized stripper areas; or
3. venting or flaring during drilling, completion, hydraulic fracturing operations, workover, intervention, and maintenance operations.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:4 et seq.

HISTORICAL NOTE: Adopted by Department of Conservation, July 20, 1943, amended January 1, 1966, December 1, 1973, amended and promulgated by the Department of Natural Resources, Office of Conservation, LR 23:582 (May 1997), amended LR 50:37 (January 2024).

§3511. Violations

A. Any venting or flaring which contradicts this Statewide Order shall be a violation hereof, and subject the operator to appropriate regulatory sanctions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:4 et seq.

HISTORICAL NOTE: Adopted by Department of Conservation, July 20, 1943, amended January 1, 1966, December 1, 1973, amended and promulgated by the Department of Natural Resources, Office of Conservation, LR 23:583 (May 1997), amended LR 50:37 (January 2024).

Monique M. Edwards
Commissioner

2401#020

RULE

Department of Revenue Policy Services Division

Income Tax Return Filing Extensions (LAC 61:III.2503)

Under the authority of R.S. 47:287.614(D) and 1511, and in accordance with the provisions of the Administrative Procedures Act, R.S. 49:950 et seq., the Department of Revenue, Policy Services Division, has amended LAC 61:III.2503 relative to corporation income and franchise taxes filing extensions.

R.S. 47:287.614(D) authorizes a six-month extension for corporation income tax if the taxpayer timely requested an extension for federal income tax purposes. The primary purpose of these amendments is to provide additional guidance to taxpayers seeking an extension for filing corporation income and franchise tax returns. This Rule is hereby adopted on the day of promulgation.

Title 61

REVENUE AND TAXATION

Part III. Administrative and Miscellaneous Provisions

Chapter 25. Returns

§2503. Corporation Income and Franchise Tax Filing Extensions

A. - A.3.c. ...

B. For taxable periods beginning on or after January 1, 2022 the secretary shall grant an extension of time to file a state corporation income and franchise tax return for the same extended period of time as the taxpayer's federal extension, or six-months, whichever is later, with no state extension request required.

1.

2. Taxpayers described under Internal Revenue Code Section 6072(b) and (d) whose federal due date is after the Louisiana due date will be considered to have requested a federal extension and shall receive a six-month extension.

3. Taxpayers in a federally declared disaster area receiving an extension of time to file pursuant to Internal Revenue Code Section 7508A will be considered to have requested a federal extension and shall receive a six-month extension.

4. A taxpayer must mark the box on the CIFT-620, Louisiana Corporation Income and Franchise Tax Return, notating that they have timely applied for a federal extension for the same taxable period.

a. If approved for a federal extension, a taxpayer should retain a copy of their approval determination letter Federal Form 6513, Extension of Time to File, or other material evidencing that their federal extension has been approved.

b. Failure to obtain an approved federal extension shall result in the Louisiana extension being null and void and shall result in delinquent filing penalties being assessed from the original due date.

i. If a taxpayer requested reconsideration of a denied federal extension and the extension is subsequently approved, the taxpayer must attach all documents required by the IRS for approving the reconsideration request to their return in addition to a statement from the IRS or the taxpayer that the reconsidered extension request has been approved.

ii. If a taxpayer requested reconsideration of a denied federal extension and the extension request remains denied, the taxpayer must file their return without further delay and attach the IRS statement informing the taxpayer that their reconsidered extension request remains denied.

C. - C.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:287.614(D) and 1511.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 36:552 (March 2010), amended LR 39:99 (January 2013), amended LR 49:702 (April 2023), LR 50:37 (January 2024).

Kevin J. Richard, CPA
Secretary

2401#008

RULE

Department of Revenue Policy Services Division

Unrelated Infant Tax Credit (LAC 61:I.1931)

Under the authority of R.S. 47:297.23 and 1511 and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Revenue, Policy Services Division adopts LAC 61:I.1931 relative to the adoption of Unrelated Infant Tax Credit.

Revised Statute 47:297.23 authorizes a refundable tax credit for the adoption of certain children who are unrelated to the taxpayer and less than two years old at the time of the adoption placement. The primary purpose of this Rule is to implement Act 452 of the 2023 Regular Session of the Louisiana Legislature.

This Rule is written in plain language with a readability score of 10.2 on the Coleman-Liau Readability Index. This Rule is hereby adopted on the day of promulgation.

Title 61

REVENUE AND TAXATION

Part I. Taxes Collected and Administered by the Secretary of Revenue

Chapter 19. Miscellaneous Tax Exemptions, Credits and Deductions

§1931. Credit for Adoption of Unrelated Infant

A. General

1. For tax periods beginning on or after January 1, 2023, and prior to January 1, 2029, Revised Statute 47:297.23 authorizes a refundable individual income tax credit for the adoption of certain unrelated children equal to \$5,000, per child.

2. The credit shall be allowed against the income tax liability for the taxable period in which the adoption is finalized.

B. Definition

Unrelated—a taxpayer is unrelated if he or she is not the child's parent, stepparent, grandparent, brother, sister, uncle, or aunt, whether of the whole or half blood or by adoption.

C. Claiming the Tax Credit

1. The taxpayer claiming the credit shall be listed as an adoptive parent on the adoption order or decree.

2. The credit is equal to \$5,000 per child.

3. In the case of two adoptive parents who do not file jointly as a married couple, the credit shall be claimed by the taxpayer claiming the child as a dependent on his or her federal and Louisiana individual income tax returns, unless provided for differently by the adoption order or decree.

4. The following documentation shall be attached to and filed with the individual income tax return on which the credit is claimed:

a. a copy of the adoption order or decree, and

b. a letter from the private agency as defined in Louisiana Children's Code Article 1169(1), or attorney who facilitated the adoption stating when the infant was placed with the adoptive parents.

5. Failure to provide the documentation required in Paragraph 4 of this Subsection shall result in disallowance of the credit.

D. Other Tax Benefits Disallowed. A taxpayer claiming an adoption tax credit shall not receive a deduction pursuant to R.S. 47:297.21 for the same child.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:297.23 and 1511.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Tax Policy and Planning Division, LR 50:38 (January 2024).

Kevin J. Richard, CPA
Secretary

2401#012

RULE

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Derelict Crab Trap Removal Program (LAC 76:VII.367)

Notice is hereby given in accordance with the Administrative Procedure Act, R.S. 49:961 et seq., and through the authority granted in R.S. 56:332(N), that the Wildlife and Fisheries Commission amends LAC 76:VII.367 to temporarily close a portion of state inside waters to the use of crab traps in order to facilitate the removal of abandoned crab traps in these waters.

These abandoned crab traps can cause navigational hazards, user-group conflicts, and cause stress on the state blue crab stock by continuing to fish after being abandoned or displaced. Traps are often displaced or abandoned due to storm and tidal movements, theft, captured in another fisherman's gear, or from having the floats cut by propellers. The removal of these traps is necessary to keep Louisiana's coast pristine and to facilitate improvement in the blue crab stock.

The Wildlife and Fisheries Commission has amended the provisions in LAC 76:VII.367 governing the locations of temporary crab trap closures to address problems in portions of state waters resulting from large numbers of abandoned and derelict crab traps (*Louisiana Register, Volume 30, Number 1; Volume 31, Number 1; Volume 32, Number 2; Volume 33, Number 1; Volume 34, Number 1; Volume 36; Number 1; Volume 38, Number 1; Volume 38, Number 12; Volume 40, Number 1; Volume 41, Number 1; Volume 42, Number 1; Volume 42, Number 12; Volume 44, Number 1; Volume 45, Number 2; Volume 45, Number 12; Volume 46, Number 11; Volume 47, Number 11; Volume 48, Number 11*). The Wildlife and Fisheries Commission took action on August 3, 2023 to describe a new portion of state waters to be temporarily closed to the use of crab traps for the purpose of conducting a crab trap cleanup. This Rule is hereby adopted on the day of promulgation.

Title 76

WILDLIFE AND FISHERIES

Part VII. Fish and Other Aquatic Life

Chapter 3. Saltwater Sport and Commercial Fishery

§367. Derelict Crab Trap Removal Program

A. The use of crab traps shall be prohibited for a 14-day period from 12 a.m. February 1, 2024 through 11:59 p.m. February 14, 2024 within St. Bernard Parish as described below:

1. from a point originating at the most northeastern corner of Proctor Point in Lake Borgne (29 degrees 56 minutes 47.47 seconds north latitude, 89 degrees 42 minutes 54.25 seconds west longitude); thence easterly along 29 degrees 56 minutes 47.47 seconds north latitude to a point northeast of Lake Eugenie on Redfish Bayou (29 degrees 56 minutes 47.47 seconds north latitude, 89 degrees 24 minutes 00.00 seconds west longitude); thence southerly along 89 degrees 24 minutes 00.00 seconds west longitude past Gardner Island to a point located on the western bank of the Mississippi River Gulf Outlet (MRGO) (29 degrees 41 minutes 01.62 seconds north latitude, 89 degrees 24 minutes 00.00 seconds west longitude); thence northwesterly following the western bank of the MRGO to the intersection of Bayou La Loutre; thence westerly following the southern bank of Bayou La Loutre to its intersection with the western bank of Shell Beach Cut (29 degrees 50 minutes 28.27 seconds north latitude, 89 degrees 41 minutes 23.38 seconds west longitude); thence northerly following the western bank of Shell Beach Cut to its entry point at Lake Borgne (29 degrees 51 minutes 54.53 seconds north latitude, 89 degrees 40 minutes 32.52 seconds west longitude); thence westerly following the southern bank of Lake Borgne as it makes its northern turn at Proctor Point and terminating at the origin.

B. The use of crab traps shall be prohibited for 14 days from 12 a.m. February 1, 2024, through 11:59 p.m. February 14, 2024, within portions of Plaquemines Parish as described below:

1. from a point originating at the intersection of the south bound lane of Highway 23 and the Doullut Canal (29 degrees 23 minutes 02.72 seconds north latitude, 89 degrees 36 minutes 10.11 seconds west longitude); thence southerly along Highway 23 to its intersection with Jump Basin Road; thence southerly on Jump Basin Road as it transitions into Tide Water Road; thence southerly to the end of Tide Water Road as it intersects the eastern shoreline of Red Pass (29

degrees 13 minutes 52.41 seconds north latitude, 89 degrees 23 minutes 26.64 seconds west longitude); thence southwesterly along the eastern shoreline of Red Pass to its intersection with the shrimp inside-outside line (29 degrees 12 minutes 34.02 seconds north latitude, 89 degrees 28 minutes 10.65 seconds west longitude); thence westerly along the shrimp inside-outside line to its intersection with the western shoreline of Bayou Fontanelle (29 degrees 15 minutes 55.67 seconds north latitude, 89 degrees 36 minutes 28.71 seconds west longitude); thence northerly along the western shoreline of Bayou Fontanelle to its intersection with the eastern shoreline of Bayou Long (29 degrees 18 minutes 19.65 seconds north latitude, 89 degrees 36 minutes 05.23 seconds west longitude); thence westerly to the western shoreline of Bayou Long (29 degrees 18 minutes 19.65 seconds north latitude, 89 degrees 36 minutes 09.14 seconds west longitude); thence northerly along the western shoreline of Bayou Long and terminating at the origin.

C. The use of crab traps shall be prohibited for a 14-day period from 12 a.m. February 1, 2024 through 11:59 p.m. February 14, 2024 within Terrebonne Parish as described below:

1. from a point originating at the intersection of the western shoreline of Bayou Dularge and the northern shoreline of the Falgout Canal (29 degrees 24 minutes 44.83 seconds north latitude, 90 degrees 46 minutes 58.54 seconds west longitude); thence easterly to the intersection of the eastern shoreline of Bayou Dularge and the northern shoreline of Falgout Canal (29 degrees 24 minutes 44.00 seconds north latitude, 90 degrees 46 minutes 58.44 seconds west longitude); thence easterly along the northern shoreline of the Falgout Canal to its intersection with the western shoreline of the Houma Navigation Canal (29 degrees 23 minutes 32.52 seconds north latitude, 90 degrees 43 minutes 48.95 seconds west longitude); thence southerly along the western shoreline of the Houma Navigation Canal to its intersection with the eastern shoreline of Bayou Grand Caillou (29 degrees 20 minutes 30.46 seconds north latitude, 90 degrees 44 minutes 10.91 seconds west longitude); thence southerly along the eastern shoreline of Bayou Grand Caillou to its intersection with eastern shoreline of Quitman Bayou (29 degrees 13 minutes 23.88 seconds north latitude, 90 degrees 48 minutes 52.91 seconds west longitude); thence southerly along the eastern shoreline of Quitman Bayou to its intersection with Dog Lake (29 degrees 09 minutes 23.87 seconds north latitude, 90 degrees 49 minutes 15.15 seconds west longitude); thence southerly along the eastern and southern shorelines of Dog Lake to its intersection with Pass des Ilettes (29 degrees 08 minutes 39.93 seconds north latitude, 90 degrees 49 minutes 50.11 seconds west longitude); thence southerly along the eastern shoreline of Pass des Ilettes to its intersection with the western shoreline of Grand Pass des Ilettes (29 degrees 07 minutes 54.45 seconds north latitude, 90 degrees 49 minutes 43.65 seconds west longitude); thence southwesterly along the western shoreline of Grand Pass des Ilettes to its intersection with the shrimp inside-outside line (29 degrees 07 minutes 04.77 seconds north latitude, 90 degrees 53 minutes 03.57 seconds west longitude); thence northwesterly along the shrimp inside-outside line to its intersection with Grand Bayou du Large (29 degrees 10 minutes 46.24 seconds north latitude, 90 degrees 58 minutes 07.27 seconds west longitude); thence

northerly along the western shoreline of Grand Bayou du Large to its intersection with Caillou Lake (29 degrees 12 minutes 43.82 seconds north latitude, 90 degrees 57 minutes 14.91 seconds west longitude); thence northerly along the western and northern shorelines of Caillou Lake to its intersection with the western shoreline of Grand Pass (29 degrees 15 minutes 42.31 seconds north latitude, 90 degrees 56 minutes 14.99 seconds west longitude); thence northerly along the western shoreline of Grand Pass to its intersection with the western shoreline of Bayou du Large (29 degrees 15 minutes 53.90 seconds north latitude, 90 degrees 56 minutes 16.13 seconds west longitude); thence northeasterly along the western shoreline of Bayou du Large and terminating at the origin.

D. The use of crab traps shall be prohibited for a 14-day period from 12 a.m. February 1, 2024 through 11:59 p.m. February 14, 2024 within portions of Iberia and Vermilion Parishes as described below:

1. from a point originating from the intersection of the Acadiana Navigational Channel and the Gulf Intracoastal Waterway (29 degrees 50 minutes 33.79 seconds north latitude, 91 degrees 50 minutes 26.43 seconds west longitude); thence southwest along the Acadiana Navigational Channel red buoy line to the red navigational marker number 20 (29 degrees 36 minutes 12.55 seconds north latitude, 92 degrees 00 minutes 18.48 seconds west longitude) near the Marsh Island shoreline near Southwest Pass; thence westerly to the Green Light Channel Marker number 21 (29 degrees 36 minutes 44.54 seconds north latitude, 92 degrees 00 minutes 21.80 seconds west longitude); thence westerly to Southwest Point; thence westerly along the southern shore of Vermilion Bay to the eastern shore of Hell Hole; thence southerly along the shore of Hell Hole to its intersection with Hell Hole Bayou; thence westerly to the western shore of Hell Hole; thence northerly along the western shore of Hell Hole to its intersection with the southwestern shore of Vermilion Bay; thence northerly along the southwestern shore of Vermilion Bay to Redfish Point; thence westerly along the shore of Vermilion Bay to its intersection with Freshwater Bayou Canal, just past Coles Bayou (29 degrees 44 minutes 54.06 seconds north latitude, 92 degrees 13 minutes 02.27 seconds west longitude); thence northerly along the western shore of Freshwater Bayou Canal to its intersection with the northern shore of the Gulf Intracoastal Waterway; thence easterly along the northern shore of the Gulf Intracoastal Waterway and terminating at the origin.

E. The use of crab traps shall be prohibited for 14 days from 12 a.m. February 1, 2024, through 11:59 p.m. February 14, 2024, within portions of Cameron Parish as described below:

1. from a point originating at the intersection of the western shore of the Mermentau River and Catfish Locks (29 degrees 51 minutes 47.31 seconds north latitude, 92 degrees 50 minutes 57.25 seconds west longitude); thence southeasterly following Catfish Locks to its intersection with the eastern shore of the Mermentau River (29 degrees 51 minutes 44.20 seconds north latitude, 92 degrees 50 minutes 52.98 seconds west longitude); thence southerly along the eastern shore of the Mermentau River to the eastern and western fork, just north of Lower Mud Lake (29 degrees 45 minutes 33.86 seconds north latitude, 93 degrees 01 minutes

09.03 seconds west longitude); thence southerly along the eastern shoreline of the Mermentau River's eastern fork to its intersection with the shrimp inside-outside line (29 degrees 43 minutes 46.33 seconds north latitude, 93 degrees 00 minutes 31.71 seconds west longitude); thence westerly along the shrimp inside-outside line to its intersection with Rutherford Beach and the western shoreline of the Mermentau River's western fork (29 degrees 45 minutes 33.46 seconds north latitude, 93 degrees 07 minutes 40.76 seconds west longitude); thence northeasterly along the western shoreline of the Mermentau River's western fork to its intersection with the main river, just north of Lower Mud Lake (29 degrees 45 minutes 44.93 seconds north latitude, 93 degrees 01 minutes 32.05 seconds west longitude); thence northerly along the western shoreline of the Mermentau River and terminating at the origin.

F. The use of crab traps shall be prohibited for a 10-day period from 12 a.m. February 26, 2024 through 11:59 p.m. March 6, 2024 within Livingston, St. John the Baptist, and Tangipahoa Parishes as described below:

1. from a point at the intersection of the south bound lane of Interstate 55, the northern shoreline of Pass Manchac, and the eastern shoreline of Lake Maurepas (30 degrees 17 minutes 21.92 seconds north latitude, 90 degrees 24 minutes 10.24 seconds west longitude); thence northerly along the eastern and northern shorelines of Lake Maurepas to its intersection with the east shoreline of the Tickfaw River; thence westerly to the intersection of the northern shoreline of Lake Maurepas on the western shoreline of the Tickfaw River; thence southwesterly along the northern and western shorelines of Lake Maurepas to its intersection with the eastern shoreline of the Amite River; thence southerly to the intersection of the western shoreline of the Amite River and Lake Maurepas; thence southerly along the western shoreline of Lake Maurepas to its intersection with the western shoreline of the Blind River; thence southerly to the intersection of the eastern shoreline of the Blind River and Lake Maurepas; thence easterly and northerly to the intersection of the south bound lane of Interstate 55, the southern shoreline of Pass Manchac, and the eastern shoreline of Lake Maurepas (30 degrees 16 minutes 38.34 seconds north latitude, 90 degrees 24 minutes 01.19 seconds west longitude); thence northerly along the south bound lane of Interstate 55 and terminating at the origin.

G. All crab traps remaining in the closed area during the specified period shall be considered abandoned. Crab trap removal regulations do not provide authorization for access to private property; authorization to access private property can only be provided by individual landowners. Crab traps may be removed only between one-half hour before sunrise to one-half hour after sunset. Department of Wildlife and Fisheries personnel or its designees are authorized to remove these abandoned crab traps within the closed area. All traps removed during a closed area are to be brought to the designated disposal area. The Wildlife and Fisheries Commission authorizes the secretary of the Department of Wildlife and Fisheries to designate disposal sites and determine the final disposition of crab traps removed from the closure areas, including but not limited to disposal, buy-back, recycling, surplus in conformity with R.S. 39:330.1, or returned to industry members participating in the retrieval of crab traps from within a closure area.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:332(N).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission LR 30:101 (January 2004), amended LR 31:108 (January 2005), LR 32:266 (February 2006), LR 33:113 (January 2007), LR 34:97 (January 2008), LR 36:77 (January 2010), LR 38:146 (January 2012), LR 38:3250 (December 2012), LR 40:96 (January 2014), LR 41:155 (January 2015), LR 42:70 (January 2016), amended by the Department of Wildlife and Fisheries, Office of Fisheries and the Wildlife and Fisheries Commission LR 42:2196 (December 2016), LR 44:100 (January 2018), LR 45:78 (January 2019), repromulgated LR 45:282 (February 2019), amended LR 45:1815 (December 2019), LR 46:1613 (November 2020), LR 47:1649 (November 2021), LR 48:2767 (November 2022), LR 50:39 (January 2024).

Robert E. Shadoin
Secretary

2401#005

RULE

**Workforce Commission
Plumbing Board**

Plumbing: Apprenticeship, Licensure, and Insurance
(LAC 46:LV.101, 301, 303, 305, 307, 309, 311, and 508)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:953, the Plumbing Board (board), has amended LAC 46:LV. 101, 301, 303, 305, 307, 309, 311, 508 to comply with recent legislative changes designated as Act 152 of the 2023 Regular Session in effect August 1, 2023. These amendments provide a pathway to licensure for individuals not enrolled in an apprenticeship program approved by the Workforce Commission; a requirement that all journeyman plumbers be employed by master plumber licensed by the board; an increase in the minimum in comprehensive general liability and property damage insurance for master plumbers and master gas fitters to \$500,000; flexibility in establishing testing locations; and a five-year period for journeyman plumbers not working under the supervision of a master plumber prior to January 1, 2024 to obtain a master plumber license. This Rule is hereby adopted on the day of promulgation.

Title 46

**PROFESSIONAL AND OCCUPATIONAL
STANDARDS**

Part LV. Plumbers

Chapter 1. Introductory Information

§101. Definitions

Apprentice Gas Fitter—a natural person engaged in learning the gas fitting trade by working under the direct on-the-job supervision of a gas fitter and in the employ of an employing entity. Apprentice gas fitters shall be indentured in an apprenticeship program approved by the Workforce Commission or may be unindentured and in the employ of an employing entity.

Apprentice Plumber—a natural person engaged in learning the plumbing trade by working under the direct on-the-job supervision of a journeyman plumber and in the employ of an employing entity. Apprentice plumbers shall be indentured in an apprenticeship program approved by the

Workforce Commission or unindentured and in the employ of an employing entity.

* * *

Employing Entity Gas Fitter—as that term is used in R.S. 37:1367(B) and (C) and in these regulations, shall mean a corporation, partnership or sole proprietorship that holds itself out as engaging in the business or art of *gas fitting* as defined in this Section and who employs and designates at least one responsible master gas fitter on a regular paid basis for actual services performed by that master gas fitter supervising gas fitters.

Employing Entity Plumbing—as that term is used in R.S. 37:1367(B) and (C) and in these regulations, shall mean a corporation, partnership or sole proprietorship that holds itself out as engaging in the business or art of *plumbing* as defined in this Section and who employs and designates at least one responsible master plumber on a regular paid basis for actual services performed by that master plumber or master plumbers supervising journeyman plumbers.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1277 and R.S. 37:1366.

HISTORICAL NOTE: Adopted by the Department of Labor, Plumbing Board, 1968, amended and promulgated by the Department of Employment and Training, Plumbing Board, LR 17:49 (January 1991), amended by the Department of Labor, Plumbing Board, LR 21:1348 (December 1995), LR 26:329 (February 2000), amended by the Workforce Commission, Plumbing Board, LR 42:575 (April 2016), LR 43:541 (March 2017), LR 43:972 (May 2017), LR 44:633 (March 2018), amended by the Workforce Commission, Plumbing Board, LR 44:1915 (October 2018), amended by the Workforce Commission, Plumbing Board, LR 47:274 (February 2021), LR 49:914 (May 2023), amended by the Workforce Commission, Plumbing Board, LR 50:41 (January 2024).

Chapter 3. Licenses

§301. Licenses Required

A. No natural person shall engage in doing the work of a journeyman plumber unless he possesses a license or renewal thereof issued by the board. A journeyman plumber may engage in the art of plumbing only when he is under the employment of a master plumber licensed by this board. Any journeyman plumber that repaired plumbing independently and without the supervision of a master plumber prior to January 1, 2024, may continue to operate in such a manner for a period of five years, and shall within that five-year period pass the master plumber examination to obtain a master plumber license.

B. No natural person shall engage in doing the work of an apprentice unless he possesses a registration or renewal thereof issued by the board as established in §508. Registered apprentices may engage in the art of plumbing only when they are under the direct, constant on-the-job supervision of a licensed plumber as defined in §101, and as governed by the Workforce Commission.

C. - Y. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366(D).

HISTORICAL NOTE: Adopted by the Department of Labor, Plumbing Board, 1968, amended and promulgated by the Department of Employment and Training, Plumbing Board, LR 17:49 (January 1991), amended by the Department of Labor, Plumbing Board LR 19:897 (July 1993), LR 19:1593 (December 1993), LR 21:1348 (December 1995), LR 25:1857 (October 1999),

amended by the Workforce Commission, Plumbing Board, LR 42:576 (April 2016), LR 43:541 (March 2017), LR 43:972 (May 2017), LR 47:274 (February 2021), LR 49:915 (May 2023), amended by the Workforce Commission, Plumbing Board, LR 50:41 (January 2024).

§303. Application for License

A. Applications for journeyman plumber license shall be completed and sworn to before a notary public by the applicant. Each applicant, shall have been registered as an apprentice with the board during the time period in which they are submitting hours of manual labor of the trade of plumbing, be qualified to take the examination without assistance, and provide whatever other information is requested, on official board application form.

B. -F. ...

G. Applications for gas fitter license shall be completed and sworn to before a notary public by the applicant. Each applicant shall have been registered as an apprentice with the board during the time in which they are submitting hours of manual labor of the trade of gas fitting, be qualified to take the examination without assistance, and provide whatever other information is requested, on official board application form.

I. - J. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366(D).

HISTORICAL NOTE: Adopted by the Department of Labor, Plumbing Board, 1968, amended and promulgated by the Department of Employment and Training, Plumbing Board, LR 17:50 (January 1991), amended by the Department of Labor, Plumbing Board, LR 21:1348 (December 1995), LR 26:329 (February 2000), amended by the Workforce Commission, Plumbing Board, LR 42:576 (April 2016), LR 43:542 (March 2017), LR 43:972 (May 2017), LR 49:917 (May 2023), amended by the Workforce Commission, Plumbing Board, LR 50:42 (January 2024).

§305. Requirements to Take Exam for Journeyman Plumber's License

A. Requirements

1. An applicant for journeyman plumber's examination shall be registered as an apprentice with the board and have performed 8,000 hours as an unindentured apprentice or 7,000 hours as an indentured apprentice of manual labor of plumbing under the direct, constant on-the-job supervision of a licensed plumber as defined in §101, by way of official payroll documentation or W-2's with an accompanying paycheck stub.

2. - 6. ...

B. Regular quarterly examinations will be held on such days and in such locations as set by the board. Regularly scheduled examinations are subject to postponement or relocation to accommodate legal holidays or other conditions beyond the control of the board.

C. - H. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366(A) and (D).

HISTORICAL NOTE: Adopted by the Department of Labor, Plumbing Board, 1968, amended and promulgated LR 14:440 (July 1988), amended LR 15:1088 (December 1989), amended and repromulgated by the Department of Employment and Training, Plumbing Board, LR 17:51 (January 1991), amended by the Department of Labor, Plumbing Board, LR 24:1948 (October

1998), LR 25:1857 (October 1999), amended by the Workforce Commission, Plumbing Board, LR 42:577 (April 2016), LR 49:917 (May 2023), amended by the Workforce Commission, Plumbing Board, LR 50:42 (January 2024).

§307. Requirements to Take Exam for Gas Fitter's License

A. Requirements

1. An applicant for gas fitter's examination shall be a registered apprentice with the board and have performed 4,000 hours as an unindentured apprentice or 3,000 hours as an indentured apprentice of manual labor of gas fitting in that two-year training period under the direct, constant on-the-job supervision of a licensed gas fitter as defined in §101, by way of official payroll documentation or W-2's with an accompanying paycheck stub.

2. - 6. ...

B. Regular quarterly examinations will be held on such days and in such locations as set by the board. Regularly scheduled examinations are subject to postponement or relocation to accommodate legal holidays or other conditions beyond the control of the board.

C. - G. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366(D).

HISTORICAL NOTE: Promulgated by the Workforce Commission, Plumbing Board, LR 43:543 (March 2017), amended LR 49:918 (May 2023), amended by the Workforce Commission, Plumbing Board, LR 50:42 (January 2024).

§309. Requirements to Take Exam for Tradesman Plumber License

A. Requirements

1. An applicant for tradesman plumber's examination shall be a registered apprentice with the board and have performed 4,000 hours as an unindentured apprentice or 3,000 hours as an indentured apprentice of manual labor of plumbing under the direct, constant, on-the-job supervision of a licensed plumber as defined in §101, by way of official payroll documentation or W-2's with an accompanying paycheck stub.

2. - 6. ...

B. Regular quarterly examinations will be held on such days and in such locations as set by the board. Regularly scheduled examinations are subject to postponement or relocation to accommodate legal holidays or other conditions beyond the control of the board.

C. - G. ...

AUTHORITY NOTE: Promulgated in accordance/ with R.S. 37:1366(D) and R.S. 37:1368(G).

HISTORICAL NOTE: Promulgated by the Workforce Commission, Plumbing Board, LR 43:973 (May 2017), amended LR 49:918 (May 2023), amended by the Workforce Commission, Plumbing Board, LR 50:42 (January 2024).

§311. Insurance Requirements for Master Plumbers and Master Gas Fitters

A. - B.2. ...

3. comprehensive general liability and property damage insurance in a minimum amount of \$500,000.

C. - F. ...

G. The board is empowered to assess special enforcement fees on a daily basis at a rate not to exceed \$10 a day relative to any master plumber, master gas fitter or

employing entity, individually or collectively, that fails or refuses, after due notice, to comply with the insurance requirements for master plumbers and master gas fitters as established in this Section. The daily enforcement fees assessed by the board under this provision shall not exceed, in the aggregate, \$500. This special enforcement fee shall be in addition to any licensing fees required by law, or any other penalty or sanction assessed by a court of competent jurisdiction or by the board.

H. If an employing entity is exempt from the worker's compensation laws, as provided by applicable Louisiana law, it shall execute an affidavit of non-coverage on a form provided by the board. Failure to timely submit this affidavit may subject the employing entity to special enforcement fees under this Section of these regulations and/or an action for injunctive relief by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366 and R.S. 37:1377.

HISTORICAL NOTE: Adopted by the Department of Labor, Plumbing Board, 1968, amended by Department of Employment and Training, Plumbing Board, LR 17:53 (January 1991), amended LR 18:30 (January 1992), amended by the Department of Labor, Plumbing Board, LR 19:897 (July 1993), LR 25:1856 (October

1999), amended by the Workforce Commission, Plumbing Board, LR 43:545 (March 2017), LR 43:974 (May 2017), amended by the Workforce Commission, Plumbing Board, LR 50:42 (January 2024).

Chapter 5. The Board

§508. Duties of the Board

A. The board shall recognize the system of qualification of registration of apprentices as administered by joint and nonjoint apprenticeship committees approved by the director of apprenticeship and nonregistered apprentices in the employ of an employing entity.

B. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1336(D).

HISTORICAL NOTE: Promulgated by the Workforce Commission, Plumbing Board, LR 43:978 (May 2017), amended by the Workforce Commission, Plumbing Board, LR 50:43 (January 2024).

Ashley Jones Tullier
Executive Director

2401#006

Notices of Intent

NOTICE OF INTENT

Department of Agriculture and Forestry Board of Veterinary Medicine

Meetings (LAC 46:LXXXV.103)

In accordance with the Administrative Procedure Act, R.S. 49:953 et seq., the Louisiana Board (“Board”) of Veterinary Medicine has amended LAC 46:LXXXV, Section 103 to meet the requirements of Act No. 393 of the 2023 Regular Session. This amendment sets forth guidance for public participation for members of the public and board members who have disabilities recognized by the Americans with Disabilities Act (ADA). This amendment also declares that the eligibility requirements have been met for the Board to conduct open public meetings via electronic means.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part LXXXV. Veterinarians

Chapter 1. Operations of the Board of Veterinary Medicine

§103. Meetings

A. The annual meeting of the board shall be held during the last quarter of the fiscal year in April, May or June of each year, at a time and place to be announced by posting public notice.

1. Notice for In-Person Meetings. At least 24 hours prior to an in-person meeting, the board shall post the following at the principal office of the board in Baton Rouge, Louisiana as well as on the agency’s website at www.lsbvm.org:

- a. meeting notice and agenda; and
- b. detailed information regarding how members of the public may submit written comments regarding matters on the agenda prior to the meeting.

2. Notice for Meetings via Electronic Means. At least 24 hours prior to a meeting held via electronic means, the board shall post the following at the principal office of the board in Baton Rouge, Louisiana as well as on the agency’s website at www.lsbvm.org:

- a. meeting notice and agenda; and
- b. detailed information regarding how members of the public may:
 - i. participate in the meeting via electronic means, including the applicable videoconference link and/or teleconference phone number; and
 - ii. submit written comments regarding matters on the agenda prior to the meeting.

B. Additional meetings of the board may be called by the president or by any three members of the board. Additional meetings shall be announced in accordance with §103.A.

C. The board meets the below criteria pursuant to Act 393 to be eligible to conduct open public meetings via electronic means:

1. is a state agency as defined by R.S. 49:951;
2. has powers, duties, or functions that are not limited in scope to a particular political subdivision or region;
3. conducts at least six regularly scheduled meetings in a calendar year; and
4. is not one of the agencies identified by R.S. 42:17.2(I) to which open meetings via electronic means shall not apply.

D. Electronic Meeting Requirements and Limitations

1. For any meeting conducted via electronic means, the board shall ensure compliance with all requirements outlined in R.S. 42:17.2(C).

2. The board shall not conduct any more than one-third of its open meetings via electronic means, and will only conduct successive meetings via electronic meetings as needed.

3. A schedule of meetings identifying which will be conducted via electronic means and which will be conducted as in-person meetings shall be posted on the agency’s website at www.lsbvm.org on an annual basis.

4. All members of the board, whether participating from the anchor location or via electronic means, shall be counted for the purpose of establishing a quorum and may vote.

5. An online archive of any open meetings conducted via electronic means shall be maintained and available for two years on the agency’s website at www.lsbvm.org.

E. Disability Accommodations

1. Although an open meeting may be scheduled as in-person, the board is obligated to provide for participation via electronic means on an individualized basis by people with disabilities.

2. People with disabilities are defined as any of the following:

- a. a member of the public with a disability recognized by the Americans with Disabilities Act (ADA);
- b. a designated caregiver of such a person; or
- c. a participant member of the agency with an ADA-qualifying disability.

3. The written public notice for an open meeting, as required by R.S. 42:19, shall include the name, telephone number and email address of the designated agency representative to whom a disability accommodation may be submitted.

4. The requestor shall be provided with an accommodation, including the teleconference and/or video conference link, for participation via electronic means as soon as possible following receipt of the request, but no later than the start of the scheduled meeting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1518.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Veterinary Medicine, LR 8:65 (February 1982), amended by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 16:223 (March 1990), LR 19:345 (March 1993), LR 20:1380 (December 1994), LR 23:966 (August 1997), amended by the Department of Agriculture and Forestry, Board of Veterinary Medicine, LR 50:

Family Impact Statement

The proposed Rule should not have any known or foreseeable impact on family formation, stability, and autonomy. In particular, the proposed Rule has no known or foreseeable impact on:

1. the stability of the family;
2. the authority and rights of persons regarding the education and supervision of their children;
3. the functioning of the family;
4. family earnings and family budget;
5. the behavior and personal responsibility of children;
6. the ability of the family or a local government to perform the function as contained in the proposed Rule.

Poverty Impact Statement

The proposed Rule should not have any known or foreseeable impact on any child, individual or family as defined by R.S. 49:973(B). In particular, there should be no known or foreseeable effect on:

1. the effect on household income, assets, and financial security;
2. the effect on early childhood development and preschool through postsecondary education development;
3. the effect on employment and workforce development;
4. the effect on taxes and tax credits;
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

The proposed Rule should have no adverse impact on small businesses as defined in the Regulatory Flexibility Act.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested parties may submit written comments to the Louisiana Board of Veterinary Medicine, Attention: Jared B. Granier, Executive Director, via U.S. Mail at 5825 Florida Blvd, Baton Rouge, LA 70806 or via e-mail attachment to director@lsbvm.org or via hand delivery. Comments will be accepted until 3:00 p.m. on Friday, February 9, 2024. All written comments must be dated and must include the first and last name, email address, mailing address, phone number, and the original signature of the person submitting the comments.

Public Hearing

Interested parties may submit a written request to conduct a public hearing to the Louisiana Board of Veterinary Medicine, Attention: Jared B. Granier, Executive Director, via U.S. Mail at 5825 Florida Blvd, Baton Rouge, LA 70806 or via e-mail attachment to director@lsbvm.org or via hand delivery; however, such request must be received by no later than 3:00 p.m. on Friday, February 9, 2024. If the criteria set forth in R.S. 49:953(A)(2)(a) are satisfied, a public hearing

will be conducted at 1:00p.m. on Thursday, February 29, 2024 at 5825 Florida Blvd, Baton Rouge, LA 70806. To confirm whether or not a public hearing will be held, interested parties should visit www.lsbvm.org/rulemaking-projects on or after Monday, February 12, 2024. If a public hearing is to be held, all interested parties are invited to attend and present data, views, comments, or arguments, orally or in writing. In the event of a hearing, parking is available to the public in front of the Department of Agriculture and Forestry Building at 5825 Florida Blvd, Baton Rouge, LA 70806.

Jared B. Granier
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Meetings

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

There will be no costs or savings to state or local governmental units, except for the cost associated with publishing the proposed rule change. This cost is normally included in the annual operating budget of the Board of Veterinary Medicine (Board), which is estimated at \$750 in FY 2024.

The proposed rule change is to meet the requirements of Act No. 393 of the 2023 Regular Session by setting forth guidance for public participation for members of the public and board members who have disabilities recognized by the Americans with Disabilities Act (ADA).

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

The proposed rule change will not affect revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change will help make meeting participation more accessible for members of the public or the board who have ADA-recognized disabilities. The proposed rule may result in travel savings to certain members of the public with disabilities as they can now participate in the meeting virtually.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change will have no effect on competition or employment.

Jared B Granier, MBA
Executive Director
2401#041

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Office of the Governor Board of Examiners of Certified Shorthand Reporters

Employment Relationship with Court Reporting Firm
(LAC 46:XXI.1303)

In accordance with the provisions of the Administrative Procedures Act, R.S. 49:953(A), the Board of Examiners of Certified Shorthand Reporters (CSR Board) proposes to amend LAC 46:XXI.1303. The proposed amendment will

remove provisions from LAC 46:XXI.1303 requiring court reporters obtaining a safe harbor affidavit from having to submit a schedule of charges to the CSR Board and to maintain a copy of the schedule. In particular, the amendments will delete provisions in Subsection B, delete Paragraph 4 of Subsection E, delete provisions in the final paragraph, and delete provisions in the reporter's certification. The CSR Board has authority to amend this Section pursuant to R.S. 37:2557(B), R.S. 37:2555(G), and R.S. 37:2556(D).

**Title 46
PROFESSIONAL AND OCCUPATIONAL
STANDARDS**

Part XXI. Certified Shorthand Reporters

Chapter 13. Safe Harbor Requirements

§1303. Employment Relationship with Court Reporting Firm

A. ...

B. Safe Harbor. A licensed Louisiana court reporter may accept employment from a court reporting firm and shall not be considered an "employee" for purposes of Code of Civil Procedure article 1434 upon furnishing to the board a certification, on a form approved by the board, from an authorized and knowledgeable officer of the court reporting firm that the firm has no prohibited employment or contractual relationship, direct or indirect, under Code of Civil Procedure article 1434 with a party litigant in the matter for which the reporter was retained to provide services. The reporter must file with the board a copy of the certification within 30 days after the date of the deposition. The Louisiana court reporter shall immediately notify the board, in writing, if a safe harbor request was made upon a court reporting firm and the firm refused or failed to provide the requested certification. The reporter shall include the name of the court reporting firm and the date the request was made.

C. - D. ...

E. Certification Affidavit of Court Reporting Firm

**CERTIFICATION AFFIDAVIT OF COURT
REPORTING FIRM**

STATE OF _____
PARISH OR COUNTY OF _____

BEFORE ME, the undersigned authority, duly qualified to take acknowledgments and administer oaths within the state and locality inscribed above, personally appeared

_____, who is representing

_____, a _____ [state] corporation [or limited liability company or other form of business organization] that is doing business in Louisiana as a court reporting firm as defined by Acts 2014, No. 839 (hereinafter, "Court Reporting Firm"). The physical address of the entity's principal place of business is _____ [street and suite number, if any] in _____ [city], State of _____, Zip _____, Telephone: () _____, Email _____.

After being duly sworn, Affiant did attest as follows:

1. Affiant is a knowledgeable representative who is authorized to act on behalf of the Court Reporting Firm in executing this Certification Affidavit.

2. The Court Reporting Firm has engaged a Louisiana licensed court reporter to perform court reporting services in connection with the deposition(s) of _____ [identify by name each deponent covered by this certification; attach additional sheets

if necessary] to be taken in the following proceeding: _____ vs. _____, pending in the _____ Court under matter number _____.

3. Affiant certifies, after performing due diligence, that the Court Reporting Firm has no prohibited employment or contractual relationship, direct or indirect, under Louisiana Code of Civil Procedure Article 1434 with a party litigant in the matter for which the court reporter's services have been engaged. Affiant further acknowledges affiant's duty to provide information and will provide information promptly to the Louisiana Board of Examiners of Certified Shorthand Reporters (hereinafter, "CSR Board") regarding any change in these relationships or in Affiant's knowledge of these relationships.

4. Affiant further states that Affiant is familiar with the nature of an oath and with penalties as provided by applicable state laws for falsely swearing to statements made in an instrument of this nature. Affiant further certifies that Affiant has read and understands the full facts and content of this Affidavit.

SIGNATURE OF AFFIANT: _____
Sworn before me this _____ day of _____, 20__

Notary Public _____
Print name:
My commission expires:

Form 10/15 Effective July 1, 2016

Each completed Firm Certification Affidavit in the foregoing form must be filed with the CSR Board by the taking court reporter within 30 days of the date of the deposition.

I, a Louisiana Licensed Court Reporter, as the officer who took the depositions(s), hereby submit this certification affidavit via _____ [facsimile/e-mail] within 30 days of the date of the depositions to which this certification applies.

I have read and confirmed that the language of the certification affidavit conforms with the form promulgated by the CSR Board. I have listed below or on additional pages, if necessary, the name and contact information for each taking attorney.

Signature _____ Date _____

Printed Name _____ LA CCR NO. _____

Taking Attorney Name: _____

Firm Name: _____

Address: _____

Phone: _____
Email: _____

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2557(B), R.S. 37:2555(G), and R.S. 37:2556(D).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Examiners of Certified Shorthand Reporters, LR 41:335 (February 2015), amended LR 42:868 (June 2016), LR 50:

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed amended Rule on the family has been considered. This proposed amended Rule is not anticipated to have an impact

on family functioning, stability, or autonomy as described in R.S. 49:972.

Poverty Impact Statement

The proposed amended Rule is not anticipated to have an impact on poverty as defined by R.S. 49:473.

Small Business Analysis

Pursuant to R.S. 49:965.6, methods for reduction of the impact on small business, as defined in the Regulatory Flexibility Act, have been considered when creating this proposed amended rule.

This proposed amended Rule is not anticipated to have an adverse impact on small businesses; therefore, a Small Business Economic Impact Statement has not been prepared.

Provider Impact Statement

The proposed amended Rule is not anticipated to have an impact on providers of services as described in HCR 170 of 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

- 1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
- 2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
- 3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

All interested persons may submit written comments, through February 12, 2024, to Judge Kimya M. Holmes, Chair of the Louisiana Board of Examiners of Certified Shorthand Reporters, 1450 Poydras St., Ste. 630, New Orleans, LA 70112. The chair is responsible for responding to inquiries regarding this proposed amended Rule.

Judge Kimya M. Holmes
Chair

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Employment Relationship with Court Reporting Firm

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

There is no impact on the expenditures of state or local governmental entities as a result of the proposed rule change. The Certified Shorthand Reporters (CSR) Board proposes to revise the CSR Board Rule 1303 (LAC 46:XXI.1303) to remove the requirement that court reporters must file a schedule of charges with the Safe Harbor Affidavit submitted to the CSR Board pursuant to that rule.

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

There is no impact on revenue collections of state or local governmental units as a result of the proposed rule revision.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule revision will not result in any increase in costs to court reporters and will not provide any economic benefits directly to court reporters. The proposed rule revision might result in a negligible reduction in costs to court reporters because they will no longer be required to file a schedule of charges in submitting the Safe Harbor Affidavit.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated effect on competition and employment as a result of the proposed rule change.

Judge John J. Lee, Jr.
Chair
2401#010

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Office of the Governor
Board of Examiners of Certified Shorthand Reporters**

Whistleblower Reporting (LAC 46:XXI.1305)

In accordance with the provisions of the Administrative Procedures Act, R.S. 49:953(A), the Board of Examiners of Certified Shorthand Reporters (CSR Board) proposes to adopt a whistleblower Rule for alleged antitrust violations. The CSR Board requires that CSR Board members, committee members, employees, and contractors observe high ethical standards in the conduct of their duties and responsibilities and that they comply with all applicable laws and regulatory requirements, including, but not limited to, the Sherman Act, 15 U.S.C. § 1 et seq., Clayton Act, 15 U.S.C. § 12 et seq., and Federal Trade Commission Act, as amended, 15 U.S.C. § 41 et seq. (collectively, Antitrust Laws). The underlying purpose of this proposed Rule is to support the CSR Board’s goal of legal compliance and to comply with the provisions of the agreement settling the claims asserted in litigation entitled *Veritext Corp. v. Bonin, et al.*, Civil Action No. 16-13903, in the United States District Court for the Eastern District of Louisiana, Sec. B(2), consolidated with *Esquire Deposition Solutions v. Bonin, et al.*, Civil Action No. 17-9877, in the United States District Court for the Eastern District of Louisiana, Sec. B(2). The CSR Board has authority to issue this proposed Rule pursuant to the statutes creating the CSR Board, including R.S. 37:2551, R.S. 37:2553, and R.S. 37:2555, which contemplate that it will conduct board meetings and generally “aid” in all matters pertaining to court reporting in Louisiana.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Chapter 13. Code of Ethics

§1305. Whistleblower Reporting

A. Purpose. The board requires that board members, committee members, employees, and contractors observe high ethical standards in the conduct of their duties and responsibilities and that they comply with all applicable laws and regulatory requirements, including, but not limited to, the Sherman Act, 15 U.S.C. §1 et seq., Clayton Act, 15 U.S.C. §12 et seq., and Federal Trade Commission Act, as amended, 15 U.S.C. §41 et seq. (collectively the “Antitrust Laws”). The underlying purpose of this Section is to support the board’s goal of legal compliance.

B. Reporting Responsibility. Any board member, committee member, employee, contractor, or member of the public may report concerns about possible fraudulent or

dishonest conduct or violations of the antitrust laws or other laws and regulatory requirements. Concerns should be reported to the chair of the board or any officer of the board.

C. No Retaliation. The board will strive to protect a whistleblower from retaliation or reprisal. A board member or committee member who retaliates against someone who has reported a violation in good faith is subject to appropriate disciplinary action. An employee or contractor who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. This Section is intended to encourage and enable persons to raise serious concerns with the board. Whistleblowers who believe that they have been retaliated against may submit a complaint to the chair or another officer of the board. Any complaint of retaliation will be investigated, and appropriate corrective measures will be taken if the allegation of retaliation is substantiated.

D. Requirement of Good Faith. Anyone making a complaint concerning a suspected violation of statutory or regulatory requirements must act in good faith. For the purpose of this Section, *good faith* means the complainant has reasonable grounds for believing that the information reported is true and indicates a violation and that the complaint has not been made out of malice, spite, jealousy, for personal gain, or for any other improper motive. The board will view any allegations that proves unsubstantiated and not made in good faith as a serious disciplinary offense.

E. Confidentiality. Reports of suspected violations and the investigations of those reports will be kept confidential to the extent possible and permitted by law, consistent with the need to conduct an adequate investigation, to take remedial action, or for other appropriate reasons.

F. Handling of Reported Violations. The board will acknowledge receipt of the reported violation to the complainant in writing. The board will make and maintain a record of its receipt of all reported violations. All reports will be investigated in a confidential manner, and appropriate corrective action will be taken if warranted by the investigation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2553(A) and R.S. 37:2555(G).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Examiners of Certified Shorthand Reporters, LR 50:

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed policy on the family has been considered. This proposed policy is not anticipated to have an impact on family functioning, stability, or autonomy as described in R.S. 49:972.

Poverty Impact Statement

The proposed policy is not anticipated to have an impact on poverty as defined by R.S. 49:473.

Small Business Analysis

Pursuant to R.S. 49:965.6, methods for reduction of the impact on small business, as defined in the Regulatory Flexibility Act, have been considered when creating this proposed policy.

This proposed policy is not anticipated to have an adverse impact on small businesses; therefore, a Small Business Economic Impact Statement has not been prepared.

Provider Impact Statement

The proposed policy is not anticipated to have an impact on providers of services as described in HCR 170 of 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

All interested persons may submit written comments, through February 12 2024, to Judge Kimya M. Holmes, Chair of the Louisiana Board of Examiners of Certified Shorthand Reporters, 1450 Poydras St., Ste. 630, New Orleans, LA 70112. The Chair is responsible for responding to inquiries regarding this proposed policy.

Judge Kimya M. Holmes
Chair

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Whistleblower Reporting

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

There are no estimated implementation costs or savings to state or local governmental units as a result of the proposed rule. The proposed rule will permit Certified Shorthand Reporters (CSR) Board members, committee members, employees, contractors, and members of the public to report concerns about possible fraudulent or dishonest conduct or violations of the Antitrust Laws or other laws and regulatory requirements without fear of retaliation. The rule is not anticipated to increase costs associated with the reporting of complaints, if any, to the CSR Board and the CSR Board's handling of any such complaints.

The CSR Board requires that Board members, committee members, employees, and contractors observe high ethical standards in the conduct of their duties and responsibilities and that they comply with all applicable laws and regulatory requirements, including, but not limited to, the Sherman Act, 15 U.S.C. § 1 *et seq.*, the Clayton Act, 15 U.S.C. § 12 *et seq.*, and the Federal Trade Commission Act, as amended, 15 U.S.C. § 41 *et seq.* (collectively the "Antitrust Laws"). The underlying purpose of this policy is to support the CSR Board's goal of legal compliance.

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

There is no impact on revenue collections of state or local governmental units as a result of the proposed rule change.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed policy will not result in any increase in costs to court reporters and will not provide any economic benefits directly to court reporters.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated effect on competition and employment as a result of the proposed rule change.

Judge John J. Lee, Jr.
Chair
2401#013

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Office of the Governor
Division of Administration
Office of Broadband Development and Connectivity**

Granting Unserved Municipalities
Broadband Opportunities 2.0 (GUMBO 2.0)
(LAC 4:XXI.Chapters 11-17)

The Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity has adopted LAC 4:XXI.Chapters 11-17 as authorized by R.S. 51:2370.21-2370.33, relative to the administration of the Granting Unserved Municipalities Broadband Opportunities 2.0 (GUMBO 2.0) grant program by the Office of Broadband Development and Connectivity.

The proposed GUMBO 2.0 program carries on the mission of the original GUMBO program but does so with new criteria as a result of a new federal funding source from Infrastructure Investment and Jobs Act (P.L. 117-58). This federal funding is from the U.S. Department of Commerce and administered by National Telecommunications and Information Administration (NTIA). As a result, this is a new rule for a new grant program.

According to the Federal Communications Commission, over 10 percent of Louisianans do not have access to broadband through ADSL, cable, fiber, or fixed wireless. In our rural communities, the number of these unserved residents rises to nearly 33 percent. Tragically, a third of rural Louisianans are without access to high-speed broadband, threatening their health, limiting their educational opportunities, and constraining their economic competitiveness in the digital world.

Failure to connect the unconnected, and any further delay in constructing broadband infrastructure to serve those residents without it, would continue the substantial risk of hardship currently faced by hundreds of thousands of residents throughout the state. Therefore, the Louisiana Office of Broadband Development and Connectivity shall provide grants to private providers of broadband services to facilitate the deployment of broadband service to unserved areas of the state, defined as areas without deployed internet access service providing transmission speeds of at least 100 Mbps download and 20 Mbps upload (100:20 Mbps) through wireline or fixed wireless. The GUMBO 2.0 grant program shall utilize the federal Broadband, Equity, Access, and Deployment program from P.L. 117-58 to fund eligible projects through a competitive grant application process. This Rule is promulgated in accordance with the provisions of the Louisiana Administrative Procedure Act, R.S. 49:950 et seq., and is hereby adopted on the day of promulgation.

The Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity has proposed LAC 4:XXI.Chapters 11-17 as authorized by R.S. 51:2370.21-2370.33, relative to the administration of the Granting Unserved Municipalities Broadband Opportunities 2.0 (GUMBO 2.0) grant program by the Office of Broadband Development and Connectivity. The Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity proposes this Rule to align the administrative Rule with the current State Plan approved by NTIA.

To view the approved state plan in its entirety, also known as the Initial Proposal, please visit <https://connect.la.gov/resources/>.

- For more detail on the below Chapter 11. Challenge Process, see the Initial Proposal Volume 1.
- For more detail on the below Chapter 13. Deployment Subgrantee Selection, see the Initial Proposal Volume 2: Section 2.4. Deployment Subgrantee Selection.
- For more detail on the below Chapter 15. Non-Deployment Subgrantee Selection, see the Initial Proposal Volume 2: Section 2.5. Non-Deployment Subgrantee Selection.
- For more detail on the below Chapter 17. Low-Cost Broadband Service Option, see the Initial Proposal Volume 2: Section 2.12. Low-Cost Broadband Service Option.

Title 4

ADMINISTRATION

Part XXI. Granting Unserved Municipalities

Broadband Opportunities

Subpart B. Granting Unserved Municipalities

Broadband Opportunities (GUMBO)

Chapter 1. Program Summary

§103. Definitions

BEAD—the Broadband Equity, Access, and Deployment Program, as administered by the National Telecommunications and Information Administration.

CRN—Sub Project Areas with Critical Resiliency Needs.

Economically Disadvantaged Areas—socially disadvantaged areas whose ability to participate in the free enterprise system has been impaired due to diminished capital and credit opportunities as compared to other areas who are not socially disadvantaged.

EHCT—extremely high-cost threshold.

Eligible Community Anchor Institutions—a community anchor institution that lacks access to Gigabit-level broadband service.

Eligible Locations—locations eligible for BEAD funding.

Fabric—Federal Communications Commission mapping fabric.

FTTH—Fiber to the Home.

GUMBO 2.0—Granting Unserved Municipalities Broadband Opportunities 2.0.

Limited Waiver—Build America Buy America limited waiver.

NOFO—notice of funding opportunity.

Priority Projects—Deployment projects that must be prioritized before non-deployment initiatives.

Reliable Service—broadband service that the Broadband DATA Maps show is accessible to a location via: fiber-optic technology, cable modem/ hybrid fiber-coaxial technology, digital subscriber line technology, or terrestrial fixed

wireless technology utilizing entirely licensed spectrum or using a hybrid of licensed and unlicensed spectrum.

Resolution of Consent—Support and permission from a federally-recognized tribe to build on their land.

SPA—sub-project area.

Speed of Network—advertised and actual Internet speed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 48:1504 (June 2022), amended LR 50:

Subpart B. Granting Unserved Municipalities Broadband Opportunities 2.0 (GUMBO 2.0)

Chapter 11. Challenge Process

§1101. Fair, Expedient, and Evidenced-Based Challenge Process

A. Permissible Challenges. The office only allows challenges on the following grounds:

1. the identification of eligible community anchor institutions;
2. community anchor institution BEAD eligibility determinations.;
3. BEAD eligibility determinations for existing broadband serviceable locations (BSLs);
4. enforceable commitments; or
5. planned service;

B. Permissible Challenges. During the BEAD challenge process, the office only allows challenges from nonprofit organizations, units of local and tribal governments, and broadband service providers.

C. Challenge Process Overview. The challenge process conducted by the office includes four phases, spanning up to 90 days. Implementation efforts around the challenge process are supported through capable state contractor and support teams that provide GIS capabilities, data analytics and technical audit skills. Decisions will ultimately be made by the Executive Director and staff. The state of Louisiana uses the challenge process as described below:

1. Publication of Eligible Locations: Prior to beginning the challenge phase, the office shall publish the set of locations eligible for BEAD funding. The office shall also publish locations considered served, as they may be challenged.

2. Challenge Phase: During the challenge phase, the challenger submits the challenge through the office challenge portal. The office notifies the provider of the challenge through an automated email. After this stage, the location enters the “challenged” state.

a. Minimum Level of Evidence Sufficient to Establish a Challenge: The office verifies the address provided is a BSL.

b. Timeline: Challengers have 30 calendar days to submit a challenge from the time the initial list of unserved and underserved locations, community anchor institutions, and existing enforceable commitments are posted.

3. Rebuttal Phase: Only the challenged service provider may rebut the reclassification of a location or area with evidence, causing the location or locations to enter the “disputed” state. If a challenge that meets the minimum level

of evidence is not rebutted, the challenge is sustained. A provider may also agree with the challenge and thus transition the location to the “sustained” state. Providers must regularly check the challenge portal notification method (e.g., email) for notifications of submitted challenges.

a. Timeline: Providers have 30 calendar days from notification of a challenge to provide rebuttal information to the office.

4. Final Determination Phase: During the Final Determination phase, the office makes the final determination of the classification of the location, either declaring the challenge “sustained” or “rejected.”

a. Timeline: Following intake of challenge rebuttals, the office makes a final challenge determination within 30 calendar days of the termination of the challenge rebuttal. Reviews occur on a rolling basis, as challenges and rebuttals are received.

D. Evidence and Review Approach. The office ensures that the review of all applicable challenge and rebuttal information is completed in detail without bias, before deciding to sustain or reject a challenge. The office documents the standards of review to be applied and requires reviewers to document their justification for each determination. The office also requires that all reviewers submit affidavits to ensure that there is no conflict of interest in making challenge determinations.

E. Challenge Types

Code	Challenge Type	Description
A	Availability	The broadband service identified is not offered at the location, including a unit of a multiple dwelling unit (MDU).
L	Data cap	The round-trip latency of the broadband service exceeds 100 ms.
D	Technology	The only service plans marketed to consumers impose an unreasonable capacity allowance (“data cap”) on the consumer.
T	Business service only	The technology indicated for this location is incorrect.
B	Enforceable Commitment	The location is residential, but the service offered is marketed or available only to businesses.
E	Planned service	The challenger has knowledge that broadband will be deployed at this location by the date established in the deployment obligation.
P	Not part of enforceable commitment.	The challenger has knowledge that broadband will be deployed at this location by June 30, 2024, without an enforceable commitment or a provider is building out broadband offering performance beyond the requirements of an enforceable commitment.
N	Location is a CAI	This location is in an area that is subject to an enforceable commitment to less than 100 percent of locations and the location is not covered by that commitment. (See BEAD NOFO at 36, n. 52.)
C	Location is not a CAI	The location should be classified as a CAI.
R		The location is currently labeled as a CAI but is a residence, a non-CAI business, or is no longer in operation.

F. Area and MDU Challenge

1. The office administers area and MDU challenges for challenge types A, L, D, and T. An area challenge reverses the burden of proof for availability, latency, data caps and technology if a defined number of challenges for a particular category, across all challengers, have been

submitted for a provider. The provider receiving an area challenge or MDU must demonstrate that they are indeed meeting the availability, latency, data cap and technology requirement, respectively, for all (served) locations within the area or all units within an MDU.

a. An area challenge is triggered if six or more broadband serviceable locations using a particular technology and a single provider within a census block group are challenged.

b. An MDU challenge requires challenges by at least three units or 10 percent of the unit count listed in the Fabric within the same broadband serviceable location, whichever is larger.

2. Each type of challenge and each technology and provider is considered separately. If a provider offers multiple technologies, each is treated separately.

3. Area challenges for availability need to be rebutted with evidence that service is available for all BSL within the census block group. For fixed wireless service, the challenge system offers representative random, sample of the area in contention, but no fewer than 10, where the provider has to demonstrate service availability and speed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

Chapter 13. Deployment Subgrantee Selection

§1301. Plan for Fair, Open, and Competitive Process

A. Eligible locations in the state are organized by the office into a set of pre-defined areas, or “sub-project areas.” Prospective subgrantees will define their proposed overall deployment projects, but such proposals must be submitted in the form of sets of SPAs. By including an SPA in an application, the provider commits to reach all included eligible locations.

B. Qualified prospective subgrantees may submit a Round 1 application, after SPAs are determined by the office.

1. A Round 1 application must include:

- a. the list of SPAs included in the application;
- b. the amount of BEAD funds requested;
- c. the proposed technology type for the project; and
- d. additional primary and secondary scoring application elements including plans for affordability, fair labor practices, deployment timeline, speed of network, and any other supporting information required by NTIA.

2. Round 1 applications will be analyzed to identify any overlap between applications, with a limited number of selections made according to a prioritization approach. Any such selections will be subject to review and confirmation by the office that the applicant has the requisite operational, managerial, and financial capability to fulfill the subgrant in the specific SPAs included. Any other Round 1 applications that overlap with a Round 1 award will be deemed denied, but the applicant will be permitted to resubmit any non-overlapping SPAs as a new application in Round 2.

C. In Round 2, all remaining unawarded Round 1 applications will automatically be pulled forward and may not be withdrawn. Round 1 applications may be simply left as-is for Round 2, or the applicant may make certain changes

including adding new SPAs to the application and/or changing the amount of requested BEAD funding. Any Round 1 applicant may also propose new Round 2 applications exclusively comprising SPAs that did not receive any applications in Round 1.

1. Round 2 applications then will be selected for funding as follows. First, all FTTH applications will be scored using the scoring rubric described below, with de-confliction of overlapping FTTH applications resolved.

2. Next, all non-FTTH applications available for SPAs not already selected for FTTH proposals will be scored and de-conflicted in the same fashion.

3. Prior to finalizing all the Round 1 and Round 2 selections, the office will review the overall set of awards that could be made based on these steps to assess whether 100 percent of unserved locations would be served by either priority or reliable service within the available BEAD allocation budget for the state.

a. If this assessment indicates that the level of service that would be provided to BEAD-eligible locations could be improved, the office will apply the extremely high location threshold (EHCT).

4. The office will conduct a final review of selected proposals to confirm that the total set of awards to each prospective subgrantee is consistent with the financial, operational and managerial capabilities submitted in the pre-qualification process, confidentially engaging with specific providers if needed to confirm or clarify any identified issues, and reserving the ability if necessary to select an alternative proposal if any concerns about the ability of the provider to deliver on all awards remain. The office will publicly announce all awards selected.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1303. Prioritization and Scoring Process

A. In Round 1, prospective subgrantees must specify the amount of requested BEAD funding for each application, expressed as a percentage of the total reference amount for all SPAs included in the application.

B. Prospective subgrantees also must submit scoreable application elements for affordability, fair labor practices, speed to deployment, inclusion of economically challenged or critical resilience SPAs, and network technical capabilities.

C.1. After Round 1 submissions, two categories of applications will be awarded:

a. FTTH applications that do not overlap with any other application of any technology type, and that request funding no greater than the reference funding levels for all included SPAs; or

b. FTTH applications that achieve a decisively higher score at least 100 points better than any overlapping application of any technology type (informally referred to below as “decisively higher score” applications).

2. Round 1 applications that overlap with awards made in either of these categories will be deemed withdrawn, although applicants will be permitted to resubmit any non-overlapping SPAs in Round 2.

D. Unawarded Round 1 applications will be automatically moved forward to Round 2 and may not be withdrawn. Prospective subgrantees in Round 2 then have the option to either let Round 1 applications stand as-is, or to make modifications as follows:

1. The addition of SPAs not already awarded in Round 1, subject to the limit that a given SPA may not be included in more than two active applications from the same prospective subgrantee; and/or

2. A change to the requested subsidy amount (an increase no greater than the reference amount of funding available in any new SPAs added to an application in Round 2, or a decrease if not). Prospective subgrantees may not remove SPAs from any Round 1 application that is automatically carried forward to Round 2.

E. As in Round 1, new Round 2 applications may be made up of any combination of SPAs, subject to the constraint that such new Round 2 applications may comprise only SPAs that did not receive a Round 1 application. (Note that any unawarded SPA, whether it received any Round 1 interest, always also may be added to an existing Round 1 application.) Otherwise, such new Round 2 applications must follow the same approach as Round 1 applications.

F. After receiving all Round 2 submissions, the office will first rank all FTTH applications from highest to lowest score. By definition, Round 2 applications will not overlap with any previously awarded SPAs; therefore the highest scored Round 2 FTTH application will be provisionally awarded for all included SPAs at the total requested overall funding level. The office will then review each next-highest ranked FTTH application in order, applying the provisional selection and de-confliction rules between any overlapping FTTH applications.

G. After all available FTTH applications are resolved using this process, all non-FTTH applications will similarly be ranked from highest to lowest score, with reliable service (cable/HFC and licensed fixed wireless) applications being placed ahead of other terrestrial (unlicensed fixed wireless) applications. In addition, the secondary scoring criterion of speed of network will create an additional score-based prioritization as between non-FTTH applications.

H. Only after all priority projects have been either awarded in full, partially awarded based on deconfliction procedures or discarded due to overlap with a higher-scored priority project, will non-priority projects be evaluated. Overlapping non-FTTH applications will be selected and de-conflicted with each other using the same procedure.

I. Criteria and Maximum Points Available

Secondary and Additional Criteria	Max points available	197
Speed to Deployment	12	Points for enforceable deployment plans faster than 48 months
Economically Disadvantaged Areas	25	Additional points for including economically challenged SPAs
Infrastructure Resiliency Commitments	100	Additional points for buried fiber and for commitments to designated SPAs lacking mobile broadband resiliency infrastructure
Number of Eligible Locations Included Within a Parish	35	Additional points for applications covering greater numbers of eligible locations within a given parish
Speed of Network	25	25 points for FTTH projects; non-FTTH scoring based on performance levels and scalability of non-FTTH networks

1. Primary Criteria—Minimal Bead Outlay

a. Each application in each of Round 1 and Round 2, will be scored based on the amount of requested BEAD funding as follows:

i. For applications requesting no more than the amount of reference funding set for the applicable round for all included SPA(s)

(a). Score = 300- [percent of reference funding requested, rounded to the nearest whole integer value].

ii. Applicants are permitted to request up to 200 percent of the reference amount. For applications requesting more than the amount of reference funding for all included SPA(s):

(a). Score = 100- [percent of reference funding requested – 100, rounded to the nearest whole integer value].

(b). The application system will not accept funding requests greater than 200 percent of the reference funding.

(c). The maximum score for any application requesting more than the reference funding will be 100.

b. Maximum awardable points: 300

2. Primary Criteria—Affordability

a. Following Louisiana statutory requirements. GUMBO 2.0 does not require subgrantees to offer any particular rate for any particular tier of service, although existing Louisiana law does impose certain requirements on existing in-state providers as described below. Instead, this federally mandated scoring category offers applicants the opportunity to obtain additional points via voluntary affordability commitments of their choosing, with scoring defined as follows:

i. This affordability scoring approach follows the provision of Louisiana law requiring that “[a] grant recipient that has offered broadband service to at least one thousand consumers for a period of at least five consecutive years shall offer broadband service at prices consistent with offers to consumers in other areas of the state.” This statutory Louisiana requirement shall be implemented as a subgrant condition, for a duration of time as required by final NTIA guidance, for any subgrant recipient meeting that definition,

Primary Criteria	Max points available	601
Minimal BEAD Outlay	300	Based on percent of reference funding level requested for a total project area
Affordability	200	Based on the applicant’s commitment to support affordability in BEAD areas consistent with other areas of the state
Fair Labor Practices	101	Score based on compliance record

with “prices consistent with offers to consumers in other areas of the state” scored as an affordability commitment using the methodology below.

b. Affordability score for FTTH projects: 200 points. Following Louisiana law, and applying the mandatory federal requirement in the BEAD NOFO that a primary scoring criterion must be “[t]he prospective subgrantee’s commitment to provide the most affordable total price to the customer for 1 Gbps/1 Gbps service in the project area,” a base score of 200 points in this category will be awarded as follows.

i. Compliance with Louisiana law on Affordability, if applicable to the prospective subgrantee. Any applicant that has offered broadband service to at least one thousand consumers for a period of at least five consecutive years that includes a commitment to provide 1 Gbps/1Gbps service in its proposed BEAD subgrant area at a price no higher than its offer to consumers for 1 Gbps/1 Gbps service in other areas of the state will receive a score of 200 points.

ii. Alternate Method of Achieving a Full Baseline Score. An applicant that has not offered broadband service to at least one thousand customers for a period of at least five consecutive years, or an applicant that does not otherwise offer 1 Gbps/1Gbps service, that includes a commitment to provide 1 Gbps/1Gbps service to all included locations in its application at a price no higher than the median price for all 1Gbps/1Gbps service offerings reported in the most recent year’s FCC Urban Rate Survey will receive a base score of 200 points.

c. Affordability score for non-FTTH projects: 200 points. For non-FTTH projects, the mandatory federal requirement in the BEAD NOFO is that a primary scoring criterion must be “[t]he prospective subgrantee’s commitment to provide the most affordable total price to the customer for 100 Mbps/20 Mbps service in the project area.”

i. Compliance with Louisiana law on Affordability, if applicable to the prospective subgrantee: 200 points. Any applicant that has offered broadband service to at least one thousand consumers for a period of at least five consecutive years that includes a commitment to provide 100 Mbps/20 Mbps service in its proposed BEAD subgrant area at a price no higher than its offer to consumers for 100 Mbps/20 Mbps service in other areas of the state will receive a score of 200 points.

ii. Alternate Method of Achieving a Full Baseline Score. An applicant that has not offered broadband service to at least one thousand customers for a period of at least five consecutive years, or an applicant that does not otherwise offer 100 Mbps/20 Mbps service, that includes a commitment to provide 100 Mbps/20 Mbps service to all included locations in its application at a price no higher than the median price for all 100 Mbps/20 Mbps service offerings reported in the most recent year’s FCC Urban Rate Survey will receive a base score of 200 points.

d. Use of FCC Urban Rate Survey. If applicable to a subgrantee using the alternate methods outlined above, the FCC Urban Rate Survey will be used as follows:

i. For each subgrant performance year covered by an applicable subgrantee commitment, the state will use the prior year’s FCC Urban Rate Survey broadband data for the state of Louisiana.

ii. On the first business day of the year, the state will determine that year’s median price for 1Gbps/1Gbps service and for 100 Mbps/20 Mbps service that will be applicable to the GUMBO 2.0 program for the coming year.

iii. If a given year’s survey results do not contain any service tiers precisely at 1Gbps/1Gbps or 100 Mbps/20 Mbps, the closest comparable service tier result will be used.

e. Other provisions.

i. The applicable affordability commitments shall be updated annually beginning upon final issuance of the subgrant.

ii. If at any point during the performance of a subgrant a subgrantee becomes subject to Louisiana’s statutory affordability requirement by virtue of having delivered broadband service to at least 1000 consumers for a period of five consecutive years, the required subgrant affordability commitment shall be based on state law, as applicable.

f. Maximum awardable points: 200

3. Primary Criteria—Fair Labor Practices

a. Record of Compliance with Federal Labor and Employment Law. Any applicant that certifies a record of past compliance with Federal labor and employment law with respect to broadband deployment projects, as supported by submitted information as specified below, shall receive points as follows:

i. applicants able to certify a record of compliance for at least three years will receive 80 points.

ii. applicants also able to so certify a record of compliance for four years will receive 5 additional points.

iii. applicants also able to so certify a record of compliance for five or more years will receive 6 additional points.

iv. applicants that cannot certify compliance with Federal labor and employment law with respect to broadband deployment projects within the last three years, including new entrants that have not completed a broadband deployment project in that time frame, shall be eligible for points.

b. Plan for Ensuring Compliance with Federal Labor and Employment Law. Applicants shall receive points as follows.

i. Any applicant that provides a plan that meets the baseline compliance plan requirements as specified shall receive 10 points.

ii. Applicants may also achieve additional points, subject to the total category maximum of 101 points, based on including in their compliance plans additional elements as specified below:

(a). one additional element only: 40 additional points;

(b). two additional elements: 70 additional points;

(c). three or more additional elements: 90 additional points.

c. The table below summarizes the total points awarded for different combinations of past compliance records and prospective compliance plans under of this scoring approach.

Years of compliance	<3 years	3	4	5+
Baseline compliance plan	10	90	95	101
+ 1 additional element	50	101	101	101
+ 2 additional elements	80	101	101	101
+3 or more additional elements	100	101	101	101

d. Applicants shall be permitted to have a single statewide workforce plan that applies to all applications, or to propose different workforce plans for individual applications.

e. Maximum awardable points: 101

4. Secondary and Additional Criteria

a. Speed to Deployment

i. Any application that certifies, including binding commitments and assumption of contractual liability for penalties established by the state for non-compliance, that deployment to all included eligible locations will be completed in less than the 48 months required by BEAD shall receive additional points as follows:

a. $[48 - (\text{number of months to complete deployment, rounded up to the next whole month})] / 4$

ii. Maximum awardable points: 12

b. Economically Disadvantaged Areas

i. Any application that includes ED-SPAs shall receive additional points as follows.

(a). 15 points: Include all ED-SPAs within a given parish.

(b). 1 point: Any individual ED-SPA, but not all within a parish

ii. Maximum awardable points: 25

c. Infrastructure Hardening and Resiliency Commitments

i. Any application for the deployment of fiber infrastructure to last-mile eligible locations that includes an enforceable commitment to the infrastructure hardening step of including at least 90 percent buried fiber plant, including 100 percent buried plant to eligible CAIs, unless a specific exception is granted, as specified in will receive 30 points.

ii. Any application involving the deployment of new wireless tower infrastructure that includes an enforceable commitment to the Wireless Tower Hardening specifications provided will receive 20 points. This point total shall be applied once for an entire application, irrespective of the number of such hardened towers included.

iii. In addition, any application that includes at least one critical resiliency need (CRN)-SPA and includes an enforceable commitment to deploy necessary mobile broadband infrastructure to achieve the resiliency requirements of the CRN designation, following all requirements as detailed shall receive additional points as follows:

(a). 40 points: Include all CRN-SPAs within a given parish.

(b). 10 points: Any individual CRN-SPA, but not all within a parish.

(c). Any award of points in this category is subject to the state's technical review of the satisfactoriness of proposed plans to fulfill specified resiliency capabilities, according to the specifications provided in section 2.11.1.D.

iv. Applications may receive points for any combination of commitments in these areas, but the total points available in this overall category to any application is capped at the maximum total awardable points level below.

v. Maximum total awardable points: 100.

d. Number of Eligible Locations within a Given Parish

i. During the review of each application, the state will total the number of eligible locations within all included SPAs in each Louisiana parish within the application and identify the highest such count.

ii. Applications shall receive additional points based on this highest count value as follows.

(a). 10 points: An application that includes at least 500 eligible locations within a single parish.

(b). 20 points: An application that includes at least 2000 eligible locations within a given parish.

(c). 30 points: An application that includes 5000 eligible locations or more within a given parish.

(d). 35 points: An application that includes 100 percent of eligible locations within a given parish, only if the applicable highest count value is greater than 2000 eligible locations.

iii. Maximum total awardable points per application: 35

e. Speed of Network

i. FTTH applications shall receive 25 points in this category.

ii. Non-FTTH applications only shall be scored based on certified speed and latency performance commitments that are enforceable subgrant conditions and subject to verification after deployment to all eligible BSLs as well as on length of useful life of the proposed infrastructure and future scalability.

(a). Speed and latency performance characteristics, as certified by the applicant and subject to technical review and verification by the state, shall receive points as follows.

Minimum downstream/upstream speed (Mbps)	Maximum latency (milliseconds)	Points awarded
100/20	100	2
200/50	100	4
400/100	100	10
1000/250	100	20

(b). To receive points in any of these categories, the state's technical review must confirm that the proposed network design has the ability deliver the above performance levels to all eligible locations within an application, including reasonable assessment of how the proposed network can add incremental capacity in a cost-effective manner as new customers are added.

(c). Total awardable sub-category points for non-FTTH networks: 20

iii. For non-FTTH technologies, the length of useful life and future scalability, as certified by the applicant and subject to technical review and verification by the state, shall receive points as follows.

(a). Useful life of funded infrastructure, as assessed by the state:

- (i). <5 years: 0 points
- (ii). 5-10 years: 1 point
- (iii). 10+ years: 2 points

(b). Cost-effectiveness of future scalability to significantly performance levels of proposed technology, as assessed by the state:

- (i). ineffective: 0 points
- (ii). somewhat cost effective: 1 point
- (iii). very cost effective: 2 points

(c). Total awardable sub-category points for non-FTTH networks: 4

iv. Maximum awardable Speed of Network points:

25.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1305. Prioritizing Unserved Service Projects

A. A GUMBO 2.0 application is defined as a set of SPAs. The inclusion of an SPA in an application carries an obligation to deploy to all eligible locations in the SPA if the application is awarded. All application plans and commitments such as for affordability, technology type, and performance level must apply to all eligible locations within included SPAs.

B. The office may, prior to making final subgrant awards, remove certain locations from a subgrant in order to ensure compliance with the BEAD-required prioritization of all unserved locations first, then underserved locations, and then CAIs. In such cases, the state would adjust the subgrant award amount to account for the removal of certain locations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1307. Prioritizing Eligible CAIs

A. Deployment to all eligible CAIs shall be prioritized before making funds available for non-deployment projects.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1309. Compliance with EHP and BABA Requirements

A. Projects must be in adherence to the requirements of any applicable laws.(?) Build America, Buy America Act (BABA), the National Environmental Policy Act (NEPA) (42 U.S.C. § 4321 et seq.) and National Historic Preservation Act (NHPA) (54 U.S.C. § 300101 et seq.).

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1311. Definition of Eligible Project Areas

A. All prospective subgrantees shall define their overall application areas as a set of pre-defined sub-project areas. A project area is the overall proposed deployment area included in an application, comprising the eligible locations within the set of SPAs included in the application.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1313. Ensuring Universal Coverage in Subsequent Funding Rounds

A. If coverage gaps remain after the first rounds, to close these remaining coverage gaps, the office may begin targeted outreach and negotiation strategy with the proximate providers and/or newly awarded subgrantees with the greatest apparent ability to make targeted extensions of service to individual locations passed over in the main GUMBO 2.0 process.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1315. Tribal Government Consent

A. Prospective subgrantees with plans to build within any of the tribal lands shall provide a Resolution of Consent or other formal demonstration of consent from each tribal government's tribal council or other governing body, upon whose tribal lands the infrastructure will be deployed. The office will require that the resolution of consent, or any substitute document used at request of the tribal government, be submitted by the prospective subgrantee at the time of application along with other relevant documents demonstrating that holistic local coordination occurred. This will ensure that the proper documentation is obtained for submission and approval of the final proposal.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1317. Identification of Extremely High Cost Per Location Threshold

A. The EHCT will be determined based on funding requirements for actual subgrant proposals received in the state of Louisiana. The GUMBO 2.0 EHCT mechanism therefore will permit the office, pursuant to BEAD rules, to select certain non-FTTH applications instead of FTTH if the overall result is to expand the number of eligible locations receiving access to at least reliable broadband service to the extent doing so fully with priority projects proves impossible based on actual subgrant proposals received.

B. The office may set the final EHCT value at a level above the per-location cost of all awarded FTTH applications for purposes of Final Proposal submission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1319. Use of Extremely High Cost per Location Threshold

A. An EHCT will be identified and utilized as necessary.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1321. Ensuring Minimum Financial Capability

A.1.To submit a grant application, prospective subgrantees shall provide details to complete a review of financial capability, including but not limited to the following.

a. Obtain the five years of financial statements, pro forma statements or financial audits submitted by each applicant or the financial statements for each year that the applicant has been in business if less than five years. Ensure that the complete financial statements were submitted. If financial statements are not available, search for the applicant’s SEC Form 10-K filing. Using the audited financial statements, reviewed the unaudited financial statements for reasonableness. Review the financial statements, if audited, to determine if there is a going concern disclosure in the audit report.

b. Determine whether the applicant’s business status is active in Louisiana, whether the applicant has filed for bankruptcy, and whether the company is involved in any lawsuits.

c. Determine the funding sources for the project.

d. Review the balance sheet, statement of operations and statement of cash flows to determine if the applicant is steady and/or growing. Use EBITDA margin to assist in this analysis. Calculate the current ratio (current assets/current liabilities). Calculate the debt to assets ratio (total debts/total assets).

2. Documentation related to the requirements above will be collected and reviewed by qualified personnel to ensure a clear plan for determination of participation is in place.

B. Required Qualifications for Financial Obligations. The office will require prospective subgrantees to certify that they are qualified to meet the obligations associated with a project, that the prospective subgrantees will have available funds for all project costs that exceed the amount of the grant, and that they will comply with all requirements, including service milestones. Disbursement of funding to subgrantees after the initial 10 percent draw is only done upon completion of a technical and compliance audit at specific established thresholds of the number of locations served out of the total number to be served by a project (10 percent, 35 percent, 65 percent, 85 percent, 100 percent). Each subgrantee shall certify that it has and will continue to have sufficient financial resources to cover its eligible costs for the project until such time as the office authorizes additional disbursements.

C. Required model letter of credit in accordance with related guidance from NTIA.

D. For applicants obtaining a performance bond, the office will require applicants to follow all requirements and related guidance from NTIA including those specified in the limited waiver.

E. Required Audited Financial Statements. Each prospective subgrantee shall submit financial statements from the prior fiscal year that are audited by an independent certified public accountant. If the prospective subgrantee has not been audited during the ordinary course of business, in lieu of submitting audited financial statements, it must submit unaudited financial statements from the prior fiscal year and certify that it will provide financial statements from the prior fiscal year that are audited by an independent certified public accountant.

F. Required Business Plans and Financial Analysis. Prospective subgrantees shall submit business plans and related analyses that substantiate the sustainability of the proposed project. This can be provided in the form of pro forma statements or analyses, inclusive of cash flow and balance sheet projections and should include at least three years of operating cost and cash flow projections post targeted completion of project. Additionally, prospective subgrantees should provide pertinent resumes of key staff assigned to a proposed project and a matrix illustrating how the skills of lead staff with business plan deliverables. Evaluation of business plans and related analyses will be completed by qualified personnel to ensure there is appropriate capacity and expertise to adequately review the documentation and provide a third-party perspective of the prospective subgrantee. Reviews could include, but not be limited to the following:

1. executive summary assessment
2. project description review
3. market analysis review
4. competitive analysis review
5. technical and operational plan review
6. risk assessment review
7. legal and regulatory compliance
8. management team review
9. sustainability and environmental impact review

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1323. Supporting Documentation for BEAD Subgrantee Selection Process

A. The office shall incorporate specific intake questions and publish them for applicants.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1325. Ensuring Managerial Capability

A. To submit a grant application, prospective subgrantees shall provide the details listed below related to managerial capability.

1. Resumes for Key Personnel Requirement. To submit a grant application, prospective subgrantees shall provide resumes for all key management personnel, documentation will be collected and reviewed by qualified personnel.

2. Readiness to Manage Proposed Project Requirement. To submit a grant application, prospective

subgrantees shall provide the details listed below related to managerial capability.

a. Project organizational chart(s) and corporate relationships detailing all parents, subsidiaries, and affiliates.

b. A narrative describing the prospective subgrantee's readiness to manage a broadband services network. This narrative should include at a minimum the experience and qualifications of key management set to undertake this project, its experience undertaking projects of similar size and scope, recent and upcoming organizational changes including mergers and acquisitions, and relevant organizational policies.

c. A matrix illustrating how the skills of lead staff align with business plan deliverables.

3. Documentation related to the requirements above will be collected and reviewed by qualified personnel.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1327. Ensuring Technical Capability

A. To submit a grant application, prospective subgrantees shall provide details related to technical capability.

B. Documentation related to the requirements below will be collected and reviewed by qualified personnel.

1. Technical Qualification for Implementation and Credentialed Workforce. Prospective subgrantees must submit certification to ConnectLA that they are technically qualified to complete and operate the Project and that they can carry out the funded activities in a competent manner, including that it will use an appropriately skilled and credentialed workforce. Documentation to be provided by the prospective subgrantee includes, but is not limited to the following:

a. documentation of current licensing with governing bodies to operate in Louisiana;

b. attestation of current Louisiana licensing for any engineers who certify design, diagrams, project costs, etc;

c. demonstration of experience designing and delivering similar projects of size, complexity and timeline.

2. Proposed Project Workplan Requirement. Prospective subgrantees shall submit certification to ConnectLA that they are technically qualified to complete and operate the project and that they can carry out the funded activities in a competent manner, including that it will use an appropriately skilled and credentialed workforce. Documentation to be provided by the prospective subgrantee includes, but is not limited to the following:

a. project plan description that clearly identifies the steps (including but not limited to planning, design, implementation and operation) of the capital investment schedule. Project planning should also include at a minimum network design, diagrams, project costs, timelines, evidence of build-out within the timeline identified;

b. attestation that the proposed network can deliver broadband service that meets the requisite performance requirements to all locations served by the Project.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:21-33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1329. Ensuring Compliance with Applicable Laws

A. To submit a grant application, prospective subgrantees shall provide details related to compliance with applicable laws.

1. Compliance with Federal, State, and Local Laws. To submit a grant application, prospective subgrantees shall provide the details listed below related to compliance with applicable laws:

2. Detailed history of compliance with all applicable Federal, State of Louisiana and local laws for previous broadband projects funded by federal and state programs, including disclosure of any default on any federal or state obligation associated with grants for broadband deployment.

B. Any GUMBO 2.0 subgrantee also subject to deployment obligations elsewhere in Louisiana, including from programs such as RDOF, Enhanced-ACAM, ReConnect or any other similar program included in the BEAD de-duplication process, must make an enforceable commitment as part of its GUMBO 2.0 subgrant agreement not to default or otherwise fail to fulfill any such deployment obligation in the state of Louisiana. The penalty for breach of this commitment shall be, as reimbursement for funding that could have been awarded but for other federal program funding, payment to the state in the amount equal to the total investment cost of all defaulted locations, as measured by the eligible entity tool provided to the state by NTIA.

C. Worker-Led Health and Safety Committees. To submit a grant application, prospective subgrantees shall provide the details listed below related to compliance with applicable laws:

1. policies and procedures to ensure compliance with occupational safety and health requirements including worker-led health and safety committees that management will meet with upon reasonable request. Details from NTIA's Workforce Planning Guide may be utilized.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1331. Ensuring Operational Capabilities

A Required Operational Qualifications. To submit a grant application, prospective subgrantee shall provide the details listed below related to operational capability.

1. A prospective subgrantee will provide operational details including but not limited to the following:

a. years providing internet service;

b. current subscribers (households, businesses and community anchor institutions)

c. completed federally funded deployment projects, with their source of funding and timeframe for completion or non-completion;

d. penalties paid by the prospective subgrantee, a subsidiary or affiliate of the prospective subgrantee or the holding company of the prospective subgrantee relative to deployment projects;

e. the number of times prospective subgrantee has ever been a defendant in a state of Louisiana criminal

proceeding or civil litigation relevant to qualifications to deployment broadband infrastructure; and

f. whether the prospective subgrantee has ever defaulted on a federal or state obligation to deploy broadband infrastructure and if so, to provide a summary.

B. Required Number of Years in Operation. To submit a grant application, prospective subgrantee shall provide the details listed below related to operational capability:

1. A prospective subgrantee that has provided a voice, broadband, and/or electric transmission or distribution service for at least two consecutive years prior to the date of its application submission or that it is a wholly owned subsidiary of such an entity, must submit a certification that attests to these facts and specifies the number of years the prospective subgrantee or its parent company has been operating.

C. Required Compliance with FCC Form 477, Rules, and Regulation. To submit a grant application, prospective subgrantee shall provide the details listed below related to operational capability:

1. If the prospective subgrantee has provided a voice and/or broadband service, it must certify that it has timely filed their Federal Commission Form 477s and the Broadband DATA Act submission, if applicable, as required during this period, and otherwise has complied with the commission's rules and regulations. Alternatively, a prospective subgrantee should explain any notice of funding opportunity pending or completed enforcement action, civil litigation, or other matter in which it failed to comply or was alleged to have failed to comply with commission rules or regulations.

D. Required Operating and Financial Reports for Electric Transmission or Distribution Services. To submit a grant application, a prospective subgrantee shall provide the details listed below related to operational capability.

1. If the prospective subgrantee has operated only an electric transmission or distribution service, it must submit qualified operating or financial reports that it has filed with the relevant financial institution for the relevant time period along with a certification that the submission is a true and accurate copy of the reports that were provided to the relevant financial institution.

E. Required Operational Capabilities for New Entrants. To submit a grant application, prospective subgrantee shall provide the details listed below related to operational capability.

1. For a new entrant to the broadband market, a prospective subgrantee must provide evidence sufficient to demonstrate that the newly formed entity has obtained, through internal or external resources, sufficient operational capabilities. Such evidence may include resumes from key personnel, project descriptions and narratives from contractors, subcontractors or other partners with relevant operational experience or other comparable evidence.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1333. Ensuring Ownership

A. To submit a grant application, prospective subgrantee shall provide details related to ensuring ownership.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1335. Disclosure of Other Publicly Funded Projects

A. To submit a grant application, prospective subgrantees shall provide the details listed below related to disclosure of other publicly funded projects.

1. Disclosure of Existing or Future Publicly-Funded Projects. To submit a grant application, prospective subgrantees shall provide the details listed below related to public funding.

a. Each prospective subgrantee shall disclose, for itself and for its affiliates, any application the prospective subgrantee or its affiliates have submitted or plan to submit, and every broadband deployment project that the prospective subgrantee or its affiliates are undertaking or have committed to undertake at the time of the application using public funds, including but not limited to funds provided under:

i. Families First Coronavirus Response Act (Public Law 116- 127; 134 Stat. 178);

ii. CARES Act (Public Law 116-136; 134 Stat. 281);

iii. Consolidated Appropriations Act, 2021 (Public Law 116-260; 134 Stat. 1182);

iv. American Rescue Plan of 2021 (Public Law 117-2; 135 Stat. 4);

v. Federal Universal Service Fund high-cost program (e.g., RDOF, CAF);

vi. any eligible entity or local universal service or broadband deployment funding program.

b. The prospective subgrantee shall disclose if any details as noted above change or adjusts in any way after the submission of an application.

2. Detailed Information for Existing or Future Publicly-Funded Projects. To submit a grant application, prospective subgrantees shall provide the details listed below related to public funding:

a. the speed and latency of the broadband service to be provided (as measured and/or reported under the applicable rules);

b. the geographic area to be covered;

c. the number of unserved and underserved locations committed to serve (or, if the commitment is to serve a percentage of locations within the specified geographic area, the relevant percentage);

d. the amount of public funding to be used;

e. the cost of service to the consumer; and

f. the matching commitment, if any, provided by the prospective subgrantee or its affiliates.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

Chapter 15. Non-Deployment Subgrantee Selection

§1501. Fair, Open and Competitive Non-Deployment Selection Process

A. If funds remain for nondeployment, two main items will be prioritized:

1. Priority 1 (20 percent of funds available for non-deployment) – Creation of the Louisiana CASH Program to be administered by a state agency with experience executing federal programs, such as the Department of Children and Family Services, Office of Community Development, Department of Health or Louisiana Board of Regents or other.

2. Priority 2 (80 percent of funds available for non-deployment). In line with the BEAD Notice of Funding Opportunity, additional non- deployment activities related to the following will be accepted:

a. user training with respect to cybersecurity, privacy and other digital safety matters.

b. remote learning or telehealth services/facilities.

c. digital literacy/upskilling (from beginner level to advanced).

d. computer science, coding and cybersecurity education programs.

e. implementation of eligible entity digital equity plans (to supplement, but not to duplicate or supplant, planning grant funds received by the eligible entity in connection with the Digital Equity Act of 2021).

f. broadband sign-up assistance and programs that provide technology support.

g. multi-lingual outreach to support adoption and digital literacy.

h. prisoner education to promote pre-release digital literacy, job skills, online job acquisition skills, etc.

i. digital navigators.

j. direct subsidies for use toward broadband subscription, where the eligible entity shows the subsidies will improve affordability for the end user population (and to supplement, but not to duplicate or supplant, the subsidies provided by the Affordable Connectivity Program).

k. costs associated with stakeholder engagement, including travel, capacity-building or contract support.

l. other allowable costs necessary to carrying out programmatic activities of an award, not to include ineligible costs described in Section V.H.2 of the NOFO.

m. Activities related to the incorporation of “smart” technologies and capabilities into farming practices, due to Louisiana being a heavy agriculture-producing state and the unique competitive advantage of spearheading specific smart technologies in this sector.

B. Below is a description of the process that adheres to these principles.

1. Announcement and Public Notice. The availability of funding for eligible non-deployment activities will be published. This announcement will include detailed information about the application process, eligibility criteria and evaluation criteria. Notice will be made available for at least a 60-day period.

2. Eligibility Screening. There will be an initial screening of the applications to determine their eligibility based on the criteria outlined in the program guidelines. This screening will ensure that the applicants meet the basic requirements for participation.

3. Evaluation Criteria. There will be a set of objective evaluation criteria that will be used to assess the applications. These criteria will be established in advance and communicated to all potential applicants.

a. Priority will be given to applicants with effective models for addressing the existing skill gaps in our labor force as well as other workforce training and readiness initiatives, including those that provide equitable instruction and outreach to all working-age individuals.

4. Review Panel. A review panel comprising subject matter experts, industry professionals and other relevant stakeholders, including “lived experts” such as affected residents, representatives from community anchor institutions or community leaders from faith-based, business based and non-profit organizations will be utilized. The panel members will have the necessary expertise to evaluate the applications based on the predetermined evaluation criteria. Panel members shall disclose any conflicts of interest that may arise from their participation in the process.

5. Evaluation Process: The review panel will individually review and evaluate each application based on the established criteria. They may use a scoring system or a qualitative assessment to ensure consistency and objectivity in the evaluation process.

6. Transparency and Public Input. A list of selected subgrantees will be published online, along with a summary of the evaluation process.

7. Appeals/Protest Process. An appeals process will be used that allows applicants to seek a review of the selection decision if they believe there were procedural errors or inconsistencies in the evaluation process. The protest process, official decisions and provider appeals shall be conducted in accordance with La. R.S. 51:2370.27(F) and 2370.28. The period for protesting an award shall not exceed seven days from the announcement of awards. The appeals process will provide a fair opportunity for applicants to present their case, and a separate review panel or independent entity may be involved in the appeal evaluation. Detailed announcements that include information about the application process, eligibility criteria and evaluation criteria will be published to ensure that numerous stakeholder groups or potential applicants are aware of the availability of funds and the steps necessary to apply.

C. Below is a scoring system that will be used as part of the subgrantee selection process for eligible non-deployment activities in the BEAD program:

1. Effect on Broadband Availability (30 points). Evaluate the potential effect of the proposed activities on improving broadband availability and access in underserved areas. Evaluate factors such as the number of households or businesses that will benefit, location within economically disadvantaged areas, the expected increase in broadband speeds and the overall significance of the project in addressing the digital divide.

2. Feasibility and Viability (25 points). Assess the feasibility and viability of the project. Consider the technical and operational aspects, including the proposed timeline, budget and resources required for successful implementation. Evaluate the applicant's capacity to carry out the project effectively, including their track record, partnerships and relevant experience including:

a. financial capability including certification applicant is financially qualified, letter of credit or performance bond (as consistent with NTIA's Limited Waiver requirements) as applicable to non-deployment subgrant awards, audited financial statements, sustainability/business plan;

b. managerial capability including resumes for key individuals and narrative describing experience and readiness to carry out the project;

c. technical capability including certification applicant is technically qualified to complete and operate the project and detailed project plan;

d. compliance with laws including demonstrating ability to comply with all applicable laws;

e. operational capability including appropriate certifications or attestations to operational experience;

f. ownership information as described;

g. other public funding including disclosure of other broadband deployment projects.

3. Project Management Plan (20 points). Evaluate the quality of the project management plan presented by the applicant. Evaluate the clarity and comprehensiveness of the plan, including objectives, milestones, deliverables and risk mitigation strategies. Assess the applicant's ability to execute the project efficiently and effectively.

4. Partnerships and Collaboration (15 points). Assess the strength and relevance of the applicant's partnerships and collaborations. Evaluate the involvement of local community organizations, government entities, educational institutions and other stakeholders. Evaluate how these partnerships contribute to the success and sustainability of the project.

5. Budget and Cost-Effectiveness (10 points). Evaluate the proposed budget and cost-effectiveness of the project. Assess the reasonableness of the budget in relation to the proposed activities and expected outcomes. Evaluate the cost-effectiveness of the project in terms of the number of beneficiaries and the expected impact on broadband access.

6. The total score for each application will be calculated by summing up the scores from each criterion. The applicants with the highest overall scores will be selected as subgrantees for eligible non-deployment activities in the BEAD program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1503. Non-Deployment Project Plans

A. Selection Process and Initiatives

1. The following needs will be prioritized and metrics evaluated.

a. Return on investment for the state and its residents: the initiative will have a generational effect on residents of the state and will address the digital divide sustainably and permanently.

b. Addresses identified component of the digital divide: the non-deployment initiative addresses a component of the digital divide beyond access to broadband infrastructure that is supported by data from the Louisiana Digital Equity Plan.

c. Innovative solutions—the non-deployment initiative addresses an aspect of the digital divide without a

current solution or supplements an existing solution in an innovative manner.

d. Capacity and experience: organizations in the prospective pool of subgrantees generally have the experience and organizational capacity necessary to administer a potentially significant program.

B. Addressing Residents' Needs. Nondeployment initiatives will be prioritized in accordance with addressing residents' needs regarding—access to healthcare, education, employment and essential services.

C. Stakeholder Engagement Alignment. Grant applicants must conduct stakeholder engagement with local and tribal governments, as well as their citizens, to provide regular updates on project applications, award status, and construction status.

D. Effectiveness of Non-Deployment Activities to Meet BEAD Goals. Non-deployment funds must be used to satisfy the requirements of the BEAD program and may be used supplement funding from the Digital Equity Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1505. Ensuring the Priority of Universal Coverage

A. Awards are not final until approval of the final proposal and ensuring universal coverage of BSLs.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1507. Ensuring General Qualifications

A. Prior to entering into any subgrantee agreement, applicants will certify they are:

1. Capable of carrying out activities funded by the subgrant in a competent manner in compliance with all applicable federal, state and local laws.

2. Have the financial and managerial capacity to meet the commitments of the subgrantee under the subgrant, the requirements of the program and such other requirements as have been prescribed by the assistant secretary or ConnectLA.

3. Have the technical and operational capability to provide the services promised in the subgrant in the manner contemplated by the subgrant award.

B. To submit a grant application, prospective subgrantees shall provide the details listed below related to the items defined above.

C. To participate, prospective subgrantees must demonstrate suitable organizational and management capabilities. To determine whether applicants meet this criterion, prospective subgrantees and private sector partners must meet requirements defined by the assistant secretary and/or ConnectLA. Minimum compliance standards, methodology for review of standards and evidence/documentation required to make a determination of award are documented as part of the proposed scoring and review criteria listed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

Chapter 17. Low-Cost Broadband Service Option

§1701. Required Subgrantee Low-Cost Broadband Service

A. GUBMO 2.0 applicants and subgrantees may request a modification to their low-cost service option from the \$30 target effective rate as follows.

1. In no case may the offered rate exceed the \$65 average rate for comparable service plans in Louisiana as reflected in the 2023 FCC Urban Rate Survey, as adjusted for annual inflation as described below.

2. Modifications to offered rates to a level between \$30 and the \$65 not to exceed (NTE) level may be granted based on evidence supporting the newly proposed rate:

a. Per-subscriber costs in an area indicating that the target effective rate above would be financially unsustainable; and/or

b. The impact on average revenue per user (ARPU) and total project revenue of the target effective rate above would be financially unsustainable given actual or projected subscriber adoption patterns.

i. If a modification request is granted, the new modified level shall remain the maximum Not to Exceed offered rate for the provider for the duration of the federal interest.

B. All subgrantees ~~to~~ must offer to eligible households at locations included in a subgrant award a low-cost broadband service option as follows:

1. an end-user effective rate of \$30 per month for a service offering of 100 Mbps downstream, 20 Mbps upstream, and a minimum latency of 100 milliseconds.

2. GUMBO 2.0 applicants and subgrantees may request modifications to this rate based on evidence of financial non-viability, but the rate must always be at or below the initial \$65 not to exceed level, subject to adjustment for inflation as provided below;

3. is available to all households eligible for the Affordable Connectivity Program or a successor program as modified by congress;

4. the rate specified or subsequently modified, as well as the other provisions identified in this section, for this service option will be a contractual requirement of awardees for the duration of the federal interest, as specified by NTIA;

5. in the event that the FCC during the period of this obligation revises the federal definition of broadband to a performance level that is higher than the 100/20 standard required currently for BEAD, that new federal definition shall become the required performance standard;

6. allows the end user to apply the ACP benefit to the service price and encourages customers to participate in the ACP or successor program(s);

7. the specified price may be adjusted once per year based on the to the consumer price index, up to a maximum annual upward adjustment of 3.0 percent or the prior year level, as defined by the U.S. Bureau of Labor Statistics, beginning with an adjustment in the first new calendar year after the date of approval of this Initial Proposal Volume 2 by NTIA;

8. is not subject to data caps, installation or other non-recurring charges, surcharges or usage-based performance reductions, and is subject only to the same acceptable use policies to which subscribers to all other broadband internet

access service plans offered to home subscribers by the participating subgrantee must adhere;

9. in the event the provider later offers a low-cost plan with higher speeds downstream and/or upstream, permits Eligible Subscribers that are subscribed to a low-cost broadband service option to upgrade to the new low-cost offering at no cost;

10. to make households within subgrant service areas aware of the availability of the low-cost plan via public awareness campaign activities, as mandated by NOFO IV.C.2.c.iv.

C. Service Initiation Cost

1. Installation fees or any other non-recurring charge may not be assessed for households adopting the low-cost service option.

D. Basic Service Characteristics

1. Providers will be held to performance requirements as established by the BEAD program, with download speeds of at least 100 Mbps and upload speeds of at least 20 Mbps.

2. Provides typical latency measurements of no more than 100 milliseconds.

3. Is not subject to data caps, surcharges or usage-based performance reductions, and is subject only to the same acceptable use policies to which subscribers to all other broadband internet access service plans offered to home subscribers by the participating subgrantee must adhere.

E. Affordable Connectivity Subsidy

1. Subscribers using the low-cost broadband service option must be ACP eligible or eligible for a successor program enacted by Congress, and must also be permitted to apply the prevailing ACP subsidy amount toward the plan's rate.

F. Ability to Upgrade to New Low-Cost Option

1. The rate specified, as well as the other provisions identified in this section, for this service option will be a contractual requirement of awardees for the duration of the federal interest, as specified by NTIA. In the event that the FCC, during the period of this obligation, revises the federal definition of broadband to a performance level that is higher than the 100/20 standard required currently for BEAD, that new federal definition shall be the required performance standard.

2. In the event the provider later offers a low-cost plan with higher speeds downstream and/or upstream, permits Eligible Subscribers that are subscribed to a low-cost broadband service option to upgrade to the new low-cost offering at no cost.

3. If the provider voluntarily offers other low-cost plans elsewhere in the state of Louisiana, the provider must make the same offer(s) available on identical terms to households associated with all eligible locations included in the BEAD subgrant award.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

§1703. Certification for Subgrantee Participation in ACP

A. All subgrantees shall participate in the Affordable Connectivity Program or any successor program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370.21-2370.33.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 50:

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed rule on the family has been considered. This proposed Rule has the potential to produce a positive impact on family stability, functioning, and earnings and a family's budget as described in R.S. 49:972 through broadband access offering enhanced employment opportunities, higher wages, business development, improved access to healthcare, and educational opportunities.

Poverty Impact Statement

The proposed Rule should produce a foreseeable, positive impact on the state's children, individuals, and families as defined by R.S. 49:973.B. In particular, the positive impact on factors influencing poverty will be evident through enhanced employment opportunities, higher wages, business development, improved access to healthcare, and educational opportunities.

Small Business Analysis

Pursuant to R.S. 49:978.5, methods for reduction of the impact on small business, as defined in the Regulatory Flexibility Act, have been considered and cared for when creating this proposed Rule.

Should a small business not have the financial reporting capabilities and documents required within the Rule for the purposes of applying for the grant program, the office is granted the ability to accept other equivalent documents, at its discretion. Otherwise, this proposed Rule is not anticipated to have an adverse impact on small businesses within the state that apply for or are ultimately grant recipients of the program; therefore, a Small Business Economic Impact Statement has not been prepared.

Provider Impact Statement

It is likely that a private provider of broadband service provides such service to individuals with developmental disabilities. The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session, as the proposed Rule implements a grant program that will fund, through federal appropriations at a minimum of 80 percent of total costs, broadband infrastructure projects in previously unserved areas of the state. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments to Veneeth Iyengar, Executive Director, Office of Broadband Development and Connectivity, P.O. Box 94095, Baton Rouge, LA 70804-9095. Interested persons may also submit written comments by email to connect@la.gov. The deadline for receipt of all written comments is on February 9, 2024 at

4:30 p.m. Mr. Iyengar is responsible for responding to inquiries regarding this proposed Rule.

Veneeth Iyengar
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Granting Unserved Municipalities Broadband Opportunities 2.0 (GUMBO 2.0)

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

The proposed rule creates the Granting Unserved Municipalities Broadband Opportunities 2.0 (GUMBO 2.0) grant program within the Office of Broadband Development and Connectivity of the Division of Administration, pursuant to the authority set forth in La. R.S. 51:2370.21-2370.33. The rule provides for subgrantee selection criteria, project area eligibility requirements, application procedures, application scoring, awards, and compliance.

The proposed rule is anticipated to result in implementation costs to state government, specifically the Office of Broadband Development and Connectivity, and in the amounts of \$95 M in grant awards and \$5 M in professional services during state fiscal year 2024. To implement the rule, the Office of Broadband Development and Connectivity has been appropriated federal funds from the Infrastructure Investment and Jobs Act dollars for the purposes of expanding broadband infrastructure throughout the state. The federal appropriation to the state is \$1.35 B, of which the office intends to utilize \$100 M for fiscal year 2024. This would allow the office to award \$95 M in grants and expend up to \$5 M to administer the rule. The Office of Broadband Development and Connectivity intends to solicit third-party professional services to perform independent application evaluation and scoring, as well as to engage in grant recipient compliance processes.

Anticipated federal appropriation is \$100 M in FY 25 and \$200 M in FY 26.

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

The proposed rule has the potential to impact, positively, revenue collections of state and local governmental units, however, said positive impact is indeterminable at this time. What is determinable is that for fiscal year 2024, up to \$100 M in federal grant funding and appropriation is available through the state for the purposes of broadband infrastructure construction to expand broadband access. In the short and medium term, potential economic activity as it relates to broadband technology infrastructure construction has the potential to positively impact revenue collections of state and local governmental units through increased sales tax collections and income taxes. Over the long term, potential economic activity as it relates to increased broadband access has the potential to positively impact revenue collections of state and local governmental units through increased sales tax collections, income tax revenue, and property tax revenue as a result of lower unemployment, higher wages, and business development.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

For cost considerations, the proposed rule is anticipated to create optional, minor costs for directly affected persons, small businesses, or non-governmental groups. This would take the form of broadband service packages offered by private

providers to prospective broadband recipients provided the opportunity to subscribe to broadband service. Recent national averages for broadband subscriptions range from \$50 to \$75 per month. The possible economic benefits to directly affected persons, small businesses, or non-governmental groups is substantial, yet indeterminable. Increased broadband access has the potential to transform smaller, rural communities consisting of persons, small businesses, or non-governmental groups, through increased economic output, namely in the form of enhanced employment opportunities, higher wages, business development, improved access to healthcare, and educational opportunities.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is a positive estimated effect on competition and employment as a result of the proposed rule, although indeterminable. The proposed rule is intended to implement the GUMBO 2.0 grant program. The grant program will fund broadband infrastructure projects throughout the state in areas that are classified as "unserved," defined as areas not having access to broadband services (at least 100/20 Mbps) through wireline or fixed wireless technology. The effect on competition and employment as a result of these projects should be a positive one, driving enhanced economic output, over the short-, medium-, and long-term. Factors enhancing economic output would include enhanced employment opportunities, higher wages, business development, improved access to healthcare, and educational opportunities.

Veneeth Iyengar
Executive Director
2401#020

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Office of the Governor Municipal Police Employees' Retirement System

Remote Meetings
(LAC 58:XVIII.Chapter 19)

The Municipal Police Employees' Retirement System proposes to adopt LAC 58:XVIII.Chapter 19 as authorized by R.S. 42:14(E). This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

The Board of Trustees of the Municipal Police Employees' Retirement System is proposing a new Chapter 19 to the Louisiana Administrative Code that would establish a framework for teleconferencing or video conferencing of Board meetings.

Title 58 EMPLOYEE BENEFITS

Part XVIII. Municipal Police Employees' Retirement System

Chapter 19 Remote Meetings

§1901. Agency Eligibility

A. The Municipal Police Employees' Retirement System meets the below criteria pursuant to Act 939 to be eligible to conduct open public meetings via electronic means:

1. is a state agency as defined by R.S. 49:951;
2. has powers, duties, or functions that are not limited in scope to a particular subdivision or region;
3. conducts at least six regularly scheduled meetings in a calendar year; and

4. is not one of the agencies identified by R.S. 42:17.2(I) to which open meetings via electronic means shall not apply.

AUTHORITY NOTE: Promulgated in accordance with Act 393 of the 2023 Regular Session of the Louisiana Legislature.

HISTORICAL NOTE: Promulgated by the Department of the Treasury, Board of Trustees of the Municipal Police Employees' Retirement System, LR 50:

§1903. Postings Prior to Meeting via Electronic Means

A. At least 24 hours prior to the meeting, the Municipal Police Employees' Retirement System shall post the following on the agency's website at www.lampers.org;

1. meeting notice and agenda; and
2. detailed information regarding how members of the public may:
 - a. participate in the meeting via electronic means, including the applicable videoconference link and/or teleconference phone number; and
 - b. submit written comments regarding matters on the agenda prior to the meeting.

AUTHORITY NOTE: Promulgated in accordance with Act 393 of the 2023 Regular Session of the Louisiana Legislature.

HISTORICAL NOTE: Promulgated by the Department of the Treasury, Board of Trustees of the Municipal Police Employees' Retirement System, LR 50:

§1905. Electronic Meeting Requirements and Limitations

A. For any meeting conducted via electronic means, the Municipal Police Employees' Retirement System shall ensure compliance with all requirements outlined in R.S. 42:17.2(C).

B. The Municipal Police Employees' Retirement System shall not conduct any more than one-third of its open meetings via electronic means and will only conduct successive meetings via electronic meetings as needed.

C. A schedule of meetings identifying which will be conducted via electronic means and which will be conducted as in-person meetings shall be posted on the agency's website at www.lampers.org on an annual basis.

D. All members of the Municipal Police Employees' Retirement System, whether participating from the anchor location or via electronic means, shall be counted for the purpose of establishing a quorum and may vote. However, the presiding officer shall be present and shall preside over the meeting at the anchor location.

E. An online archive of any open meetings conducted via electronic means shall be maintained and available for two years on the agency's website at www.lampers.org.

AUTHORITY NOTE: Promulgated in accordance with Act 393 of the 2023 Regular Session of the Louisiana Legislature.

HISTORICAL NOTE: Promulgated by the Department of the Treasury, Board of Trustees of the Municipal Police Employees' Retirement System, LR 50:

§1907. Disability Accommodations

A. Although an open meeting may be scheduled as in-person, the Municipal Police Employees' Retirement System is obligated to provide for participation via electronic means on an individualized basis by people with disabilities.

B. People with disabilities are defined as any of the following:

1. a member of the public with disability recognized by the Americans with Disabilities Act (ADA);
2. a designated caregiver of such a person; or

3. a participant member of the agency with an ADA-qualifying disability.

C. The Municipal Police Employees' Retirement System shall ensure that the written public notice of an open meeting, as required by R.S. 42:19, includes the name, telephone number and email address of the designated agency representative to whom a disability accommodation may be submitted.

D. Upon receipt of an accommodation request, the designated agency representative is only permitted to ask if the requestor has an ADA-qualifying disability or is a caregiver of such a person (yes or no). The requestor shall not be required to complete a medical inquiry form or disclose the actual impairment or medical condition to support a disability accommodation request.

E. The designated agency representative shall provide the requestor with the accommodation, including the teleconference and/or video conference link, for participation via electronic means as soon as possible following receipt of the request, but no later than the start of the scheduled meeting.

F. Participation via electronic means shall count for purposes of establishing quorum and voting.

AUTHORITY NOTE: Promulgated in accordance with Act 393 of the 2023 Regular Session of the Louisiana Legislature.

HISTORICAL NOTE: Promulgated by the Department of the Treasury, Board of Trustees of the Municipal Police Employees' Retirement System, LR 50:

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed rule on the family has been considered. This proposed rule has no impact on family functioning, stability, or autonomy as there will be no additional cost to the participant.

Poverty Impact Statement

The proposed Rule should not have any known or foreseeable impact on any child, individual or family as defined by R.S. 49:973.B. In particular, there should be no known or foreseeable effect on:

1. the effect on household income, assets, and financial security;
2. the effect on early childhood development and preschool through postsecondary education development;
3. the effect on employment and workforce development;
4. the effect on taxes and tax credits;
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

The proposed Rule is not anticipated to have an adverse impact on small businesses as defined in the Regulatory Flexibility Act.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments to Ashlee McNeely, Municipal Police Employees' Retirement System, 7722 Office Park Blvd. Suite 200, Baton Rouge, LA 70809. She is responsible for responding to inquiries regarding this proposed Rule.

Public Hearing

A public hearing on this proposed Rule is not being held as this rule is simply enacting an additional method for participants to join a public meeting. Anyone requesting a hearing may do so by sending a written request to Ashlee McNeely, Municipal Police Employees' Retirement System, 7722 Office Park Blvd. Suite 200, Baton Rouge, LA 70809.

Benjamin A. Huxen, II
Executive Director/General Counsel

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Remote Meetings

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

The proposed rule will have no costs or savings resulting from implementation.

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

The proposed rule will have no effect on revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

Electronic meetings could possibly reduce expenses to directly affected persons, small businesses, or non-governmental groups by negating the need for travel to Board meetings.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no estimated impact on competition and employment.

Benjamin A. Huxen, II
Executive Director/General Counsel
2401#032

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Office of the Governor Office of Financial Institutions

Private Education Lender Registry
(LAC 10:XV.2001-2015)

In compliance with Act 715 of the 2022 Regular Session of the Louisiana Legislature ("Act"), the Office of the Governor, Office of Financial Institutions ("OFI") intends to adopt Louisiana Administrative Code 10:XV.2001, et seq., Private Education Lender Registry ("Registry"). Section 1424 of the Act requires OFI to create and publish a registry of private student lenders not later than one year from the effective date of August 1, 2022. Originally enacted as one of three acts beginning with R.S. 6:1401, the Act was subsequently re-designated as Title VI, Chapter 24, Private Education Lender Registry, R.S. 6:1421 through 1424, by the Louisiana Law Institute. To comply with the legislative

intent of the Act, private education lenders shall report information specified by R.S. 6:1402 to OFI. In turn, OFI shall publish this information on the internet for public inspection.

A Declaration of Emergency (“Declaration”) was adopted as LAC 10:XV.2001, et seq., on December 1, 2023 to prevent imminent peril to the public health, safety, or welfare in implementation of registration to engage in private education lending. The Act provides that no person shall engage in business as a private education lender in the State of Louisiana without first satisfying the requirements of R.S. 6:1402. The effective date of the Act had the potential of jeopardizing resident borrowers’ ability to obtain private loans necessary to pursue higher education or interrupting resident borrowers’ progress toward earning graduate, post-graduate and doctoral degrees. The Declaration allowed recent high school graduates, and college and university students, to continue their education without losing or unnecessarily delaying educational and career opportunities. The Declaration further provided for necessary fees for costs of implementation, registration, publication and maintenance of the Registry, as authorized by R.S. 6:1424. OFI began accepting initial registration applications on January 1, 2024 under the Declaration, with the first annual registration renewal period to commence on November 1, 2024 and end on December 31, 2024.

This Notice of Intent seeks to concurrently adopt an identical rule, in accordance with R.S. 49:961 and 962A(5), which will supplant or supersede the Declaration upon final publication of the proposed rule in the Louisiana Register. The anticipated date of final publication of the proposed rule noticed herein is April 20, 2024.

Title 10

FINANCIAL INSTITUTIONS, CONSUMER CREDIT, INVESTMENT SECURITIES AND UCC

Part XV. Other Regulated Entities

Chapter 20. Private Education Lender Registry

§2001. Definitions

Annual Registration Period—is the first day of January through the thirty-first day of December for each calendar year, beginning January 1, 2024.

Annual Registration Renewal Period—is the first day of November of each calendar year through the thirty-first day of December of each calendar year, beginning November 1, 2024.

Commissioner—is the commissioner of the Office of Financial Institutions.

Expired Registration—any private education lender registration for which no timely registration renewal application is submitted.

Lapsed Registration—any private education lender registration for which no timely or untimely registration renewal application is submitted.

Lender—is any private education lender or person extending credit as a private education loan.

Loan Holder or Holder—any person owning and servicing any private education loan.

Loan Owner—any private education lender to the extent that the person:

1. secures, makes or extends any private education loan to any resident borrower and:
 - a. services the private education loan; or
 - b. outsources loan servicing of the private education loan to any third party.

2. holds and services any private education loan secured, made or extended by any private education lender.

Loan Servicing—includes:

1. receiving any periodic payments from any resident borrower or notification of such payments and application of payments to the resident borrower’s account;
2. maintaining account records for any private education loan and communicating with any resident borrower regarding the loan, on behalf of the loan’s holder or owner, during a period when no payment is required on the private education loan;
3. interactions with any resident borrower, including activities to help prevent default on obligations arising from private education loans, to facilitate the activities described in Paragraphs 1 and 2 of this Subsection.

NMLS—is the Nationwide Multistate Licensing System developed by the Conference of State Bank Supervisors and the American Association of Residential Mortgage Regulators and owned and operated by the State Regulatory Registry, LLC, or any successor or affiliated entity, for the licensing and registration of persons in financial services industries.

Person—is any individual, partnership, limited liability company, corporation, trust, association, business or nonprofit entity, or other legal entity, or group of individuals, however organized. “Person” shall not include a public corporation, government, or governmental subdivision, agency, or instrumentality.

Provider of Postsecondary Education—is any person engaged in the business of providing education beyond high school, including but not limited to two-year and four-year colleges and universities, and occupational or technical training, via correspondence, online, or in this state, to any resident borrower.

Private Education Lender—is any person engaged in the business of:

1. securing, making, or extending any private education loan to a resident borrower; and
2. servicing any private education loan that person secured, made or extended to a resident borrower.
3. this term shall not include any:
 - a. person who services a private education loan, to the extent the person does not also secure, make, extend, or own the loan;
 - b. federally insured financial institution, its subsidiaries, and affiliates.

Private Education Lending—is engaging in business as a private education lender.

Private Education Loan—is any extension of credit to or a debt or obligation owed or incurred by, a resident borrower, contractual or otherwise, contingent or absolute, that meets the following criteria:

1. is not made, insured, or guaranteed under Title IV of the Higher Education Act of 1965, 20 U.S.C. 1070 et seq.; or

2. is extended to or owed or incurred by a resident borrower expressly, in whole or in part, for postsecondary education expenses, regardless of whether the extension of credit to or debt or obligation owed or incurred is provided by the provider of postsecondary education that the resident borrower attends.

3. this term shall not include any loan that is secured by immovable property or a dwelling.

Private Student Loan Registry—is the official, publicly accessible list of private education lenders registered to secure, make, extend, own or hold private education loans to resident borrowers, compiled and published by the Office of Financial Institutions, in accordance with R.S. 6:1421, et seq.

Resident Borrower—is any person:

1. residing in the state;
2. who resided in the State for more than six months in the aggregate during the previous calendar year; or
3. domiciled in the State; and
4. receives a private education loan;
5. agrees to repay a private education loan; or
6. shares responsibilities for repayment of a private education loan with any resident.

State—is the state of Louisiana.

Timely Registration Renewal Application—is any application for renewal of a private education lender registration submitted between the first day of November and the thirty-first day of December of the annual registration period for which the registration is issued.

Untimely Registration Renewal Application—is any application for renewal of a private education lender registration submitted between the first day of January and the last day of February of any calendar year beginning after March 31, 2024.

AUTHORITY NOTE: Promulgated in accordance with R.S. 6:121, R.S. 6:1421, R.S. 6:1422, R.S. 6:1423, and R.S. 6:1424.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Office of Financial Institutions, LR 50:

§2003. Registration

A. All private education lenders shall:

1. register with the commissioner through the NMLS before engaging in private education lending in the state, as required by and in accordance with R.S. 6:1421, et seq.;
2. renew their registration annually, as provided by R.S. 6:1421, et seq., and this rule;
3. maintain all qualifications of a registered private education lender; and
4. cease and desist all business of private education lending upon any of the following:
 - a. failure to submit a timely or untimely registration renewal application for any annual registration period;
 - b. failure to submit all fees and information required by R.S. 6:1421, et seq., or this rule with any initial registration or registration renewal application;
 - c. notice of the commissioner's denial, suspension, or revocation of any:
 - i. initial or renewal application submitted for any annual registration period; or

ii. registration the commissioner issued to the private education lender;

d. notice of the commissioner's removal of the lender from the Private Education Lender Registry.

B. For purposes of registration and maintaining registration with the commissioner, each private education lender shall provide all of the following:

1. a list of all providers of postsecondary education for which private education loans have been secured, made or extended to resident borrowers;

2. the total number of private education loans annually secured, made or extended to:

- a. resident borrowers;
- b. resident borrowers enrolled or enrolling in, or attending, each provider of postsecondary education listed in response to Subsection B.1 of this Section; and
- c. resident borrowers requiring a cosigner;

3. The total dollar amount of private education loans annually secured, made or extended to:

- a. resident borrowers;
- b. resident borrowers enrolled in or attending each provider of postsecondary education listed in response to Subsection B.1 of this Section;
- c. resident borrowers requiring a cosigner;

4. the range of starting interest rates for all private education loans secured, made or extended;

5. the percentage of resident borrowers who receive the starting interest rates provided in response to Subsection B.4 of this Section;

6. the default rate of all private education loans secured, made or extended;

7. the default rate of private education loans secured, made or extended to resident borrowers enrolled or enrolling in, or attending, each provider of postsecondary education listed in response to Subsection B.1 of this Section;

8. a copy of promissory note(s), agreement(s), contract(s) or other instrument(s) used during the previous calendar year to substantiate that:

- a. the private education lender secured, made or extended any private education loans; or
 - b. any resident borrower owes any debt for a private education loan secured, made or extended;
9. the private education lender's:
- a. name;
 - b. address;
 - c. telephone number; and
 - d. internet website address.

C.1. Beginning January 1, 2024, the annual registration period for all private education lenders shall commence on the first day of January and end on the thirty-first day of December of each calendar year.

2. Any initial private education lender registration approved between the first day of November and the thirty-first day of December of each calendar year will expire on the thirty-first day of December of the following annual registration period.

3. Except as provided by Subsection C.2 of this Section, all private education lender registrations shall

expire on the thirty-first day of December of each calendar year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 6:121, R.S. 6:1421, R.S. 6:1422, R.S. 6:1423, and R.S. 6:1424.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Office of Financial Institutions, LR 50:

§2005. Initial Registration Application Period

A. The commissioner shall begin accepting initial registration applications from private education lenders, as required by R.S. 6:1421, et seq., on January 1, 2024.

B. Any private education lender shall be in violation of R.S. 6:1421, et seq., if they:

1. are securing, making or extending any private education loan to any resident borrower;

2. hold or own any private education loans secured, made or extended to any resident borrower; and

3. fail to submit a registration application to the commissioner within 90 days of January 1, 2024.

C. Each private education loan secured, made or extended to any resident borrower, or held for any resident borrower in violation of R.S. 6:1421, et seq., or any rule or regulation adopted by the commissioner under authority of R.S. 6:1424, shall constitute a separate offense, as provided by R.S. 6:1423.

D. Private education lenders whose registration applications are approved by the commissioner shall be added to the Private Education Lender Registry.

E. After the initial 90-day registration application period, no person shall engage in business as a private education lender with any resident borrower without registering with the commissioner, as provided by R.S. 6:1421, et seq., and any rule or regulation adopted by the commissioner under authority of R.S. 6:1424.

AUTHORITY NOTE: Promulgated in accordance with R.S. 6:121, R.S. 6:1421, R.S. 6:1422, R.S. 6:1423, and R.S. 6:1424.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Office of Financial Institutions, LR 50:

§2007. Registration Renewals

A. Applications for renewal of private education lender registrations shall:

1. be submitted to the commissioner through the NMLS;

2. include all information required by R.S. 6:1421, et seq., and any rule or regulation adopted by the commissioner under authority of R.S. 6:1424; and

3. include all fees required by the commissioner by rule, in accordance with R.S. 6:1421, et seq.

B. Beginning October 31, 2024, the period for submitting registration renewal applications shall begin on the first day of November of each calendar year.

C.1. Timely private education lender registration renewal applications shall:

a. be submitted on or before the thirty-first day of December of each calendar year;

b. be accompanied by any registration fee established by rule; and

c. allow the private education lender's registration to remain in force and effect during the pendency of their registration renewal application.

2. Any private education lender registration for which no timely renewal application is filed shall expire on the thirty-first day of December of the calendar year for which it is issued.

D.1. Registration renewal applications shall be untimely if they are submitted:

a. on or after the first day of January of any calendar year beginning after March 31, 2024; and

b. on or before the last day of February of any calendar year beginning after March 31, 2024.

2. Untimely registration renewal applications shall be accompanied by both:

a. any registration renewal fee established by rule; and

b. any applicable late fee established by rule.

3. Any registration for which no renewal application is submitted on or before the last day of February of any calendar year shall lapse and shall not be renewed.

4. Any private education lender whose registration has lapsed shall:

a. be removed from the Private Education Lender Registry;

b. cease engaging in private education lending in the state, as provided by R.S. 6:1421, et seq., or any rule or regulation adopted by the commissioner under authority of R.S. 6:1424; and

c. register with the commissioner before resuming private education lending in the state;

5. Private education lenders whose registration is lapsed may submit an initial application for registration, as provided by R.S. 6:1421, et seq., and this rule.

AUTHORITY NOTE: Promulgated in accordance with R.S. 6:121, R.S. 6:1421, R.S. 6:1422, R.S. 6:1423, and R.S. 6:1424.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Office of Financial Institutions, LR 50:

§2009. Enforcement

A. R.S. 6:1421, et seq., expressly authorizes the commissioner to enforce provisions thereof and this rule in accordance with powers vested by R.S. 6:121.1.

B. The commissioner may take appropriate action against any person subject to his licensing, registration, regulation, or supervisory authority for violating R.S. 6:1421, et seq., or any rule or regulation adopted under authority of R.S. 6:1424, as provided by R.S. 6:1423.

AUTHORITY NOTE: Promulgated in accordance with R.S. 6:121, R.S. 6:1421, R.S. 6:1422, R.S. 6:1423, and R.S. 6:1424.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Office of Financial Institutions, LR 50:

§2011. Violations

A. Violations of R.S. 6:1421, et seq., or this rule include, but are not limited to, any person who:

1. has engaged, is engaging, or is about to engage in any act or practice prohibited by R.S. 6:1421, et seq., or any rule or regulation adopted under authority of R.S. 6:1424;

2. has failed to act, is failing to act or is about to fail to act under an affirmative duty provided by R.S. 6:1421, et seq., or any rule or regulation adopted under authority of R.S. 6:1424.

B. Appropriate action for violation of R.S. 6:1421, et seq., or this rule includes, but is not limited to:

1. conducting investigations and hearings to ascertain whether a violation R.S. 6:1421, et seq., has occurred;
2. issuing orders assessing civil money penalties;
3. entering into compliance agreements;
4. seeking injunctive relief from any court of competent jurisdiction; or
5. any combination of appropriate actions 1 through 4 above.

AUTHORITY NOTE: Promulgated in accordance with R.S. 6:121, R.S. 6:1421, R.S. 6:1422, R.S. 6:1423, and R.S. 6:1424.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Office of Financial Institutions, LR 50:

§2013. Fees

A. The following fee schedule is adopted to cover administrative costs of implementing, maintaining and enforcing the Private Education Lender Registry, as provided by R.S. 6:1421, et seq.:

1. initial registration fee of one thousand and five hundred dollars;
2. renewal registration fee of one thousand dollars; and
3. renewal registration fee late fee of five hundred dollars.

AUTHORITY NOTE: Promulgated in accordance with R.S. 6:121, R.S. 6:1421, R.S. 6:1422, R.S. 6:1423, and R.S. 6:1424.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Office of Financial Institutions, LR 50:

§2015. Severability

A. If any provision or item of this regulation, or the application thereof, is held invalid, such invalidity shall not affect other provisions, items, or applications of the regulation which can be given effect without the invalid provisions, items, or applications.

AUTHORITY NOTE: Promulgated in accordance with R.S. 6:121, R.S. 6:1421, R.S. 6:1422, R.S. 6:1423, and R.S. 6:1424.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Office of Financial Institutions, LR 50:

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed rule on the family has been considered. This proposed rule has no known impact on family formation, stability, or autonomy as described in R.S. 49:972.

Poverty Impact Statement

The proposed Rule has no known impact on poverty, pursuant to R.S. 49:973.

Small Business Analysis

Pursuant to R.S. 49:965.6, methods for reduction of the impact on small business, as defined in the Regulatory Flexibility Act, have been considered when creating this proposed Rule. This proposed Rule has no known impact on small businesses, pursuant to R.S. 49:978.4.

Provider Impact Statement

The proposed Rule has no known impact on providers as described in HCR 170 of 2014.

Public Comments

Interested persons may submit written comments through 5:00 p.m. on February 12, 2024, to Susan Rouprich, General Counsel, Office of Financial Institutions, 8660 United Plaza Boulevard, Second Floor, Baton Rouge, LA 70809.

P. Scott Jolly
Commissioner

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Private Education Lender Registry**

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

In compliance with Act 715 of the 2022 Regular Legislative Session, the Office of Financial Institutions (OFI) proposes to adopt Chapter 20 Private Education Lender Registry of Title 10 of the Louisiana Administrative Code. Act 715 provides that private education lenders shall report certain information to OFI; OFI shall publish this information online for public inspection. Therefore, the rule provides definitions and registration guidelines, including initial registration and renewals.

The cost to OFI to implement the provisions of this rule is estimated to be \$44,567 in FY 24, \$51,946 in FY 25, and \$57,097 in FY 26.

	FY 24	FY 25	FY 26
Salary and benefits			
.25 FTE Examiner 3	\$ 14,865	\$ 31,668	\$ 34,258
.25 FTE Licensing Analyst 1	\$ 10,489	\$ 20,278	\$ 22,839
Computer equipment	\$ 4,000		
Programming cost for system modifications	\$ 15,213		
Total	\$ 44,567	\$ 51,946	\$ 57,097

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

The proposed rule authorizes OFI to charge the following fees (1) \$1,500 for initial registration, (2) \$1,000 for annual renewal registration, and (3) \$500 for late renewal registration. OFI anticipates 10 initial registrants in FY 24 and 5 new registrants per year in subsequent years. These fees are anticipated to generate approximately \$15,000 in FY 24, \$18,500 in FY 25, and \$23,500 in FY 26. Beginning in FY 25, anticipated fees include an average of two late fees assessed on registration per year.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

Private education lenders will incur an initial fee of \$1,500 to register and an annual renewal fee of \$1,000. If the lender is late to renew, they will also incur a late fee of \$500.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

Implementation of this proposed rule is not expected to have an effect on competition and employment.

Jared B Granier, MBA
Executive Director
2401#040

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Health
Board of Practical Nurse Examiners**

**Additional Duties and Powers of the Board
(LAC 46:XLVII.303)**

The Louisiana State Board of Practical Nurse Examiners proposes to amend LAC 46:XLVII.303, in accordance with the provisions of the Administrative Procedure Act, R.S. 950 et seq., and the Practical Nursing Practice Act, R.S. 37:961-979.

The purpose of the proposed rule change to Section 303 removes the legal requirement that the executive director and associate executive director of the board shall be licensed professional nurses.

**Title 46
PROFESSIONAL AND OCCUPATIONAL
STANDARDS**

**Part XLVII. Nurses: Practical Nurses
and Registered Nurses**

Subpart 1. Practical Nurses

Chapter 3. Board of Practical Nurse Examiners

§303. Additional Duties and Powers of the Board

A. In accordance with R.S. 37:969, the board shall have all such powers and duties as written. In addition, the board shall:

1. appoint an executive director and associate executive director who shall serve as the executive staff of the board. The executive director serves as the appointing authority of the board. In the absence of the executive director or when properly delegated thereto, the associate executive director serves as the appointing authority of the board;

2. - 3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:969.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Practical Nurse Examiners, LR 3:193 (April 1977), amended LR 10:335 (April 1984), amended by the Department of Health and Hospitals, Board of Practical Nurse Examiners, LR 26:2614 (November 2000), LR 28:2353 (November 2002), LR 29:127 (February 2003), LR 30:1478 (July 2004), LR 50:

Family Impact Statement

In accordance with R.S. 49:961 (A)(2)(h)(i) and 972, the following Family Impact Statement is submitted with the Notice of Intent for publication in the *Louisiana Register*. The proposed rule change has no known impact on family formation, stability, or autonomy.

Poverty Impact Statement

In accordance with R.S. 49:961(A)(2)(h)(ii) and 973, the following Poverty Impact Statement is submitted with the Notice of Intent for publication in the *Louisiana Register*. The proposed rule change has no known impact on child, individual, or family poverty in relation to individual or community asset development.

Small Business Regulatory Flexibility Analysis

In accordance with R.S. 49:961(A)(2)(h)9iv) and 974.5, the following Small Business Regulatory Flexibility

Analysis is submitted with the Notice of Intent for publication in the *Louisiana Register*. The impact of the proposed rule change on small businesses has been considered. The board, consistent with health, safety, environmental and economic welfare, considered utilizing regulatory methods that will accomplish the objectives of applicable statutes while minimizing adverse impact on small businesses. The proposed rule change is not anticipated to have an adverse impact on small businesses.

Provider Impact Statement

In accordance with HCR No. 170 of the 2014 Regular Session, the following Provider Impact Statement is submitted with the Notice of Intent for publication in the *Louisiana Register*. The proposed rule change has no known effect on the staffing level requirements or qualifications required to provide the same level of service, the cost to the provider to provide the same level of service, or the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments until 4 p.m., February 10, 2024, to M. Lynn Ansardi, RN, Louisiana State Board of Practical Nurse Examiners, 131 Airline Drive., Suite 301 Metairie, LA 70001.

M. Lynn Ansardi, RN
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Additional Duties
and Powers of the Board**

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

The proposed rule change will result in a one-time cost of \$600 in FY 24 to the Louisiana State Board of Practical Nurse Examiners to publish the Notice of Intent and Final Rule in the *Louisiana Register*. This cost will be funded utilizing existing SGR collections for the Board. The proposed rule change is not anticipated to result in any other costs or savings for state or local governmental units.

The proposed rule change removes the legal requirement that the executive director and associate executive director of the board shall be licensed professional nurses.

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

There will be no anticipated effect on revenue collections of state or local governmental units as a result of this proposed rule change.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change will have no anticipated impact on costs and/or economic benefits to directly affected persons, small businesses or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There will be no anticipated effect on competition and employment in the public and private sectors as a result of the proposed rule change.

M. Lynn Ansardi, RN
Executive Director
2401#034

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Health Board of Practical Nurse Examiners

Licensure
(LAC 46:XLVII.1701 and 1703)

The Louisiana State Board of Practical Nurse Examiners proposes to amend LAC 46:XLVII. Section 1701 and Section 1703, in accordance with the provisions of the Administrative Procedure Act, R.S. 950 et seq., and the Practical Nursing Practice Act, R.S. 37:961-979.

The purpose of the proposed rule changes to Section 1701 and Section 1703 is to add graduates of registered nursing programs to persons who may apply for a license to practice as a practical nurse in Louisiana in accordance with La. R.S. 37:970

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part XLVII. Nurses: Practical Nurses and Registered Nurses

Subpart 1. Practical Nurses

Chapter 17. Licensure

§1701. Qualifications

A. A person applying for a license to practice as a practical nurse in the state of Louisiana shall:

1. ...

2. successfully complete an education program for practical nurses at a program approved by the board or successfully complete an education program for registered nurses at a program approved by the Louisiana State Board of Nursing;

3. - 4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:969 and 37:970.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Practical Nurse Examiners, LR 3:199 (April 1977), amended LR 10:341 (April 1984), amended by the Department of Health and Hospitals, Board of Practical Nurse Examiners, LR 18:1129 (October 1992), repromulgated LR 18:1263 (November 1992), amended LR 36:2560 (November 2010), LR 50:

§1703. Types of Licensure

A. Licensure by Examination. An applicant for licensure by examination shall:

1. ...

2. be permitted to write the examination up to four times within a period of two

years from the date of being made eligible, but no later than three years from completion of the nursing program;

3. re-enter and successfully complete the entire nursing program without advance

credits if the fourth writing is unsuccessful or more than three years has elapsed from completion of the nursing program before being allowed to take the practical nursing examination again;

B.-D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:969, 37:971 and 37:972.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Practical Nurse Examiners, LR 3:199 (April 1977), amended LR 10:341 (April 1984), LR

10:915 (November 1984), amended by the Department of Health and Hospitals, Board of Practical Nurse Examiners, LR 18:1129 (October 1992), repromulgated LR 18:1263 (November 1992), amended LR 28:2355 (November 2002), LR 42:274 (February 2016), LR 45:432 (March 2019), LR 50:

Family Impact Statement

In accordance with R.S. 49:961 (A)(2)(h)(i) and 972, the following Family Impact Statement is submitted with the Notice of Intent for publication in the *Louisiana Register*. The proposed rule changes have no known impact on family formation, stability, or autonomy.

Poverty Impact Statement

In accordance with R.S. 49:961(A)(2)(h)(ii) and 973, the following Poverty Impact Statement is submitted with the Notice of Intent for publication in the *Louisiana Register*. The proposed rule changes have no known impact on child, individual, or family poverty in relation to individual or community asset development.

Small Business Regulatory Flexibility Analysis

In accordance with R.S. 49:961(A)(2)(h)9iv) and 974.5, the following Small Business Regulatory Flexibility Analysis is submitted with the Notice of Intent for publication in the *Louisiana Register*. The impact of the proposed rule changes on small businesses has been considered. The board, consistent with health, safety, environmental and economic welfare, considered utilizing regulatory methods that will accomplish the objectives of applicable statutes while minimizing adverse impact on small businesses. The proposed rule changes are not anticipated to have an adverse impact on small businesses.

Provider Impact Statement

In accordance with HCR No. 170 of the 2014 Regular Session, the following Provider Impact Statement is submitted with the Notice of Intent for publication in the *Louisiana Register*. The proposed rule changes have no known effect on the staffing level requirements or qualifications required to provide the same level of service, the cost to the provider to provide the same level of service, or the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments until 4 p.m., February 10, 2024, to M. Lynn Ansardi, RN, Louisiana State Board of Practical Nurse Examiners, 131 Airline Drive., Suite 301 Metairie, LA 70001.

M. Lynn Ansardi, RN
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Licensure

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

The proposed rule changes will result in a one-time cost of \$600 in FY 24 to the Louisiana State Board of Practical Nurse Examiners to publish the Notice of Intent and Final Rule in the *Louisiana Register*. This cost will be funded utilizing existing SGR collections for the Board. The proposed rule change is not anticipated to result in any other costs or savings for state or local governmental units.

The proposed rule changes add graduates of registered nursing programs to persons who may apply for a license to

practice as a practical nurse in Louisiana in accordance with La. R.S. 37:970.

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

The proposed rule changes will increase licensing fee revenues for the Board by an estimated \$6,250 (for an estimated cohort of 50 licensees per year) beginning in FY 24 and in subsequent fiscal years. In addition, each new licensee will be responsible for paying a \$60 annual license renewal fee to the extent that these licensees choose to renew their license in subsequent years. However, because these licensees would be graduates of registered nursing programs, it is likely that many of them will instead pursue a Registered Nurse license; therefore, renewal revenues are indeterminable.

The Board estimates that 50 individuals who were not previously eligible to apply for licensure as a practical nurse in Louisiana will now apply for licensure by examination in each fiscal year. The fee to submit an application for licensure by examination is \$125, resulting in an estimated increase in revenues of \$6,250 (50 applicants x \$125). Each cohort of 50 new licensees would also pay \$3,000 in annual license renewal fees (50 licensees x \$60 per year). However, the impact on board revenues will depend on the actual number of applicants resulting from the proposed changes and is therefore indeterminable.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule changes benefit graduates of registered nursing programs who desire to become a licensed practical nurse as these individuals would now be able to apply for licensure as a practical nurse. Graduates who become licensed as a practical nurse under these rule changes may experience an increase in income.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule changes may increase the number of licensed practical nurses available to work in the state of Louisiana, thus assisting healthcare facilities affected by the ongoing nursing shortage.

M. Lynn Ansardi, RN
Executive Director
2401#035

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Officer

NOTICE OF INTENT

Board of Elementary and Secondary Education

Bulletin 741—Louisiana Handbook for School Administrators—Financial Literacy
(LAC 28: CXV.2318, 2319, 2345 and LXXIX.2109, 2317)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) et seq., the Board of Elementary and Secondary Education proposes to amend LAC 28: CXV in Bulletin 741—*Louisiana Handbook for School Administrators* and LAC 28: LXXIX in Bulletin 741(Nonpublic)—*Louisiana Handbook for Nonpublic School Administrators*. The aforementioned revisions were made in accordance with Act 267 of the 2023 Regular Legislative Session regarding required completion of high school financial literacy coursework in order to graduate with a TOPS University Diploma. Additionally, the aforementioned revisions establish financial literacy as a required mathematics course

for the career diploma. Finally, the aforementioned revisions update foreign language course offerings.

Title 28

EDUCATION

Part CXV. Bulletin 741—Louisiana Handbook for School Administrators

Chapter 23. Curriculum and Instruction

§2318. The TOPS University Diploma

A. - B. ...

1. For incoming freshmen in the 2014-2015 through 2023-2024 school years who are completing the TOPS university diploma, the minimum course requirements will be the following:

a. - j. ...

2. For incoming freshmen in the 2024-2025 school year and beyond who are completing the TOPS university diploma, the minimum course requirements will be the following:

a. English—four units.

i. One unit chosen from the following:

(a). English I;

(b). English language (part 1): Cambridge

IGCSE; or

(c). English literature (part 1): Cambridge

IGCSE.

ii. One unit chosen from the following:

(a). English II;

(b). English language (part 2): Cambridge

IGCSE; or

(c). English literature (part 2): Cambridge

IGCSE.

iii. One unit chosen from the following

(a). English III;

(b). AP English language arts and composition;

(c). IB literature;

(d). IB language and literature;

(e). IB literature and performance;

(f). English language (part 1): Cambridge

AICE—AS (honors); or

(g). literature in English (part 1): Cambridge
AICE—AS (honors).

iv. One unit chosen from the following:

(a). English IV;

(b). AP English literature and composition;

(c). IB literature;

(d). IB language and literature;

(e). IB literature and performance;

(f). English language (part 2): Cambridge

AICE—AS (honors); or

(g). literature in English (part 2): Cambridge
AICE—AS (honors).

v. If a student chooses to take the A level Cambridge course, the second unit will count as an elective credit.

b. Mathematics—four units.

i. Algebra I;

ii. geometry; and

iii. Algebra II.

iv. Integrated mathematics I, II, and III, including the Cambridge IGCSE integrated mathematics sequence, may be substituted for the Algebra I, geometry, and Algebra II sequence.

- v. One unit chosen from the following:
 - (a). Algebra III;
 - (b). advanced math—functions and statistics;
 - (c). advanced math—pre-calculus;
 - (d). pre-calculus;
 - (e). IB math studies (math methods);
 - (f). calculus;
 - (g). AP calculus AB;
 - (h). IB mathematics SL;
 - (i). AP calculus BC;
 - (j). AP statistics;
 - (k). IB further mathematics HL;
 - (l). IB mathematics HL;
 - (m). probability and statistics;
 - (n). AP computer science A;
 - (o). statistical reasoning;
 - (p). additional math—Cambridge IGCSE;
 - (q). Math 1 (probability and statistics): Cambridge AICE (honors);
 - (r). Math 1 (pure math): Cambridge AICE—AS (honors);
 - (s). Math 2 (part 1): Cambridge AICE—A level (honors); or
 - (t). Math 2 (part 2): Cambridge AICE—A level (honors).
- c. Science—four units.
 - i. Biology I; and
 - ii. Chemistry I.
 - iii. Two units chosen from the following:
 - (a). Earth science;
 - (b). one of:
 - (i). environmental science; or
 - (ii). environmental awareness;
 - (c). one of:
 - (i). physical science;
 - (ii). principles of engineering;
 - (iii). PLTW principles of engineering; or
 - (iv). principles of engineering (LSU partnership);
 - (d). Agriscience II—the elective course Agriscience I is a pre-requisite;
 - (e). one of:
 - (i). Chemistry II;
 - (ii). AP chemistry;
 - (iii). IB Chemistry I;
 - (iv). IB Chemistry II; or
 - (v). Chemistry II: Cambridge AICE—AS (honors);
 - (f). one of:
 - (i). AP environmental science; or
 - (ii). IB environmental systems;
 - (g). one of:
 - (i). Physics I;
 - (ii). IB Physics I;
 - (iii). AP Physics I; or
 - (iv). Physics I: Cambridge IGCSE;
 - (h). one of:
 - (i). AP Physics C: electricity and magnetism;
 - (ii). AP Physics C: mechanics;
 - (iii). IB Physics II;
 - (iv). AP Physics II; or

- (v). Physics II: Cambridge AICE—AS (honors);
- (i). one of:
 - (i). Biology II;
 - (ii). AP biology;
 - (iii). IB Biology I;
 - (iv). IB Biology II;
 - (v). Biology II: Cambridge AICE—AS (honors); or
 - (vi). human anatomy and physiology.
- d. Social Studies—four units.
 - i. One unit chosen from the following:
 - (a). U.S. history;
 - (b). AP U.S. history; or
 - (c). IB history of the Americas I.
 - ii. One unit chosen from the following:
 - (a). civics with a section on free enterprise;
 - (b). government;
 - (c). AP U.S. government and politics: comparative; or
 - (d). AP U.S. government and politics: United States
 - iii. Two units chosen from the following:
 - (a). one of:
 - (i). European history;
 - (ii). AP European history;
 - (iii). western civilization; or
 - (iv). history (European): Cambridge AICE—AS (honors);
 - (b). one of:
 - (i). world geography;
 - (ii). AP human geography;
 - (iii). IB geography;
 - (iv). physical geography; or
 - (v). geography: Cambridge AICE—AS (honors);
 - (c). one of:
 - (i). world history;
 - (ii). AP world history;
 - (iii). IB History of the Americas II; or
 - (iv). history (international): Cambridge AICE—AS (honors);
 - (d). one of:
 - (i). IB economics;
 - (ii). economics;
 - (iii). AP macroeconomics;
 - (iv). AP microeconomics; or
 - (v). economics: Cambridge AICE—AS (honors);
 - (e). AP psychology;
 - (f). history of religion;
 - (g). African American history; or
 - (h). Dual Enrollment Psychology.
 - e. Art—one unit chosen from the following:
 - i. art (§2333);
 - ii. music (§2355);
 - iii. dance (§2337);
 - iv. theater (§2369);
 - v. Speech III and IV—one unit combined;
 - vi. fine arts survey;
 - vii. drafting;
 - viii. media arts (§2354);

- ix. Photography I/II;
- x. digital photography; or
- xi. digital design (§2338).
- f. Physical Education—1 1/2 units chosen from the following:
 - i. Physical Education I and II;
 - ii. Adapted Physical Education I and II for eligible special education students;
 - ii. JROTC I, II, III, or IV; or
 - iv. Physical Education I (1 unit) and 1/2 unit of marching band, extracurricular sports, cheerleading, or dance team.
- g. Health Education—1/2 unit.
 - i. JROTC I and II may be substituted for 1/2 unit of health education (§2347).
- h. Foreign Language—two units chosen from the same language (§2345).
- i. Financial Literacy—one unit.
- j. Electives—two units.
- k. Total—24 units.

C. - C.3 ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7, 17:24.4, 17:183.2, and 17:395.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1291 (June 2005), amended LR 31:2211 (September 2005), LR 31:3070 (December 2005), LR 31:3072 (December 2005), LR 32:1414 (August 2006), LR 33:429 (March 2007), LR 33:432 (March 2007), LR 33:2050 (October 2007), LR 33:2354 (November 2007), LR 33:2601 (December 2007), LR 34:1607 (August 2008), LR 36:1486 (July 2010), LR 37:547 (February 2011), LR 37:1128 (April 2011), LR 37:2129 (July 2011), LR 37:2132 (July 2011), LR 37:3193 (November 2011), LR 38:754, 761 (March 2012), LR 38:1001 (April 2012), LR 38:1584 (July 2012), LR 40:994 (May 2014), LR 40:1328 (July 2014), LR 40:1679 (September 2014), LR 40:2525 (December 2014), LR 41:915 (May 2015), LR 41:1482 (August 2015), LR 41:2126 (October 2015), LR 42:232 (February 2016), LR 42:1062 (July 2016), LR 42:1878 (November 2016), LR 42:2176 (December 2016), LR 43:1287 (July 2017), LR 43:2132 (November 2017), LR 43:2483 (December 2017), LR 44:263 (February 2018), LR 44:1868 (October 2018), repromulgated LR 44:1998 (November 2018), amended LR 45:1454 (October 2019), LR 46:556 (April 2020), LR 47:860 (July 2021), amended LR 48:33 (January 2022), LR 48:39 (January 2022), repromulgated LR 48:1092 (April 2022), LR 48:2098 (August 2022), LR 48:2560 (October 2022), LR 49:642 (April 2023), LR 49:862 (May 2023), LR 50:

§2319. The Career Diploma

A. - C.1.h. ...

2. The minimum course requirements for a career diploma for incoming freshmen in 2023-2024 shall be the following:

a. - h. ...

3. The minimum course requirements for a career diploma for incoming freshmen in 2024-2025 and beyond shall be the following:

a. English—4 units.

- i. One unit chosen from the following:
 - (a). English I;
 - (b). English language part 1: Cambridge IGCSE;

or

- (c). English literature part 1: Cambridge IGCSE.
- ii. One unit chosen from the following:
 - (a). English II;

(b). English language part 2: Cambridge IGCSE;

or

(c). English literature part 2: Cambridge IGCSE.

iii. Two units chosen from the following:

- (a). technical writing;
- (b). business English;
- (c). English III;
- (d). English language part 1: Cambridge

AICE—AS (honors);

(e). literature in English part 1: Cambridge

AICE—AS (honors);

(f). English IV;

(g). any AP or IB English course;

(h). English language part 2: Cambridge AICE—AS (honors);

(i). literature in English part 2: Cambridge AICE—AS (honors); or

(j). comparable Louisiana technical college courses offered by Jump Start regional teams as approved by BESE.

b. Mathematics—4 units.

i. Algebra I, Applied Algebra I, or Algebra I-Pt. 2 (the elective course Algebra I-Pt. 1 is a pre-requisite);

ii. geometry or applied geometry; and

iii. financial literacy.

iv. One unit chosen from the following:

(a). math essentials;

(b). Algebra II;

(c). advanced math-functions and statistics;

(d). advanced math pre-calculus;

(e). Algebra III;

(f). pre-calculus;

(g). business math;

(h). probability and statistics;

(i). statistical reasoning;

(j). transition to college mathematics;

(k). comparable Louisiana technical college courses offered by Jump Start regional teams as approved by BESE;

(l). additional math—Cambridge IGCSE; or

(m). Math I (pure math): Cambridge AICE—AS (honors).

v. Integrated Mathematics I, II, and III may be substituted for Algebra I, geometry, and Algebra II and shall count as three math credits.

c. Science—2 units.

i. biology; and

ii. One unit chosen from the following:

(a). Chemistry I;

(b). physical science;

(c). earth science;

(d). Agriscience II—the elective course Agriscience I is a pre-requisite;

(e). environmental science;

(f). principles of engineering;

(g). any AP or IB science course PLTW principles of engineering;

(h). principles of engineering (LSU partnership);

(i). any AP or IB science course;

(j). Physics I: Cambridge IGCSE;

(k). Biology II: Cambridge AICE—AS (honors);

- (l). Chemistry II: AICE—AS (honors); or
- (m). Physics II: Cambridge AICE—AS (honors).
- d. Social Studies—2 units.
 - i. One unit chosen from the following:
 - (a). U.S. history;
 - (b). AP U.S. history; or
 - (c). IB history of the Americas I.
 - ii. One unit chosen from the following:
 - (a). civics;
 - (b). government;
 - (c). AP U.S. government and politics: comparative; or
 - (d). AP U.S. government and politics: United States.
 - e. Physical Education—1 1/2 units chosen from the following:
 - i. Physical Education I and II;
 - ii. Adapted Physical Education I and II for eligible special education students;
 - iii. JROTC I, II, III, and IV; or
 - iv. Physical Education I (1 unit) and 1/2 unit of marching band, extracurricular sports, cheerleading, or dance team.
 - f. Health Education—1/2 unit.
 - i. JROTC I and II may be substituted for 1/2 unit of health education (§2347).
 - g. Jump Start course sequence, workplace experiences, and credentials—minimum of nine credits.
 - i. Jump Start 1.0 course sequences will be available for incoming freshmen through 2020-2021; and
 - ii. Jump Start 2.0 course sequences will be available for incoming freshmen beginning in 2020-2021 and beyond;
 - h. total—23 units.

4. Repealed.

D. Courses developed by LEAs and submitted to BESE for approval as substitutes for core course requirements must meet state content standards for the subject area at the ninth grade level or higher.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7, 17:24.4, 17:183.2, 17:183.3, 17:274, 17:274.1, and 17:395.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1291 (June 2005), amended LR 31:2211 (September 2005), LR 31:3070 (December 2005), LR 31:3072 (December 2005), LR 32:1414 (August 2006), LR 33:429 (March 2007), LR 33:432 (March 2007), LR 33:2050 (October 2007), LR 33:2354 (November 2007), LR 33:2601 (December 2007), LR 34:1607 (August 2008), LR 35:1230 (July 2009), LR 35:1876 (September 2009), LR 35:2321 (November 2009), LR 35:2750 (December 2009), LR 36:1490 (July 2010), LR 37:548 (February 2011), LR 37:1130 (April 2011), LR 37:2130 (July 2011), LR 37:3197 (November 2011), LR 38:761 (March 2012), LR 38:1005 (April 2012), LR 40:2522 (December 2014), LR 41:1482 (August 2015), LR 41:2594 (December 2015), LR 42:232 (February 2016), LR 43:1287 (July 2017), LR 43:2132 (November 2017), LR 43:2484 (December 2017), LR 44:1868 (October 2018), LR 45:1747 (December 2019), LR 46:557 (April 2020), LR 46:1086 (August 2020), LR 47:860 (July 2021), LR 48:39 (January 2022), repromulgated LR 48:1093 (April 2022), LR 48:2560 (October 2022), LR 49:252 (February 2023), LR 49:643 (April 2023), repromulgated LR 49:858 (May 2023), LR 50:

§2345. Foreign Languages

A. The foreign language course offerings shall be as follows.

Course Titles(s)	Units
* * *	
Indigenous Languages I, II	1 each
Portuguese I, II, III, and IV	1 each
Vietnamese I,II,III, and IV	1 each
Hindi I,II,III, and IV	1 each

B. - D.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7, R.S. 17:24.4, R.S. 273, and R.S. 17:284.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1295 (June 2005), amended LR 36:1996 (September 2010), LR 38:759 (March 2012), LR 38:2364 (September 2012), LR 39:2220 (August 2013), LR 40:998 (May 2014), LR 40:2527 (December 2014), LR 43:2133 (November 2017), LR 43:2484 (December 2017), LR 45:1455 (October 2019), LR 49:643 (April 2023), LR 49:1374 (August 2023), LR 50:

Part LXXIX. Bulletin 741(Nonpublic)—Louisiana Handbook for Nonpublic School Administrators Chapter 21. Curriculum and Instruction §2109. High School Graduation Requirements

A. ...

B. For incoming freshmen in the 2014-2015 through 2023-2024 school years who are completing the TOPS university diploma, the minimum course requirements will be the following:

1. - 10. ...

C. For incoming freshmen in the 2014-2015 through 2022-2023 school years who are completing the career diploma, the minimum course requirements will be the following:

1. Repealed.

a. - g. ...

D. For incoming freshmen in the 2023-2024 school year who are completing the career diploma, the minimum course requirements will be the following:

1. English—four units.

a. One unit chosen from the following:

- i. English I;
- ii. English language (part 1): Cambridge IGCSE;
- or
- iii. English literature (part 1): Cambridge IGCSE.

b. One unit chosen from the following:

- i. English II;
- ii. English language (part 2): Cambridge IGCSE;
- or
- iii. English literature (part 2): Cambridge IGCSE.

c. Two units chosen from the following:

- i. technical reading and writing;
- ii. business English;
- iii. English III;
- iv. English language (part 1): Cambridge AICE—AS (honors);
- v. literature in English (part 1): Cambridge AICE—AS (honors);

- vi. English IV;
- vii. English language (part 2): Cambridge AICE—AS (honors);
- viii. literature in English (part 1): Cambridge AICE—AS (honors);
- ix. any AP or IB English course; or
- x. comparable Louisiana Technical College courses offered by Jump Start regional teams as approved by BESE.

2. Mathematics—four units.

- a. Algebra I, Applied Algebra I, or Algebra I-Pt. 2 (the elective course Algebra I-Pt. 1 is a pre-requisite); and
- b. geometry or applied geometry
- c. Two units chosen from the following:
 - i. technical math;
 - ii. medical math;
 - iii. applications in statistics and probability;
 - iv. math essentials;
 - v. Algebra II;
 - vi. advanced math—pre-calculus;
 - vii. discrete mathematics;
 - viii. probability and statistics;
 - ix. additional math—Cambridge IGCSE;
 - x. Math 1 (pure math): Cambridge AICE—AS (honors);
 - xi. financial literacy; or
 - xii. comparable Louisiana Technical College courses offered by Jump Start regional teams, as approved by BESE.

xiii. Integrated Mathematics I, II, and III may be substituted for Algebra I, geometry, and Algebra II and will count as three math credits.

3. Science—two units.

- a. Biology.
- b. One unit chosen from the following:
 - i. physical science;
 - ii. integrated science;
 - iii. Chemistry I;
 - iv. ChemCom;
 - v. Physics I;
 - vi. Physics I: Cambridge IGCSE; or
 - vii. Physics of Technology I.
- c. One unit chosen from the following:
 - i. food science;
 - ii. forensic science;
 - iii. allied health science;
 - iv. basic body structure and function;
 - v. basic physics with applications;
 - vi. aerospace science;
 - vii. earth science;
 - viii. Agriscience II;
 - ix. Physics of Technology II;
 - x. environmental science;
 - xi. anatomy and physiology;
 - xii. animal science;
 - xiii. biotechnology in agriculture;
 - xiv. environmental studies in agriculture;
 - xv. Health Science II;
 - xvi. EMT—basic;
 - xvii. Biology II: Cambridge AICE—AS (honors);
 - xviii. Chemistry II: AICE—AS (honors);
 - xix. Physics II: Cambridge AICE—AS (honors);

- xx. principles of engineering;
- xxi. PLTW principles of engineering;
- xxii. (LSU partnership) principles of engineering;
- xxiii. an additional course from the physical science cluster; or
- xxiv. course(s) developed by the LEA and approved by BESE.

d. Students may not take both integrated science and physical science.

e. Agriscience I is a prerequisite for Agriscience II and is an elective course.

4. Social Studies—two units.

- a. One unit chosen from the following:
 - i. U.S. history;
 - ii. AP U.S. history; or
 - iii. IB history of the Americas I.
- b. Civics; or
 - i. 1/2 unit of:
 - (a). government;
 - (b). AP U.S. government and politics: comparative; or
 - (c). AP U.S. government and politics: US; and
 - ii. 1/2 unit of:
 - (a). economics;
 - (b). AP macroeconomics; or
 - (c). AP microeconomics.

5. Physical Education—1 1/2 units chosen from the following:

- a. Physical Education I and II;
- b. Adapted Physical Education I and II for eligible special education students;
- c. JROTC I, II, III, and IV; or
- d. Physical Education I (1 unit) and 1/2 unit of marching band, extracurricular sports, cheerleading, or dance team.

6. Health Education—1/2 unit.

a. JROTC I and II may be substituted for 1/2 unit of health education

7. A minimum of nine credits in an approved Jump Start course sequence, workplace experience, or credentials.

8. Total—23 units.

E. For incoming freshmen in the 2024-2025 school year and beyond who are completing the TOPS university diploma, the minimum course requirements will be the following:

1. English—four units.

- a. One unit chosen from the following:
 - i. English I;
 - ii. English language (part 1): Cambridge IGCSE;
- or
- iii. English literature (part 1): Cambridge IGCSE.
- b. One unit chosen from the following:
 - i. English II;
 - ii. English language (part 2): Cambridge IGCSE;
- or
- iii. English literature (part 2): Cambridge IGCSE.
- c. One unit chosen from the following:
 - i. English III;
 - ii. AP English language arts and composition;
 - iii. IB literature;
 - iv. IB language and literature;
 - v. IB literature and performance;

vi. English language (part 1): Cambridge AICE—AS (honors); or

vii. literature in English (part 1): Cambridge AICE—AS (honors).

viii. If a student chooses to take the A level Cambridge course, the second unit will count as an elective credit.

d. One unit chosen from the following:

i. English IV;

ii. AP English literature and composition;

iii. IB literature;

iv. IB language and literature;

v. IB literature and performance;

vi. English language (part 2): Cambridge AICE—AS (honors); or

vii. literature in English (part 2): Cambridge AICE—AS (honors).

viii. If a student chooses to take the A level Cambridge course, the second unit will count as an elective credit.

2. Mathematics—four units.

a. Algebra I;

b. geometry; and

c. Algebra II.

d. One unit chosen from the following:

i. Algebra III;

ii. advanced math—functions and statistics;

iii. advanced math—pre-calculus;

iv. pre-calculus;

v. IB math studies (math methods);

vi. calculus;

vii. AP calculus AB;

viii. IB mathematics SL;

ix. AP calculus BC;

x. AP statistics;

xi. IB further mathematics HL;

xii. IB mathematics HL;

xiii. probability and statistics;

xiv. AP computer science A;

xv. additional math: Cambridge IGCSE;

xvi. Math 1 (probability and statistics): Cambridge AICE (honors);

xvii. Math 1 (pure math): Cambridge AICE—AS (honors);

xviii. Math 2 (part 1): Cambridge AICE—A level (honors); or

xix. Math 2 (part 2): Cambridge AICE—A level (honors).

e. Integrated Mathematics I, II, and III may be substituted for the Algebra I, geometry, and Algebra II sequence.

3. Science—four units.

a. Biology I; and

b. Chemistry I.

c. Two units chosen from the following:

i. earth science;

ii. one of:

(a). environmental science; or

(b). environmental awareness;

iii. one of:

(a). physical science;

(b). principles of engineering; or

(c). PLTW principles of engineering;

iv. Agriscience II—the elective course Agriscience I is a pre-requisite;

v. one of:

(a). Chemistry II;

(b). AP chemistry;

(c). IB Chemistry I;

(d). IB Chemistry II; or

(e). Chemistry II: Cambridge AICE—AS (honors);

vi. one of:

(a). AP environmental science; or

(b). IB environmental systems;

vii. one of:

(a). Physics I;

(b). IB Physics I;

(c). AP Physics I;

(d). Physics I: Cambridge IGCSE; or

(e). Physics II: Cambridge AICE—AS (honors);

viii. one of:

(a). AP physics C: electricity and magnetism;

(b). AP physics C: mechanics;

(c). IB Physics II; or

(d). AP Physics II;

ix. one of:

(a). Biology II;

(b). AP biology;

(c). IB Biology I;

(d). IB Biology II;

(e). Biology II: Cambridge AICE—AS (honors);

or

(f). human anatomy and physiology.

4. Social Studies—four units.

a. One unit chosen from the following:

i. U.S. history;

ii. AP U.S. history; or

iii. IB History of the Americas I.

b. One unit chosen from the following:

i. civics with a section on free enterprise;

ii. government;

iii. AP U.S. government and politics: comparative;

or

iv. AP U.S. government and politics: United States.

c. Two units chosen from the following:

i. one of:

(a). European history;

(b). AP European history;

(c). western civilization; or

(d). history (European): Cambridge AICE—AS

(honors);

ii. one of:

(a). world geography;

(b). AP human geography;

(c). IB geography;

(d). physical geography; or

(e). geography: Cambridge AICE—AS (honors);

- iii. one of:
 - (a). world history;
 - (b). AP world history;
 - (c). IB history of the Americas II; or
 - (d). history (international): Cambridge AICE—AS (honors);
 - iv. IB economics;
 - v. economics;
 - vi. AP macroeconomics;
 - vii. AP microeconomics;
 - viii. economics: Cambridge AICE—AS (honors);
 - ix. history of religion;
 - x. AP psychology;
 - xi. African American history; or
 - xii. dual enrollment psychology.
5. Foreign Language—two units from the same language (§2317).
6. Art—one unit chosen from the following:
- a. art (§2305);
 - b. music (§2325);
 - c. dance (§2309);
 - d. theater (§2337);
 - e. Speech III and IV—one unit combined;
 - f. fine arts survey;
 - g. drafting;
 - h. media arts (§2324);
 - i. Photography I and II; or
 - j. digital photography.
7. Physical Education—1 1/2 units chosen from the following:
- a. Physical Education I and II;
 - b. Adapted Physical Education I and II for eligible special education students;
 - c. JROTC I, II, III, and IV; or
 - d. Physical Education I (1 unit) and 1/2 unit of marching band, extracurricular sports, cheerleading, or dance team.
8. Health Education—1/2 unit.
- a. JROTC I and II may be substituted for 1/2 unit of health education.
9. Financial Literacy—one unit.
10. Electives—two units.
11. Total—24 units.

F. For incoming freshmen in 2024-2025 and beyond who are completing a career diploma, the minimum course requirements will be the following:

- 1. English—four units.
 - a. One unit chosen from the following:
 - i. English I;
 - ii. English language (part 1): Cambridge IGCSE;
 - or
 - iii. English literature (part 1): Cambridge IGCSE.
 - b. One unit chosen from the following:
 - i. English II;
 - ii. English language (part 2): Cambridge IGCSE;
 - or
 - iii. English literature (part 2): Cambridge IGCSE.
 - c. Two units chosen from the following:
 - i. technical reading and writing;
 - ii. business English;
 - iii. English III;

- iv. English language (part 1): Cambridge AICE—AS (honors);
 - v. literature in English (part 1): Cambridge AICE—AS (honors);
 - vi. English IV;
 - vii. English language (part 2): Cambridge AICE—AS (honors);
 - viii. literature in English (part 1): Cambridge AICE—AS (honors);
 - ix. any AP or IB English course; or
 - x. comparable Louisiana Technical College courses offered by Jump Start regional teams as approved by BESE.
2. Mathematics—four units.
- a. Algebra I, Applied Algebra I, or Algebra I-Pt. 2 (the elective course Algebra I-Pt. 1 is a pre-requisite);
 - b. geometry or applied geometry; and
 - c. financial literacy.
 - d. One unit chosen from the following:
 - i. technical math;
 - ii. medical math;
 - iii. applications in statistics and probability;
 - iv. math essentials;
 - v. Algebra II;
 - vi. advanced math—pre-calculus;
 - vii. discrete mathematics;
 - viii. probability and statistics;
 - ix. additional math—Cambridge IGCSE;
 - x. Math 1 (pure math): Cambridge AICE—AS (honors); or
 - xi. comparable Louisiana Technical College courses offered by Jump Start regional teams, as approved by BESE.
 - xii. Integrated Mathematics I, II, and III may be substituted for Algebra I, geometry, and Algebra II and will count as three math credits.
3. Science—two units.
- a. Biology.
 - b. One unit chosen from the following:
 - i. physical science;
 - ii. integrated science;
 - iii. Chemistry I;
 - iv. ChemCom;
 - v. Physics I;
 - vi. Physics I: Cambridge IGCSE; or
 - vii. Physics of Technology I.
 - c. One unit chosen from the following:
 - i. food science;
 - ii. forensic science;
 - iii. allied health science;
 - iv. basic body structure and function;
 - v. basic physics with applications;
 - vi. aerospace science;
 - vii. earth science;
 - viii. Agriscience II;
 - ix. Physics of Technology II;
 - x. environmental science;
 - xi. anatomy and physiology;
 - xii. animal science;
 - xiii. biotechnology in agriculture;
 - xiv. environmental studies in agriculture;

- xv. Health Science II;
- xvi. EMT—basic;
- xvii. Biology II: Cambridge AICE—AS (honors);
- xviii. Chemistry II: AICE—AS (honors);
- xix. Physics II: Cambridge AICE—AS (honors);
- xx. principles of engineering;
- xxi. PLTW principles of engineering;
- xxii. (LSU partnership) principles of engineering;
- xxiii. an additional course from the physical science cluster; or
- xxiv. course(s) developed by the LEA and approved by BESE.

d. Students may not take both integrated science and physical science.

e. Agriscience I is a prerequisite for Agriscience II and is an elective course.

4. Social Studies—two units.

a. One unit chosen from the following:

- i. U.S. history;
- ii. AP U.S. history; or
- iii. IB history of the Americas I.

b. Civics; or

- i. 1/2 unit of:
 - (a). government;
 - (b). AP U.S. government and politics: comparative; or
 - (c). AP U.S. government and politics: US; and
- ii. 1/2 unit of:
 - (a). economics;
 - (b). AP macroeconomics; or
 - (c). AP microeconomics.

5. Physical Education—1 1/2 units chosen from the following:

- a. Physical Education I and II;
- b. Adapted Physical Education I and II for eligible special education students;
- c. JROTC I, II, III, and IV; or
- d. Physical Education I (1 unit) and 1/2 unit of marching band, extracurricular sports, cheerleading, or dance team.

6. Health Education—1/2 unit.

a. JROTC I and II may be substituted for 1/2 unit of health education.

7. A minimum of nine credits in an approved Jump Start course sequence, workplace experience, or credentials.

8. Total—23 units.

G. State Seal of Biliteracy

1. Schools are encouraged but not required to participate in the State Seal of Biliteracy program.

a. If a school opts to participate in the State Seal of Biliteracy program, its governing authority shall maintain appropriate records in order to identify students who have earned the seal and affix the seal to the transcript and diploma of each student who earns the seal.

2. The State Seal of Biliteracy certifies that a student meets all of the following criteria:

a. Completed all English language arts requirements for graduation;

b. Passed the reading and English parts of the ACT series with a score of 19 or above; and

c. Demonstrated proficiency in one or more languages other than English through one of the methods below.

i. Pass a world language advanced placement examination with a score of three or higher or a world language international baccalaureate examination with a score of four or higher. For languages in which an advanced placement test is not available, school systems may use an equivalent summative test as approved by the state superintendent of education.

ii. Successfully complete a four-year high school course of study in a world language or successfully complete seven Carnegie units or more in language or content courses in a world language immersion setting.

iii. Pass a foreign government approved language examination and receive a receipt of a certificate of competency from the authorizing government agency at:

- (a). the European B2 level;
- (b). American Council on the Teaching of Foreign Languages Advanced Low level; or
- (c). equivalent measures.

3. If the primary language of a student in grades 9 through 12 is other than English, the student shall do both of the following to qualify for the State Seal of Biliteracy:

a. Attain the early advanced proficiency level on the BESE-approved assessment of English language proficiency administered to identify English Learner progress; and

b. Meet the requirements of Paragraph 2 of this Subsection.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 44:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2351 (November 2003), amended LR 30:2776 (December 2004), LR 31:3081 (December 2005), LR 34:2099 (October 2008), LR 36:2849 (December 2010), LR 37:2142, 2144 (July 2011), repromulgated LR 37:2390 (August 2011), amended LR 37:2597 (September 2011), LR 38:769 (March 2012), LR 38:1008 (April 2012), LR 39:1444 (June 2013), LR 40:1682 (September 2014), LR 40:2535 (December 2014), LR 41:915 (May 2015), LR 41:1485 (August 2015), LR 41:2127 (October 2015), LR 42:1064 (July 2016), LR 43:1289 (July 2017), LR 45:38 (January 2019), LR 45:1456 (October 2019), LR 46:1084 (August 2020), amended LR 48:34 (January 2022), LR 48:2098 (August 2022), LR 49:642 (April 2023), LR 50:

Chapter 23. High School Program of Studies §2317. Foreign Languages

A. The foreign language course offerings shall be as follows.

Course Title(s)	Units
* * *	
Indigenous Languages I, II	1 each
Japanese I, II, III, and IV	1 each
Korean I, II, III, and IV	1 each
Portuguese I, II, III, and IV	1 each
Vietnamese I, II, III, and IV	1 each
Hindi I, II, III, and IV	1 each

B. - C.1. ...

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2354 (November 2003), amended LR 31:3086 (December 2005), LR 38:770 (March 2012), LR 40:1685 (September 2014), LR 40:2538 (December 2014), LR 45:1458 (October 2019), LR 49:642 (April 2023), LR 49:1374 (August 2023), LR 50:

Family Impact Statement

In accordance with section 953 and 974 of title 49 of the Louisiana Revised Statutes, there is hereby submitted a Family Impact Statement on rules proposed for adoption, repeal, or amendment. All Family Impact Statements will be kept on file in the state board office which has adopted, amended, or repealed rules in accordance with the applicable provisions of the law relating to public records.

1. Will the proposed Rule affect the stability of the family? No.
2. Will the proposed Rule affect the authority and rights of parents regarding the education and supervision of their children? No.
3. Will the proposed Rule affect the functioning of the family? No.
4. Will the proposed Rule affect family earnings and family budget? No.
5. Will the proposed Rule affect the behavior and personal responsibility of children? No.
6. Is the family or a local government able to perform the function as contained in the proposed Rule? Yes.

Poverty Impact Statement

In accordance with section 973 of title 49 of the Louisiana Revised Statutes, there is hereby submitted a Poverty Impact Statement on rules proposed for adoption, amendment, or repeal. All Poverty Impact Statements will be in writing and kept on file in the state agency which has adopted, amended, or repealed rules in accordance with the applicable provisions of the law relating to public records. For the purposes of this section, the word “poverty” means living at or below 100 percent of the federal poverty line.

1. Will the proposed Rule affect the household income, assets, and financial authority? No.
2. Will the proposed Rule affect early childhood development and preschool through postsecondary education development? No.
3. Will the proposed Rule affect employment and workforce development? No.
4. Will the proposed Rule affect taxes and tax credits? No.
5. Will the proposed Rule affect child and dependent care, housing, health care, nutrition, transportation, and utilities assistance? No.

Small Business Analysis

The impact of the proposed Rule on small businesses as defined in the Regulatory Flexibility Act has been considered. It is estimated that the proposed action is not expected to have a significant adverse impact on small businesses. The agency, consistent with health, safety, environmental and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed rule on small businesses.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the staffing level requirements or qualifications required to provide the same level of service;
2. the cost to the providers to provide the same level of service; or
3. the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments via the U.S. Mail until noon, February 9, 2024, to Shan N. Davis, Executive Director, Board of Elementary and Secondary Education, Box 94064, Capitol Station, Baton Rouge, LA 70804-9064. Written comments may also be hand delivered to Shan Davis, Executive Director, Board of Elementary and Secondary Education, Suite 5-190, 1201 North Third Street, Baton Rouge, LA 70802 and must be date stamped by the BESE office on the date received. Public comments must be dated and include the original signature of the person submitting the comments.

Shan N. Davis
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Bulletin 741—Louisiana Handbook for School Administrators Financial Literacy

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

There are no anticipated implementation costs or savings to state governmental units due to the proposed rule changes to LAC 28: CXV in Bulletin 741—*Louisiana Handbook for School Administrators* and LAC 28: LXXIX in Bulletin 741(Nonpublic)—*Louisiana Handbook for Nonpublic School Administrators*. The proposed revisions are made in accordance with Act 267 of the 2023 Regular Legislative Session which requires completion of one unit of high school financial literacy coursework in order to graduate with a TOPS University Diploma. Additionally, the revisions establish financial literacy as a required mathematics course for a career diploma. Finally, the revisions update foreign language course offerings.

Beginning with the 2024-2025 school year, local school districts will likely incur additional costs associated with developing or purchasing curricula for the one-unit Financial Literacy course and any resources used in class instruction, but these costs are indeterminable, and will vary by district.

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

The proposed rule change will not have an effect on revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

A financially literate citizenry will benefit from an expanded understanding of financial principles and better avoid financial distress due to lack of understanding of the economic impacts of unsound budgeting, debt, and financial planning.

Schools that fall under the jurisdiction of LAC 28:LXXIX—*Louisiana Handbook for Nonpublic School Administrators* may incur additional costs associated with developing or purchasing curricula for the one-unit Financial Literacy course and any resources used in class instruction to the extent they choose to offer Financial Literacy courses to students who pursue a TOPS University Diploma or a career diploma.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule revisions provide a knowledge base in financial literacy to students exiting high school and entering college and/or beginning their careers. An education in personal and professional monetary decision-making can provide awareness to the dangers of poor spending habits, predatory lending, and excessive debt; while also providing the skills necessary for successful entry into an independent life and gainful employment. Additionally, increasing the number of foreign languages offered and recognized in secondary and post-secondary coursework expands the opportunities to which students are exposed in a global world.

Beth Scioneaux
Deputy Superintendent
2401#036

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Board of Elementary and Secondary Education

Bulletin 746—Louisiana Standards for State Certification of School Personnel—Teacher Certification Requirements (LAC 28:CXXXI.331, 333, and 507)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) et seq., the Board of Elementary and Secondary Education proposes to amend LAC 28:CXXXI in Bulletin 746—*Louisiana Standards for State Certification of School Personnel*. Act 347 of the 2023 Regular Legislative Session directed BESE to revise teacher certification requirements and the requirements of teacher education programs to require instruction on foundational numeracy skills standards for candidates seeking certification to teach. The aforementioned revisions require that candidates in teacher certification programs participate in programs that provide instruction on foundational numeracy skills including, but not limited to, the following: effectively teach foundational mathematics skills explicitly and systematically; implement effective mathematics instruction using high-quality instructional materials; provide effective instruction and interventions for students who have difficulty with mathematics; and understand and use student data to make instructional decisions.

Title 28 EDUCATION

Part CXXXI. Bulletin 746—Louisiana Standards for State Certification of School Personnel

Chapter 3. Initial Teacher Certification Subchapter F. Mathematics Teacher Competencies

§331. Content Knowledge Competencies

A. Utilizing the academic standards for mathematics for the certification grade band and adjacent grade bands, the teacher candidate, at minimum, demonstrates the following

competencies to plan for instruction, teach, assess, and monitor student learning:

1. ...
2. builds foundational numeracy by providing precise, accurate, useful descriptions of algorithms and procedures, including descriptions of the accuracy of alternative procedures or algorithms while blending concepts, procedures, strategies, problem-solving skills, and dispositions;
3. exhibits an integrated, functional grasp of foundational numeracy, mathematical concepts, and procedures along the grade K-12 mathematical progressions so that all students are prepared for success in Algebra I and beyond;
4. ...
5. models the mathematical dispositions and habits of mind described in the practice standards and integrated within high-quality instructional materials, including precision of language, logical thought, reflection, explanation, and justification;
6. recognizes vertical alignment in K-12 mathematical standards and uses the connections between the topics identified in the relevant standards and problems arising in real-world applications;
7. builds positive math dispositions while portraying mathematics as sensible, useful, and worthwhile; and
8. teaches foundational mathematics skills, explicitly and systematically applying strategies to assess instructional effectiveness.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, R.S. 17:7.2, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:426 (March 2022), repromulgated LR 48:1028 (April 2022), LR 50:

§333. Content Pedagogy Competencies

A. The teacher candidate builds and applies knowledge within grade coherence and vertical alignment of mathematical topics and relationships within and across mathematical domains to identify key mathematical ideas and implement mathematically sound lesson sequences and units of study within high-quality materials that develop student foundational numeracy, conceptual understanding, procedural skill and fluency, and ability to solve real-world and mathematical problems to prepare students for success in Algebra I and beyond.

1. The teacher candidate appropriately implements effective mathematics instruction using high-quality instructional materials through planning appropriate scaffolding to provide opportunities for students to access and master grade-level standards.

2. The teacher candidate anticipates student misconceptions or math difficulty which may arise during a lesson or unit of study, identifies key points in the lesson or unit to check for misconceptions, and identifies appropriate instructional strategies to respond to misconceptions, including but not limited to questioning, whole group discussion, problem sets, instructional tools, and representations that make the mathematics of the lesson explicit.

3. The teacher candidate identifies and implements standards-based tasks within high-quality instructional

materials using varied strategies, including but not limited to real-life applications, manipulatives, models, and diagrams/pictures that present opportunities for instruction and assessment.

4. The teacher candidate customizes lessons and practice sets within high-quality instructional materials that include scaffolding and differentiation of mathematical content to provide opportunities for students to develop and demonstrate mastery.

5. The teacher candidate uses student data to identify appropriate student groupings, such as pairs or small groups, to develop student conceptual understanding, skill, and fluency with mathematical content as well as independent mathematical thinking.

6. The teacher candidate provides effective interventions for all students by using an accelerated learning approach, connecting unfinished learning to new learning within grade-level content, and utilizing high-quality materials to provide just-in-time support, especially for students with difficulty in mathematics.

B. - C.1. ...

2. posing challenging problems that offer opportunities for productive struggle and for encouraging reasoning, problem solving, and perseverance in solving problems through an initial difficulty;

C.3. - D. ...

1. The teacher candidate identifies student difficulties, errors, unfinished learning, and inconsistencies in student knowledge, skills, and mathematical reasoning to accelerate or scaffold student learning during lesson implementation, using, but not limited to, the following strategies:

a. oral and written explanations of the elements and structures of mathematics and the meaning of procedures, analogies, and real-life experiences;

b. - c. ...

2. The teacher candidate uses student data to address difficulty with mathematics and uses trends in assessment results to plan, instructional strategies, learning acceleration, and enrichment opportunities for students within adopted high-quality instructional units of study.

3. The teacher candidate effectively uses student data to make instructional decisions. Student data includes but is not limited to classroom observation of discussion, oral reasoning, work samples, formative assessment, and summative assessment.

4. The teacher candidate regularly monitors student performance and student understanding.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, R.S. 17:7.2, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:427 (March 2022), repromulgated LR 48:1029 (April 2022), LR 50:

Chapter 5. Teaching Credentials, Licenses and Certifications

Subchapter A. Standard Teaching Certificates

§507. Professional Level Certificates

A. - B.11. ...

12. Beginning September 1, 2028, an applicant for initial certification must have earned coursework or equivalent contact hours in alignment with the adopted foundational numeracy competencies.

C. - H.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, R.S. 17:7.2, and 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1813 (October 2006), amended LR 35:2752 (December 2009), LR 36:2843 (December 2010), LR 38:2366 (September 2012), LR 40:1331 (July 2014), LR 46:1381 (October 2020), amended, LR 48:430 (March 2022), LR 48:1273 (May 2022), LR 48:2554 (October 2022), LR 49:37 (January 2023), LR 50:

Family Impact Statement

In accordance with section 953 and 974 of title 49 of the Louisiana Revised Statutes, there is hereby submitted a Family Impact Statement on rules proposed for adoption, repeal, or amendment. All Family Impact Statements will be kept on file in the state board office which has adopted, amended, or repealed rules in accordance with the applicable provisions of the law relating to public records.

1. Will the proposed Rule affect the stability of the family? No.

2. Will the proposed Rule affect the authority and rights of parents regarding the education and supervision of their children? No.

3. Will the proposed Rule affect the functioning of the family? No.

4. Will the proposed Rule affect family earnings and family budget? No.

5. Will the proposed Rule affect the behavior and personal responsibility of children? No.

6. Is the family or a local government able to perform the function as contained in the proposed Rule? Yes.

Poverty Impact Statement

In accordance with section 973 of title 49 of the Louisiana Revised Statutes, there is hereby submitted a Poverty Impact Statement on rules proposed for adoption, amendment, or repeal. All Poverty Impact Statements will be in writing and kept on file in the state agency which has adopted, amended, or repealed rules in accordance with the applicable provisions of the law relating to public records. For the purposes of this section, the word “poverty” means living at or below 100 percent of the federal poverty line.

1. Will the proposed Rule affect the household income, assets, and financial authority? No.

2. Will the proposed Rule affect early childhood development and preschool through postsecondary education development? No.

3. Will the proposed Rule affect employment and workforce development? No.

4. Will the proposed Rule affect taxes and tax credits? No.

5. Will the proposed Rule affect child and dependent care, housing, health care, nutrition, transportation, and utilities assistance? No.

Small Business Analysis

The impact of the proposed Rule on small businesses as defined in the Regulatory Flexibility Act has been considered. It is estimated that the proposed action is not expected to have a significant adverse impact on small businesses. The agency, consistent with health, safety, environmental and economic welfare factors has considered and, where possible, utilized regulatory methods in the

drafting of the proposed rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed rule on small businesses.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the staffing level requirements or qualifications required to provide the same level of service;
2. the cost to the providers to provide the same level of service; or
3. the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments via the U.S. Mail until noon, February 9, 2024, to Shan N. Davis, Executive Director, Board of Elementary and Secondary Education, Box 94064, Capitol Station, Baton Rouge, LA 70804-9064. Written comments may also be hand delivered to Shan Davis, Executive Director, Board of Elementary and Secondary Education, Suite 5-190, 1201 North Third Street, Baton Rouge, LA 70802 and must be date stamped by the BESE office on the date received. Public comments must be dated and include the original signature of the person submitting the comments.

Shan N. Davis
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: **Bulletin 746—Louisiana Standards for State Certification of School Personnel—Teacher Certification Requirements**

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

There are no anticipated implementation costs or savings to state or local governmental units due to the proposed rule changes to LAC 28:CXXXI in Bulletin 746—*Louisiana Standards for State Certification of School Personnel*. Act 347 of the 2023 Regular Legislative Session directed BESE to revise teacher certification requirements and teacher education program requirements to require instruction on foundational numeracy skills standards for candidates seeking certification to teach. The changes require that candidates in teacher certification programs participate in programs that provide instruction on foundational numeracy skills including, but not limited to, the following: effectively teach foundational mathematics skills explicitly and systematically; implement effective mathematics instruction using high-quality instructional materials; provide effective instruction and interventions for students who have difficulty with mathematics; and understand and use student data to make instructional decisions.

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

The proposed rule change will not have an effect on revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

Teacher preparation program providers may need to revise some program components to align with the adopted foundational numeracy requirements.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

Beginning September 1, 2028, in order to be certified as a teacher in a Louisiana K-12 school, a candidate must have earned coursework or the equivalent contact hours in alignment with the new foundational numeracy competencies. This may result in a decrease in competition and employability if candidates do not meet these requirements.

Beth Scioneaux
Deputy Superintendent
2401#037

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Board of Elementary and Secondary Education

Bulletin 1573—Complaint Management Procedures— Special Education Complaint Procedures (LAC 28:LXI.305, 501, 505, and 509)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) et seq., the Board of Elementary and Secondary Education proposes to amend LAC 28:LXI in Bulletin 1573—*Complaint Management Procedures*. The aforementioned revisions modify special education complaint management procedures to improve the process by which parent complaints regarding Louisiana students with disabilities who receive special education services are addressed.

Title 28 EDUCATION

Part LXI. Bulletin 1573—Complaint Management Procedures

Chapter 3. General Provisions

§305. Filing a Complaint

- A. ...
- B. Complaints may be filed in writing, by telephone call, by email, or in person.
- C. The complaint must include:
 1. a statement that a public agency has violated a requirement of Part B of the Act or of this Part; and
 2. the facts on which the statement is based.
- D. ...
- E. Complainants lacking federally required information will be contacted by LDOE dispute resolution staff to explain deficiencies with recommendations for appropriate action to be taken.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:1082 (July 2003), LR 50:

Chapter 5. Complaint Intake and Investigative Procedures

§501. Filing Complaints

A. Complaints may be filed by parents, students, child advocates, surrogate parents, other individuals or organizations. Complaints may be filed in writing, by telephone call, by email, or in person. A complaint must include not only a statement that a local educational agency (LEA) has violated a requirement of federal/state law or regulation but also the facts upon which the statement has been based.

B. Grievances that do not meet SDE complaint criteria are referred back to the complainant via attempted email or telephone call, with recommendations for appropriate action to be taken and resources available to assist the complainant with pursuit of further action.

C. Complainants lacking federally required information will be contacted by LDOE dispute resolution staff to explain deficiencies and offer instructions for making corrections.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:1083 (July 2003), LR 50:

§505. Complaint Intake Procedures Log (SCL)

A. When a complaint is received and accepted by the SDE, the complaint is recorded in the SDE Complaint Log (SCL). SCL includes, but is not limited to, documenting the date received, name of the complainant, LEA, school, allegation type, and outcome.

B. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:1083 (July 2003), LR 50:

§509. Report of Finding

A. - G. ...

H. The date of the complaint, name of the complainant, school involved, allegation type, and outcome will be recorded and shared with monitoring and program staff to inform quality assurance, monitoring, and improvement efforts.

I. Beginning in fall 2024, redacted information regarding the results of formal complaints will be posted to the LDOE website.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:1083 (July 2003), LR 50:

Family Impact Statement

In accordance with section 953 and 974 of title 49 of the Louisiana Revised Statutes, there is hereby submitted a Family Impact Statement on rules proposed for adoption, repeal, or amendment. All Family Impact Statements will be kept on file in the state board office which has adopted, amended, or repealed rules in accordance with the applicable provisions of the law relating to public records.

1. Will the proposed Rule affect the stability of the family? No.

2. Will the proposed Rule affect the authority and rights of parents regarding the education and supervision of their children? No.

3. Will the proposed Rule affect the functioning of the family? No.

4. Will the proposed Rule affect family earnings and family budget? No.

5. Will the proposed Rule affect the behavior and personal responsibility of children? No.

6. Is the family or a local government able to perform the function as contained in the proposed Rule? Yes.

Poverty Impact Statement

In accordance with section 973 of title 49 of the Louisiana Revised Statutes, there is hereby submitted a Poverty Impact Statement on rules proposed for adoption, amendment, or repeal. All Poverty Impact Statements will be in writing and kept on file in the state agency which has adopted, amended, or repealed rules in accordance with the applicable provisions of the law relating to public records. For the purposes of this section, the word "poverty" means living at or below 100 percent of the federal poverty line.

1. Will the proposed Rule affect the household income, assets, and financial authority? No.

2. Will the proposed Rule affect early childhood development and preschool through postsecondary education development? No.

3. Will the proposed Rule affect employment and workforce development? No.

4. Will the proposed Rule affect taxes and tax credits? No.

5. Will the proposed Rule affect child and dependent care, housing, health care, nutrition, transportation, and utilities assistance? No.

Small Business Analysis

The impact of the proposed Rule on small businesses as defined in the Regulatory Flexibility Act has been considered. It is estimated that the proposed action is not expected to have a significant adverse impact on small businesses. The agency, consistent with health, safety, environmental and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed rule on small businesses.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the staffing level requirements or qualifications required to provide the same level of service;

2. the cost to the providers to provide the same level of service; or

3. the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments via the U.S. Mail until noon, February 9, 2024, to Shan N. Davis, Executive Director, Board of Elementary and Secondary Education, Box 94064, Capitol Station, Baton Rouge, LA

70804-9064. Written comments may also be hand delivered to Shan Davis, Executive Director, Board of Elementary and Secondary Education, Suite 5-190, 1201 North Third Street, Baton Rouge, LA 70802 and must be date stamped by the BESE office on the date received. Public comments must be dated and include the original signature of the person submitting the comments.

Shan N. Davis
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**
**RULE TITLE: Bulletin 1573—Complaint Management
Procedures—Special Education Complaint Procedures**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)
There are no anticipated implementation costs or savings to state or local governmental units due to the proposed rule change to LAC 28:LXI in Bulletin 1573—*Complaint Management Procedures*. The change modifies special education complaint management regarding the process to address complaints related to students with disabilities who receive special education services in Louisiana schools. The proposed rule change will facilitate smooth processing of complaints and an improved experience for parents. The process will be administered by the LDOE special education attorney and ombudsperson.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
The proposed rule change will not have an effect on revenue collections of state or local governmental units.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)
The proposed rule change will not result in costs and/or economic benefits to directly affected persons, small businesses, or nongovernmental groups.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)
The proposed rule change will not have an effect on competition and employment.

Beth Scioneaux
Deputy Superintendent
2401#038

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Environmental Quality
Office of the Secretary
Legal Affairs and Criminal Investigations Division**

Delisting Exclusion of Solvents/EDC Process Wastewater Effluent and Solvents East Ditch Sediment from Hazardous Waste for the Dow Chemical Company, Plaquemine (LAC 33:V.4999)(HW125)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Hazardous Waste regulations, LAC 33:V.4999.Appendix E (HW125).

The proposed Rule will delist solvents/EDC process wastewater effluent and solvents east ditch sediment from certain EPA hazardous waste number categories and will establish monitoring conditions to maintain the delisting status. The proposed rulemaking will acknowledge LDEQ’s acceptance of Dow’s delisting exclusion petition submitted to fulfill a requirement in a Consent Agreement and Final Order (CAFO) with EPA issued per Docket No. RCRA-06-2010-0933.

Prior to October 5, 2015, The Dow Chemical Company owned and operated the hazardous waste incinerator (F-700) in the solvents/EDC production unit, now owned and operated by Olin Corporation (Blue Cube Operations, LLC). A wet scrubber system treats incinerator combustion gas and generates an aqueous effluent waste that carries the same hazardous waste category numbers as the waste treated in the incinerator. The scrubber effluent waste discharges to a lined ditch and then to an unlined ditch (solvents east ditch) through an LPDES permitted point (Outfall 201). In accordance with the CAFO, Dow chose to pursue a waste delisting option under LDEQ oversight for both the solvents/EDC process wastewater effluent and solvents east ditch sediment (in situ). The basis and rationale for this proposed Rule are based on an evaluation of the information provided by the petitioner, including the analytical data, and the department’s analysis of the information, including results of the Delisting Risk Assessment Software assessment. LDEQ found this initial petition to be deficient for determining delisting eligibility for all requested waste codes affecting the solvents east ditch sediment. After further sampling and analysis, Dow submitted a petition addendum on February 21, 2018, which satisfactorily demonstrated that both waste streams were eligible for delisting. This Rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:963.B(3); therefore, no report regarding environmental/health benefits and social/economic costs is required.

**Title 33
ENVIRONMENTAL QUALITY
Part V. Hazardous Waste and Hazardous Materials
Subpart 1. Department of Environmental Quality—
Hazardous Waste**

**Chapter 49. Lists of Hazardous Wastes
§4999. Appendices—Appendix A, B, C, D, and E**

Appendix A. - Appendix B. ...

Appendix E. Wastes Excluded under LAC 33:V.105.M

A. - B.3.b. ...

Table 1—Wastes Excluded
BFI Waste Systems of Louisiana LLC, Colonial Landfill, Sorrento, LA

Table 1—Wastes Excluded
Denka Performance Elastomer LLC, LaPlace, LA

Table 1—Wastes Excluded
Lyondell Chemical Company, Lake Charles, LA

**Table 1—Wastes Excluded
Marathon Oil Co., Garyville, LA**

**Table 1—Wastes Excluded
Motiva Enterprises LLC, Norco, LA**

**Table 1—Wastes Excluded
Syngenta Crop Protection, Inc., St. Gabriel, LA**

**Table 1—Wastes Excluded
The Dow Chemical Company, Plaquemine, LA**

The solvents/EDC production unit, formerly owned and operated by The Dow Chemical Company, but currently owned and operated by Blue Cube Operations LLC since October 5, 2015, generates process wastewater effluent from an air pollution control system (wet scrubbing) that treats combustion gas produced from RCRA-permitted F-700 thermal treatment unit (incinerator), which combusts chlorinated organic waste feed streams carrying EPA listed hazardous waste numbers K016, K019, U044, U077, U080, U083, U210, U211, and U227. The specific hazardous waste streams combusted and their related EPA hazardous waste numbers are: Solvent Heavies (Tank D-700) – D001, D019, D022, D028, D032, D033, D034, D035, D039, and D040; EDC Heavies (Tank T-107) – D001, D018, D019, D022, D028, D032, D033, D035, D039, D040, K019, U077, and U227; Hexes (Tanks D-13/D-15) – D019, D032, D033, D034, D039, K016, U210, and U211; Chlorine Taffy (from chlorine unit) – D019, D022, D032, D033, D034, and D039; General Waste (Tank D-42) – D001, D019, D022, D028, D032, D033, D034, D039, K016, K019, U044, U077, U080, U083, U210, and U211; VRU Waste (Tank D-930) – D001, D019, D022, D028, D033, D039, U044, U077, U080, U210, and U211; Glycol Ethers/PDC (from Dow's glycol unit) – D001, D019, D022, D028, D032, D035, and D039. The solvents/EDC process wastewater effluent is discharged through LPDES-permitted Internal Outfall 201 into the solvents east ditch. The Dow Chemical Company shall implement a sampling and analysis monitoring program that meets the following conditions for this hazardous waste number delisting exclusion to remain in effect.

(1). Testing

Sample collections and analyses, including quality control procedures, shall be performed according to methodologies described in *Test Methods for Evaluating Solid Waste, Physical/Chemical Methods*, EPA Publication Number SW-846, as incorporated by reference in LAC 33:V.110. All samples shall be taken while the F-700 thermal treatment unit is operating within 70 percent of its permitted maximum hazardous waste feed rate. All sampling and analytical results including quality control information shall be reported to the department.

(1)(A). Initial Organic Verification Testing of Solvents/EDC Process Wastewater Effluent

During the first six months after promulgation of this delisting exclusion, The Dow Chemical Company shall collect and analyze a monthly grab sample of solvents/EDC process wastewater effluent for Condition (3)(A) - organic constituents. If the analytical results obtained during the six monthly test events are significantly below Condition (3)(A) - delisting exclusion levels, as determined by the department in writing, then The Dow Chemical Company may replace Condition (1)(A) - organic testing with Condition (1)(B). Condition (1)(A) shall remain in effect indefinitely until the department makes this determination.

(1)(B). Subsequent Organic Verification Testing of Solvents/EDC Process Wastewater Effluent

Following satisfactory completion of Condition (1)(A) and written concurrence by the department, The Dow Chemical Company shall continue to collect and analyze grab samples annually thereafter for Condition (3)(A) - organic constituents on a randomly chosen operating day during the same operating month as the previous year's sampling event. If the department determines, in writing, that the analytical results obtained during the annual test events are significantly below delisting exclusion levels in Condition (3)(A), then The Dow Chemical Company may discontinue further organic testing of solvents/EDC process wastewater effluent. Condition (1)(B) shall remain in effect indefinitely until the department makes this determination.

(1)(C). Polychlorinated Dibenzodioxins and Polychlorinated Dibenzofurans (Dioxins and Furans) Testing

During the first 30 days after promulgation of this delisting exclusion,

**Table 1—Wastes Excluded
The Dow Chemical Company, Plaquemine, LA**

The Dow Chemical Company shall collect and analyze a grab sample of Solvents/EDC process wastewater effluent for Condition (3)(B) - dioxins and furans. If the department determines, in writing, that analytical results are insignificant, then The Dow Chemical Company may discontinue dioxins and furans testing. Condition (1)(C) shall remain in effect indefinitely on a monthly, or other monitoring schedule as directed by the department, until the department makes this determination.

(2). Waste Holding and Handling

Subject to conditions of this delisting exclusion, the solvents/EDC process wastewater effluent becomes nonhazardous industrial solid waste.

This newly delisted waste shall always be managed and/or disposed in accordance with all applicable solid waste regulations. If constituent levels in any representative sample equal or exceed any Condition (3) - delisting exclusion level, the solvents/EDC process water effluent shall be immediately resampled and reanalyzed for constituents that exceeded delisting exclusion levels. If the repeat analysis is less than delisting exclusion levels, then The Dow Chemical Company shall resume Condition (1) - sampling and analysis. If reanalysis results equal or exceed any delisting exclusion levels, then within 45 days The Dow Chemical Company shall submit a report to the department describing probable causes for exceeding the constituent level and proposing corrective action measures. The department shall determine the necessary corrective action and shall notify The Dow Chemical Company, in writing, of the corrective action needed. The Dow Chemical Company shall implement the corrective action and reinitiate sampling and analysis for the constituent(s) per Condition (1). Within 30 days after receiving written notification, The Dow Chemical Company may appeal the corrective action determined by the department. During the full period of corrective action determination and implementation this delisting exclusion of solvents/EDC process wastewater effluent shall remain in effect unless the department notifies The Dow Chemical Company, in writing, of a suspension or rescission of all or part of this delisting exclusion. Sampling and analysis shall continue through this period as long as this delisting exclusion remains in effect.

(3). Delisting Exclusion Levels

The following delisting exclusion levels have been determined safe by taking into account health-based criteria and analytical method detection limits. Condition (3) concentrations shall be measured in the extract from samples by the appropriate method(s) specified in LAC 33:V. 4903.E, and shall be less than the following levels:

(3)(A). Organic Constituents in Solvents/EDC Process Wastewater Effluent

Carbon Tetrachloride—0.057 mg/L; Methylene Chloride—0.089 mg/L.

(3)(B). Dioxins and Furans in Solvents/EDC Process Wastewater Effluent

The 15 congeners listed in Section 1.1 of EPA Publication Number SW-846 Method 8290—monitor only.

(3)(B). Dioxins and Furans in Solvents/EDC Process Wastewater Effluent

The 15 congeners listed in Section 1.1 of EPA Publication Number SW-846 Method 8290—monitor only.

(4). Changes in F-700 Thermal Treatment Unit Operating Conditions or Waste Feed Streams

If Blue Cube Operations LLC significantly changes operating conditions of the solvents/EDC production unit F-700 Thermal Treatment Unit (incinerator) specified in the RCRA permit or delisting exclusion petition submitted by The Dow Chemical Company, or adds any previously unpermitted waste feed streams to the incinerator, or significantly changes any waste feed profile described in the delisting exclusion petition, and any of these actions would justify a Class 3 modification to Blue Cube Operations LLC's RCRA permit pertaining to this combustion unit, The Dow Chemical Company shall notify the department, in writing. Following receipt of written acknowledgement by the department and after Blue Cube Operations LLC has implemented the changes, The Dow Chemical Company shall collect and analyze a grab sample of solvents/EDC process wastewater effluent for the full listing of constituents found in 40 CFR Part 264, Appendix IX—Groundwater Monitoring List (LAC 33:V.3325). If Appendix IX analysis results identify any hazardous constituent above delisting exclusion levels, or above universal treatment standards at 40 CFR 268.48, then The Dow Chemical Company shall reinstitute Condition (1) testing for a minimum of six months, or until the department determines, in writing, that no more monitoring is required. This conditional delisting exclusion of solvents/EDC process wastewater effluent shall remain in effect until the department deems circumstances warrant suspending, amending, or terminating this delisting exclusion. Blue Cube Operations LLC may eliminate feeding any waste stream to the incinerator at any time

**Table 1—Wastes Excluded
The Dow Chemical Company, Plaquemine, LA**

without affecting this delisting exclusion of the solvents/EDC process wastewater effluent or any monitoring schedule.

The solvents east ditch (owned by The Dow Chemical Company) historically receives process wastewater effluent from the solvents/EDC production unit, formerly owned and operated by The Dow Chemical Company, but currently owned and operated by Blue Cube Operations LLC since October 5, 2015. Blue Cube Operations LLC generates solvents/EDC process wastewater effluent from an air pollution control system (wet scrubbing) that treats combustion gas produced from RCRA-permitted F-700 thermal treatment unit (incinerator), which burns chlorinated organic wastes carrying EPA listed hazardous waste numbers K016, K019, U044, U045, U077, U080, U083, U210, U211, U227, and F024. The specific hazardous wastes combusted and their EPA hazardous waste numbers are: Solvent Heavies (Tank D-700) – D001, D019, D022, D028, D032, D033, D034, D035, D039, and D040; EDC Heavies (Tank T-107) – D001, D018, D019, D022, D028, D032, D033, D035, D039, D040, K019, U077, and U227; Hexes (Tanks D-13/D-15) – D019, D032, D033, D034, D039, K016, U210, and U211; Chlorine Taffy (from chlorine unit) – D019, D022, D032, D033, D034, and D039; General Waste (Tank D-42) – D001, D019, D022, D028, D032, D033, D034, D039, K016, K019, U044, U077, U080, U083, U210, and U211; VRU Waste (Tank D-930) – D001, D019, D022, D028, D033, D039, U044, U077, U080, U210, and U211; Glycol Ethers/PDC (from Dow’s glycol unit) – D001, D019, D022, D028, D032, D035, and D039. The solvents east ditch sediment also carries the same aforementioned waste numbers (including U045 and F024, associated with past operations only). The Dow Chemical Company shall implement a sampling and analysis monitoring program that meets the following conditions for this hazardous waste number delisting exclusion to remain in effect.

(1). Testing

For monitoring purposes, solvents east ditch sediment samples for analysis shall either be:

- a) in-situ ditch sediment collected according to an LDEQ-approved sampling and analysis plan; or
- b) solids filtered from solvents/EDC process wastewater effluent before it comingles with any other waste stream or process area stormwater runoff.

Sample collections and analyses, including quality control procedures, shall be performed according to methodologies described in Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, EPA Publication Number SW-846, as incorporated by reference in LAC 33:V.110. All samples shall be taken while the F-700 thermal treatment unit is operating within 70 percent of its permitted maximum hazardous waste feed rate. All results including quality control information shall be reported to the department.

(1)(A). Initial Organic Verification Testing of Solvents East Ditch Sediment

During the first six months after promulgation of this delisting exclusion, The Dow Chemical Company shall collect and analyze a sample of solvents east ditch sediment for Condition (3)(A) - organic constituents. After completing this initial test event, The Dow Chemical Company shall sample and analyze for Condition (3)(A) -organic constituents annually for up to three years afterward during the same operating period as the previous year’s sampling event. If the analytical results are significantly below Condition (3)(A) delisting exclusion levels, as determined by the department in writing, then The Dow Chemical Company may discontinue further organic monitoring of solvents east ditch sediment. Condition (1)(A) shall remain in effect on an annual basis indefinitely until the department makes this determination.

(1)(B). Polychlorinated Dibenzodioxins and Polychlorinated Dibenzofurans (Dioxins and Furans) Monitoring

During the first 30 days after promulgation of this delisting exclusion, The Dow Chemical Company shall collect and analyze a solvents east ditch sediment sample for Condition (3)(B) - dioxins and furans. After that, The Dow Chemical Company shall sample and analyze for Condition (3)(B) - dioxins and furans once every three years beginning three years after the initial sampling event and during the same operating month as the previous year’s sampling event. If the department determines, in writing, that analytical results are significantly below universal treatment standards, then The Dow Chemical Company may discontinue further monitoring of solvents east ditch sediment for dioxins and furans. Condition (1)(B) shall remain in effect indefinitely on a monthly, or other monitoring schedule as directed by the department, until the department makes this determination.

(2). Waste Holding and Handling

Subject to conditions of this delisting exclusion, solvents east ditch sediment becomes nonhazardous industrial solid waste.

This newly delisted waste shall always be managed and/or disposed in accordance with all applicable solid waste regulations. If constituent levels in any representative sample equal or exceed any Condition (3) - delisting exclusion levels, the solvents east ditch sediment shall be immediately resampled and reanalyzed for constituents that exceed delisting exclusion levels. If the repeat analysis is less than delisting exclusion levels, then The Dow Chemical Company shall resume Condition (1) - sampling and analysis. If reanalysis results equal or exceed any delisting exclusion levels, then within 45 days The Dow Chemical Company shall submit a report to the department describing probable causes for exceeding the constituent level and proposing corrective action measures. The department shall determine the necessary corrective action and shall notify The Dow Chemical Company of the corrective action needed. The Dow Chemical Company shall implement the corrective action and reinstate sampling and analysis for the constituent(s) per Condition (1). Within 30 days after receiving written notification, The Dow Chemical Company may appeal the corrective action determined by the department. During the full period of corrective action determination and implementation, this delisting exclusion of solvents east ditch sediment shall remain in effect unless the department notifies The Dow Chemical Company, in writing of a suspension or rescission of all or part of this delisting exclusion. Sampling and analysis shall continue through this period, as long as this delisting exclusion remains in effect.

(3). Delisting Exclusion Levels

The following delisting exclusion levels have been determined safe by taking into account health-based criteria and analytical method detection limits. Condition (3) concentrations shall be measured in the extract from samples by the appropriate method(s) specified in LAC 33:V. 4903.E. Concentrations in the extract shall be less than the following levels:

(3)(A). Organic Constituents in Solvents East Ditch Sediment

Methylene Chloride—30.0 mg/kg.

(3)(B). Dioxins and Furans in Solvents East Ditch Sediment

The 15 congeners listed in Section 1.1 of EPA Publication Number SW-846 Method 8290—monitor only, ug/kg.

(4). Changes in F-700 Thermal Treatment Unit Operating Conditions or Waste Feed Streams

If Blue Cube Operations LLC significantly changes operating conditions of the solvents/EDC production unit F-700 Thermal Treatment Unit (incinerator) specified in the delisting exclusion petition submitted by The Dow Chemical Company, or adds any previously unpermitted waste feed streams to the incinerator, or significantly changes any waste feed profile described in the delisting exclusion petition, and any of these actions would justify a Class 3 modification to Blue Cube Operations LLC’s RCRA permit, The Dow Chemical Company shall notify the department in writing. Following receipt of written acknowledgement by the department and after Blue Cube Operations LLC has implemented the changes, The Dow Chemical Company shall collect and analyze a solvents east ditch sediment sample for the full listing of constituents found in 40 CFR Part 264, Appendix IX—Groundwater Monitoring List (LAC 33:V.3325). If Appendix IX analysis results identify any hazardous constituent above delisting exclusion levels, or above universal treatment standards at 40 CFR 268.48, then The Dow Chemical Company shall reinstate Condition (1) testing for a minimum of two six-month operating periods, or until the department determines, in writing, that no more monitoring is required. This conditional delisting exclusion of solvents east ditch sediment shall remain in effect until the department deems circumstances warrant suspending, amending, or terminating this delisting exclusion. Blue Cube Operations LLC may eliminate feeding any waste stream to the incinerator at any time without affecting the delisting exclusion of solvents east ditch sediment or any monitoring schedule.

(5). Changes in Analytical Profile of Solvents East Ditch Sediment.

Solvents east ditch sediment in-situ is excluded from certain EPA waste number categories presumptive upon the initial analysis for hazardous constituents in solids filtered from continuously generated solvents/EDC process wastewater effluent, as presented in the delisting exclusion petition submitted to LDEQ. This delisting exclusion does not extend to any additional hazardous waste numbers determined applicable subsequent to actual analysis of solvents east ditch sediment in-situ, nor absolve The Dow Chemical Company from any management or corrective action that might be required.

**Table 2—One-Time Wastes Excluded
Murphy Exploration and Production Company, Amelia, LA**

* * *

Table 2—One-Time Wastes Excluded
Conrad Industries, Inc. (Conrad), Morgan City, LA
* * *

Table 2—One-Time Wastes Excluded
Marine Shale Processors, Inc., Amelia LA
* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, LR 20:1000 (September 1994), amended by the Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 21:944 (September 1995), LR 22:830 (September 1996), amended by the Office of Waste Services, Hazardous Waste Division, LR 23:952 (August 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:2397 (December 1999), LR 26:2509 (November 2000), LR 29:1084 (July 2003), promulgated LR 29:1475 (August 2003), amended by the Office of Environmental Assessment, LR 30:2464 (November 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 33:445 (March 2007), LR 33:825 (May 2007), LR 33:1016 (June 2007), LR 34:73 (January 2008), LR 34:1021 (June 2008), LR 34:1613 (August 2008), amended by the Office of the Secretary, Legal Division, LR 38:2757 (November 2012), LR 40:1692 (September 2014), LR 42:2179 (December 2016), LR 43:1149 (June 2017), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 43:2139 (November 2017), amended by the Office of the Secretary, Legal Affairs Division, LR 49:59 (January 2023), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 50:

Family Impact Statement

This Rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

Poverty Impact Statement

This Rule has no known impact on poverty as described in R.S. 49:973.

Small Business Analysis

This Rule has no known impact on small business as described in R.S. 49:974.1 - 974.8.

Provider Impact Statement

This Rule has no known impact on providers as described in HCR 170 of 2014.

Public Comments

All interested persons are invited to submit written comments on the proposed regulation. Persons commenting should reference this proposed regulation by HW125. Such comments must be received no later than March 5, 2024, at 4:30 p.m., and should be sent to William Little, Attorney Supervisor, Office of the Secretary, Legal Affairs Division, P.O. Box 4302, Baton Rouge, LA 70821-4302, by fax (225) 219-4068, or by E-mail to DEQ.Reg.Dev.Comments@la.gov. Copies of the proposed regulation can be purchased by contacting the LDEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of HW125. The proposed regulation is available on the Internet at <https://deq.louisiana.gov/page/rules-regulations>.

Public Hearing

A public hearing will be held via Zoom on February 27, 2024, at 1:30 p.m. Interested persons are invited to attend and submit oral comments via PC, Mac, Linux, iOS or

Android at <https://deqlouisiana.zoom.us/j/9373792954?omn=84764065727> or by telephone by dialing (636) 651-3182 using the conference code 725573. Should individuals with a disability need an accommodation in order to participate, contact Doug Bordelon at the address given below, or at (225) 219-1325.

The proposed regulation is available for inspection at the following LDEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 508 Downing Pines Road, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 111 New Center Drive, Lafayette, LA 70508; 110 Barataria Street, Lockport, LA 70374; 201 Evans Road, Bldg. 4, Suite 420, New Orleans, LA 70123.

Courtney J. Burdette
Executive Counsel

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Delisting Exclusion of Solvents/EDC Process Wastewater Effluent and Solvents East Ditch Sediment from Hazardous Waste for the Dow Chemical Company, Plaquemine

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

There will be no cost or savings to state or local governmental units for implementing this rule. The Dow Chemical Company is requesting to exclude (delist) from the hazardous waste regulations the Solvents/Ethylene Dichloride (EDC) Process Wastewater Effluent and Solvents/East Ditch sediment generated by activities conducted by Blue Cube Operations LLC from the Solvents/EDC production unit, particularly from the F-700 thermal treatment unit (TTU) in Plaquemine, LA permitted by the Resource Conservation and Recovery Act (RCRA). This rulemaking is a one-time delisting which applies to the Solvents/EDC Process Wastewater Effluent and Solvents/East Ditch sediment that is generated from an air pollution control system (wet scrubbing) that treats combustion gas produced from the F-700 TTU, which burns chlorinated organic wastes carrying Hazardous Waste listed by the Environmental Protection Agency (EPA). The delisting was requested by the Dow Chemical Company to meet compliance with the Consent Agreement and Final Order (CAFO) directed by the EPA in 2012. This delisting applies particularly to the Solvents East Ditch sediment.

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

There is no estimated effect on revenue collections of state or local governmental units resulting from this proposed rule change.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

Assuming the delisting petition is granted, the Dow Chemical Company will meet the Consent Agreement and Final Order directed by the EPA. This change would produce an economic benefit for the company. The delisting of the Solvents/EDC Process Wastewater Effluent and Solvents/East Ditch sediment will allow the company to manage the effluent/sediment outside of RCRA disposal standards. The company will not have to remove, haul, and transport the

effluent/sediment to a hazardous waste disposal facility, potentially reducing the impact of traffic and stress to the roadways.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change will have negligible effects on competition and employment.

Courtney J. Burdette
Executive Counsel
2401#019

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Environmental Quality Office of the Secretary Legal Affairs and Criminal Investigations Division

Open Meetings via Electronic Means Policy
(LAC 33:I.Chapter 22)(OS103)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Office of the Secretary regulations, LAC 33:I.Chapter 22. (OS103)

This Rule summarizes the LDEQ's obligations and limitations for announcing and holding public meetings and the process by which the LDEQ shall provide eligible requestors with accommodations in order to attend and participate in said meetings in person or remotely (via electronic means).

Act 393 of the 2023 Regular Session requires the LDEQ, upon request, to provide accommodations to people with disabilities to enable them to participate in open meetings or open meetings delivered by electronic access. The basis and rationale for this Rule are to ensure equal access to public meetings to all residents, including those who identify as disabled, as required by the Americans with Disabilities Act. This Rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:963.B(3); therefore, no report regarding environmental/health benefits and social/economic costs is required.

Title 33

ENVIRONMENTAL QUALITY

Part I. Office of the Secretary

Subpart 1. Departmental Administrative Procedures

Chapter 22. Open Meetings

§2201. Open Meetings Accessibility

A. The Department of Environmental Quality shall provide for participation via electronic means on an individualized basis by people with disabilities.

B. People with disabilities are defined as any of the following:

1. a member of the public with a disability recognized by the Americans with Disabilities Act (ADA);
2. a designated caregiver of such a person; or
3. a member of the public body itself with an ADA-qualifying disability.

C. The written public notice for an open meeting, as required by R.S. 42:19, shall include the name, telephone number and email address of the agency representative to whom a disability accommodation may be submitted.

D. As soon as possible, but no later than the start of the scheduled meeting, the requestor shall be provided with the teleconference or videoconference link.

AUTHORITY NOTE: Promulgated in accordance with Act 393 of the 2023 Regular Session of the Louisiana Legislature.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 50:

Family Impact Statement

This Rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

Poverty Impact Statement

This Rule has no known impact on poverty as described in R.S. 49:973.

Small Business Analysis

This Rule has no known impact on small business as described in R.S. 49:974.1 - 974.8.

Provider Impact Statement

This Rule has no known impact on providers as described in HCR 170 of 2014.

Public Comments

All interested persons are invited to submit written comments on the proposed regulation. Persons commenting should reference this proposed regulation by OS103. Such comments must be received no later than March 5, 2024, at 4:30 p.m., and should be sent to William Little, Attorney Supervisor, Office of the Secretary, Legal Affairs Division, P.O. Box 4302, Baton Rouge, LA 70821-4302, fax (225) 219-4068, or E-mail to DEQ.Reg.Dev.Comments@la.gov. Copies of the proposed regulation can be purchased by contacting the LDEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of OS103. The proposed regulation is available on the Internet at <https://deq.louisiana.gov/page/rules-regulations>.

Public Hearing

A public hearing will be held via Zoom on February 27, 2024, at 1:30 p.m. Interested persons are invited to attend and submit oral comments via PC, Mac, Linux, iOS or Android at <https://deqlouisiana.zoom.us/j/9373792954?omn=84764065727> or by telephone by dialing (636) 651-3182 using the conference code 725573. Should individuals with a disability need an accommodation in order to participate, contact Doug Bordelon at the address given below, or at (225) 219-1325.

The proposed regulation is available for inspection at the following LDEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 508 Downing Pines Road, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 111 New Center Drive, Lafayette, LA 70508; 110 Barataria Street, Lockport, LA 70374; 201 Evans Road, Bldg. 4, Suite 420, New Orleans, LA 70123.

Courtney J. Burdette
Executive Counsel

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Open Meetings via
Electronic Means Policy**

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

There are no estimated costs or savings to state or local governmental units related to implementation of the proposed rule. The Louisiana Department of Environmental Quality (LDEQ) currently has the capability to offer participation in public meetings via electronic means, either through teleconference phone lines and/or existing Zoom or Teams videoconference accounts.

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

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

**III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO
DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR
NONGOVERNMENTAL GROUPS (Summary)**

The individuals directly affected by this rule would be members of the public with disabilities, their designated caregivers, and/or members of public bodies with disabilities request to attend public meetings via electronic means (i.e. teleconference or videoconference). In such cases, it stands to reason that they would not request to participate in such a manner unless they already have the technological capability to do so, either via telephone or through a free Zoom or Teams videoconference account. Therefore, the proposed rule may result in travel savings to members of the public with disabilities as they can now participate in the meeting virtually.

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

There is no estimated effect on competition and employment.

Courtney J. Burdette
Executive Counsel
2401#018

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Revenue
Tax Policy and Planning Division**

**Payment of Sales and Use Taxes by Persons Constructing,
Renovating, or Altering Immovable Property
(LAC 61:I.4372)**

Under the authority of R.S. 47:1511 and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Revenue, Tax Policy and Planning Division, proposes to amend LAC 61:I.4372.

The purpose of these amendments is to provide additional clarification regarding when immovable property contractors are required to collect and remit sales and use tax when constructing, renovating, or altering immovable property. The proposed amendments provide that when sales tax is collected by the immovable property contractor and remitted to the department, there is a legal presumption that the parties intended there to be a sale of tangible personal property. It also establishes requirements to overcome that presumption.

Title 61

REVENUE AND TAXATION

**Part I. Taxes Collected and Administered by the
Secretary of Revenue**

Chapter 43. Sales and Use Tax

**§4372. Payment of Sales and Use Taxes by Persons
Constructing, Renovating, or Altering
Immovable Property**

A. - B. ...

C. Except as provided in Subsection D of this Section, sales of tangible personal property, including materials, supplies, and equipment, made to contractors, or their contractors, subcontractors, or agents, for use in the construction, alteration, or repair of immovable property are presumed to be sales to consumers or users, not sales for resale, and therefore the contractor is liable for the taxes imposed by this Chapter on their purchases or importations of such tangible personal property.

D. In the event the contractor, subcontractor, or agent has collected sales tax from its customer to be remitted to the secretary of the Department of Revenue, such collection shall create a presumption that the parties intended title and/or possession of itemized articles of tangible personal property to be transferred to the customer prior to their being made immovable. To overcome this presumption, the customer must present credible evidence that such collection was in error and was contrary to the true intent of the parties. Such credible evidence shall include a writing signed by the contractor stating that title and/or possession of itemized articles of tangible personal property were transferred to the customer after their being made immovable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 38:1995 (August 2012), amended by the Department of Revenue, Tax Policy and Planning Division, LR 50:

Family Impact Statement

This Family Impact Statement is provided as required by Act 1183 of the 1999 Regular Session of the Louisiana Legislature. Implementation of this proposed Rule should not have any known or foreseeable impact on any family as defined by R.S. 49:972(D) or on family formation, stability and autonomy. Specifically, the implementation of these proposed rules will have no known or foreseeable effect on:

1. the stability of the family.
2. the authority and rights of parents regarding the education and supervision of their children.
3. the functioning of the family.
4. family earnings and family budget.
5. the behavior and personal responsibility of children.
6. the ability of the family or a local government to perform this function.

Poverty Impact Statement

The proposed Rule will have no known impact on poverty as described in R.S. 49:973.

Small Business Analysis

It is anticipated that the proposed Rule should not have a significant adverse impact on small businesses as defined in the Regulatory Flexibility Act. The agency, consistent with

health, safety, environmental and economic factors has considered and, where possible, utilized regulatory methods in drafting these proposed amendments to accomplish the objectives of applicable statutes while minimizing any anticipated adverse impact on small businesses.

Provider Impact Statement

The proposed Rule will have no known or foreseeable effect on:

1. the staffing level requirements or qualifications required to provide the same level of service.
2. the total direct and indirect effect on the cost to the provider to provide the same level of service.
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written data, views, arguments, or comments regarding this proposed Rule to Brandea Averett, Director, Tax Policy and Planning Division by mail to P.O. Box 44098, Baton Rouge, LA 70804-4098. Written comments will be accepted until 4:30 p.m., February 26, 2024.

Public Hearing

A public hearing will be held on February 27, 2024 at 9 a.m. in the River Room, on the 7th Floor of the LaSalle Building, 617 North Third Street, Baton Rouge, LA 70802. Should individuals with a disability need an accommodation in order to participate, contact Brandea Averett at the address given above in the Public Comments section, by email at LDRadarequests@la.gov or at by phone at (225) 219-2784.

Kevin J. Richard, CPA
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Payment of Sales and Use Taxes by Persons Constructing, Renovating, or Altering Immovable Property

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

The purpose of the proposed amendments is to provide additional clarification regarding when immovable property contractors are required to pay and remit sales and use tax when constructing, renovating, or altering immovable property.

Implementation of this proposal will not result in material additional costs or cost savings to the Louisiana Department of Revenue (LDR). Local governments are not affected by this proposal.

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

There is no anticipated direct material effect on state or local revenues as a result of this measure.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed amendment will affect customers of immovable property contractors who believe sales tax was charged in error and seek a refund. The amendments require those customers to present certain documentation to overcome the presumption that the sales tax was properly charged. To the extent this information is not readily available, these taxpayers will have to obtain this additional documentation from their contractor. However, any cost associated with this requirement is expected to be minimal.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated impact on competition or employment.

Kevin J. Richard, CPA
Secretary
2401#017

Deborah Vivien
Chief Economist
Legislative Fiscal Office

NOTICE OF INTENT

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Bear Hunting Areas, Seasons, Rules and Bag Limits (LAC 76:XIX.109)

Editor's Note: This Notice of Intent is being reprinted because of a manifest typographical error. The original Notice of Intent can be viewed in its entirety on pages 2182-2184 of the December 20, 2023 *Louisiana Register*.

Notice is hereby given that the Wildlife and Fisheries Commission proposes to adopt a Louisiana Black Bear hunting season for the 2024 hunting season. The department manages the take of resident game, outlaw quadrupeds and migratory birds in Louisiana and this action defines legal participants, sets the legal season bag limits along with legal methods of take and hunting season dates for the Louisiana Black Bear during 2024 hunting season.

The secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the commission to promulgate and effectuate this Notice of Intent, including but not limited to, the filing of the Fiscal and Economic Impact Statement, the filing of the Notice of Intent and compiling public comments and submissions for the commission's review and consideration. In the absence of any further action by the commission following an opportunity to consider all public comments regarding the proposed rule, the secretary is authorized and directed to prepare and transmit a summary report to the legislative oversight committees and file the final Rule.

Title 76

WILDLIFE AND FISHERIES

Part XIX. Hunting and WMA Regulations

Chapter 1. Resident Game Hunting Season

§109. Bear Hunting Areas, Seasons, Rules and Bag Limits

A. Bear Hunting 2024

1. Hunting only allowed in Bear Area 4 and shall be still hunt only.

2. Bear season will be from the first Saturday in December to the Sunday following the third Saturday in December. Harvest limit is one bear per season.

3. The use of dogs when hunting bear is prohibited.

4. Cubs and females with cubs are not legal to harvest.

A cub is defined as any bear less than or equal to 75 pounds.

5. Bear hunting is restricted to bona fide resident hunters who are properly licensed, hunter safety certified, and selected by lottery. Successful applicants will be issued permits. The number of bear harvest permits issued will be determined based on Bear Area specific population estimates and vital rate data acquired at regular intervals. The number of bear harvest permits issued at any given time during the season shall not allow the harvest to exceed the number of

female or male bears in any Bear Area that would compromise the long-term sustainability of the Bear Area population.

6. Harvest of bears without a permit is prohibited. Bear hunting permits will consist of three types: Wildlife Management Area (WMA), Private Landowner, and General.

a. WMA Permits will authorize bear harvest for specified WMAs.

b. Private Landowner Permits will be allocated to qualifying private landowners, or their designee, in Bear Areas with an open season for that permit year. To qualify for a Private Landowner Permit, applicants must provide evidence of qualifying acreage (40+ contiguous acres), proof of ownership, and payment of property taxes for property within the Bear Area for which they apply.

c. General Permits authorize hunting on private property, with landowner permission, within Bear Areas with an open season for that permit year. Individuals receiving a General Permit are responsible for coordinating with landowners to gain permission and access to hunting on their property.

7. Permits shall only be issued by lottery. Applicants shall apply to LDWF on department-approved applications prior to each season. Applicants not chosen will be given preference points in following years. Successful applicants are not allowed to apply for another bear permit for two years after being drawn. All applications require a non-refundable application fee. Consult the regulations pamphlet or contact any department office for details.

8. Transferability of bear permits: Only the private landowner permits are transferrable. Transferees must be a properly licensed Louisiana resident and hunter safety certified. Permits being transferred must be arranged prior to the mandatory training session. A permit may only be transferred one time. The Department of Wildlife and Fisheries shall be notified once a permit has been transferred and provided the transferees name, address, and phone number.

9. Bear hunter training: All successful applicants or transferees will be required to attend a department bear hunter training course prior to going afield. Individuals not attending a department bear hunter training course will be prohibited from hunting. Successful youth applicants must attend bear hunting training with a properly licensed adult. The adult attending the training is responsible for supervising the youth during the bear hunt and must be within arm's reach or within the same stand or blind as the youth.

10. Baiting and scent attractants: Baiting allowed two weeks prior to season opening to the day the season closes. Hunting over specified unprocessed bait, specified processed bait, and the use of a scent lure is allowed. Unprocessed bait is defined as any raw product legal for baiting bears. Legal specified unprocessed baits are raw meat and fish, grains, nuts, and fruits where legal. Specified processed bait is defined as any baked or cooked product legal for baiting bears. Legal processed baits are donuts and like pastries (e.g., cinnamon rolls, honey buns, muffins). Use of chocolate is prohibited as bait or scent. Scent lure is any non-food product that is used as a scent attractant legal for use in Louisiana.

11. Harvested bears must be tagged immediately upon harvest and prior to being moved from site of harvest. All successful bear hunters must immediately contact their designated department biologist (see permit) to report their kill and schedule biological data collection.

12. Hunter Orange or Blaze Pink: Any person hunting bears shall display on his head, chest and/or back a total of not less than 400 square inches of "hunter orange" or "blaze pink". Persons hunting on privately owned land may wear a "hunter orange" or "blaze pink" cap or hat in lieu of the 400 square inches. These provisions shall not apply to persons hunting bear from elevated stands on property that is privately owned or to archery bear hunters hunting on lands where firearm hunting is not allowed by agreement of the landowner or lessee. However, anyone hunting bear on such lands where hunting with firearms is allowed shall be required to display the 400 square inches or a "hunter orange" or "blaze pink" cap or hat while walking to and from elevated stands. While a person is hunting from an elevated stand, the 400 square inches or cap or hat may be concealed. Warning: bear hunters are cautioned to watch for persons hunting other game or engaged in activities not requiring "hunter orange" or "blaze pink".

13. All successful bear hunters are required to remove the edible portions of meat from the bear. "Edible portions" include, at a minimum, all four quarters, all backstraps and tenderloins along the backbone.

14. Methods of take:

a. Bear may be taken with the following firearms, any of which may be fitted with a magnified scope:

i. Centerfire firearms .25 caliber or larger, rimfire firearms .30 caliber or larger, and shotguns 10 gauge and smaller using slugs, all of which must load exclusively from the breech.

ii. Rifles and pistols, .44 caliber or larger, or shotguns 10 gauge and smaller, all of which must load exclusively from the muzzle, use black powder or approved substitute only, take ball or bullet projectile only, including sabot bullets.

b. Bear may be taken by legal archery gear with a minimum draw weight of no less than 30 pounds, including traditional bow, compound bow, crossbow, or any bow drawn, held or released by mechanical means.

c. All other methods of take are prohibited.

B. Description of Bear Areas

1. Area 1

a. All of the following parishes:

i. Acadia, Assumption, Cameron, Iberia, Jefferson, Lafayette, Lafourche, St. Mary, Terrebonne, and Vermillion.

b. Portions of the following parishes:

i. Allen—that portion south of US 190 and east of US 165;

ii. Ascension—that portion west of the Mississippi River;

iii. Calcasieu—that portion south of Interstate 10;

iv. Iberville—that portion south of Interstate 10 and west of the Mississippi River;

v. Jefferson—that portion west of the Mississippi River;

vi. Orleans—that portion west of the Mississippi River;

- vii. Plaquemines—that portion west of the Mississippi River;
 - viii. St. Charles—that portion west of the Mississippi River;
 - ix. St. James—that portion west of the Mississippi River;
 - x. St. John the Baptist—that portion west of the Mississippi River;
 - xi. St. Martin—that portion south of Interstate 10;
 - xii. West Baton Rouge—that portion south of Interstate 10.
2. Area 2
- a. All of the following parishes: Pointe Coupee, West Feliciana.
 - b. Portions of the following parishes:
 - i. Iberville—that portion north of Interstate 10;
 - ii. St. Landry—that portion east of Interstate 49;
 - iii. St. Martin—that portion north of Interstate 10;
 - iv. West Baton Rouge—that portion north of Interstate 10.
3. Area 3
- a. All of the following parishes: Avoyelles, Concordia, LaSalle.
 - b. Portions of the following parish:
 - i. Catahoula—that portion west of US Highway 425.
4. Area 4
- a. All of the following parishes: East Carroll, Madison, Tensas, West Carroll.
 - b. Portions of the following parishes:
 - i. Catahoula—that portion east of US Highway 425;
 - ii. Franklin—that portion east of US Highway 425;
 - iii. Richland—that portion east of US Highway 425.
5. Area 5
- a. All of the following parishes: Caldwell, Ouachita, Morehouse, Union.
 - b. Portions of the following parishes:
 - i. Franklin—that portion west of US Highway 425;
 - ii. Richland—that portion west of US Highway 425.
6. Area 6
- a. All of the following parishes: Beauregard, Bienville, Bossier, Caddo, Claiborne, Desoto, Evangeline, Grant, Jackson, Lincoln, Natchitoches, Rapides, Red River, Sabine, Webster, Winn.
 - b. Portions of the following parishes:
 - i. Allen—that portion north of US 190 and west of US 165;
 - ii. Calcasieu—that portion north of Interstate 10;
 - iii. Jefferson Davis—that portion south of US 190 and east of US 165;
 - iv. St. Landry—that portion west of Interstate 49.
7. Area 7
- a. All of the following parishes: East Baton Rouge, East Feliciana, Livingston, St. Bernard, St. Helena, St. Tammany, Tangipahoa, Washington.

- b. Portions of the following parishes:
 - i. Ascension—that portion east of the Mississippi River;
 - ii. Iberville—that portion east of the Mississippi River;
 - iii. Jefferson—that portion east of the Mississippi River;
 - iv. Orleans—that portion east of the Mississippi River;
 - v. Plaquemines—that portion east of the Mississippi River;
 - vi. St. Charles—that portion east of the Mississippi River;
 - vii. St. James—that portion east of the Mississippi River;
 - viii. St. John the Baptist—that portion east of the Mississippi River.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115, R.S. 56:109(B) and R.S. 56:141(C).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 50:

Family Impact Statement

In accordance with Act 1183 of 1999 Regular Session of the Louisiana Legislature, the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission hereby issues its Family Impact Statement in connection with the preceding Notice of Intent. This Notice of Intent will have no impact on the six criteria set out at R.S. 49:972(B).

Poverty Impact Statement

This proposed Rule will have no impact on poverty as described in R.S. 49:973.

Small Business Analysis

This proposed Rule has no known impact on small businesses as described in R.S. 49:965.2 through R.S. 49:965.8.

Provider Impact Statement

This proposed Rule has no known impact on providers as described in HCR 170 of 2014.

Public Comments

Interested persons may submit written comments relative to the proposed Rule until February 5, 2024, to John Hanks, Office of Wildlife, Department of Wildlife and Fisheries, P. O. Box 98000, Baton Rouge, LA 70898-9000 or via e-mail to jhanks@wlf.la.gov.

Andrew J. Blanchard
Chairman

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: **Bear Hunting Areas, Seasons, Rules and Bag Limits**

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

The proposed rule change will have no expenditure impact on state or local governmental units. The proposed rule change establishes regulations for hunting bear in Louisiana, including the following:

- Delineates seven "bear areas" for the state of Louisiana;

- Creates a 16-day bear hunting season in December 2024 in Bear Area (BA) 4 in northeast Louisiana;

Sets standards for means of hunting, baits and attractants, and methods of take;

Sets training requirements and mandates the use of hunter orange or blaze pink;

Sets tagging and reporting requirements for harvested bears;

Establishes a lottery system for the distribution of bear-hunting permits and sets standards for eligibility. It requires a non-refundable fee for all applicants;

Defines three types of bear-hunting permits (general permits, permits for specific WMA, and private landowner permits); and

Prohibits the harvest of cubs and females with cubs and prohibits the use of dogs to hunt bears.

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

The proposed rule change is expected to increase revenue collections of state but not local governmental units by an indeterminate amount. The collections will originate from application fees paid to enter the bear hunt tag lottery and the bear hunting permit. The collection amounts will be determined by the fees established through actions of the legislature in a future legislative session.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change is expected to benefit hunters by providing sustainable opportunities to harvest black bears. It may offer additional potential income to landowners who receive tags, that may be sold to qualified Louisiana resident hunters who seek to pursue bears and to other landowners who lease lands to bear hunters. The proposed rule change may result in additional expenditures for lottery fees and hunting permits if the Louisiana legislature sets fees for bear hunting permits and establishes a lottery.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change is anticipated to have no impact on competition and employment.

Bryan McClinton
Undersecretary
2401#023

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

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

**Charter Boat and Head Boat Saltwater Finfish
On-Water Possession Limits
(LAC 76:VII.207)**

The Wildlife and Fisheries Commission does hereby give notice of intent to enact a Rule (LAC 76:VII.207) to establish on-water possession limits for certain saltwater finfish while on a multi-day charter boat or head boat fishing trip. Authority for amendment of this Rule is included in the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 56:6(25)(a) which allows the Commission to promulgate rules and regulations for time, place, size, quota, daily take or possession limits that supersede existing limits set by law, and R.S. 56:325.1 et seq.

The secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of

the commission to promulgate and effectuate this Notice of Intent, including but not limited to, the filing of the Fiscal and Economic Impact Statement, the filing of the Notice of Intent and compiling public comments and submissions for the commission's review and consideration. In the absence of any further action by the commission following an opportunity to consider all public comments regarding the proposed Rule, the secretary is authorized and directed to prepare and transmit a summary report to the legislative oversight committees and file the final Rule.

Title 76

WILDLIFE AND FISHERIES

Part VII. Fish and Other Aquatic Life

Chapter 2. General Provisions

§207. Saltwater Finfish On-Water Possession Limits

While on a Multi-Day Charter Boat Fishing Trip

A. A recreational saltwater fisherman in possession of a valid basic and saltwater license or an equivalent license that grants both basic fishing and saltwater fishing privileges may possess up to three times the daily bag limit for red drum and spotted seatrout when the fisherman can provide a receipt from the licensed charter guide showing payment and dates of the multi-day charter trip, can demonstrate to the satisfaction of the department that the fisherman has been on a multi-day charter fishing trip, and can demonstrate that the fisherman has been actively on the water or at a remote camp that can be accessed only by water for two days or more. The fish shall be kept whole or whole gutted in separate bags for each species of fish. The bags shall be marked with the date the fish were taken, the species, the number of fish contained in the bag, and the name and license number of the person taking the fish. The fish shall only be in the possession of the person who took the fish. Fishermen who meet the provisions of this Section may possess more than the daily bag limit on the water for purposes of transportation, however, no fisherman shall be actively fishing or engaged in fishing while in possession of more than the daily bag limit.

B. No charter guide and/or deckhand may keep any limit of red drum or spotted seatrout when operating or conducting trips subject to the provisions outlined herein.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25)(a), and R.S. 56:325.1.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 50:

Family Impact Statement

In accordance with Act 1183 of 1999, the Department of Wildlife and Fisheries/Wildlife and Fisheries Commission hereby issue its Family Impact Statement in connection with the preceding Notice of Intent. This Notice of Intent will have no impact on the six criteria set out at R.S. 49:972(B).

Poverty Impact Statement

The proposed rulemaking will have no impact on poverty as described in R.S. 49:973.

Small Business Analysis

This proposed Rule has no known impact on small businesses as described in R.S. 49:965.2 through R.S. 49:965.8.

Provider Impact Statement

This proposed Rule has no known impact on providers as described in HCR 170 of 2014.

Public Comments

Interested persons may submit comments relative to the proposed Rule to Jason Adriance, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000, or via e-mail to jadriance@wlf.la.gov prior to noon on March 1, 2024.

Andrew J. Blanchard
Chairman

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Charter Boat and Head Boat Saltwater Finfish On-Water Possession Limits

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

The proposed rule change will have no expenditure impact on state or local governmental units.

The proposed rule change will increase the recreational possession limits for red drum and spotted seatrout to three times the daily limit for anglers on charter trips lasting multiple days with the duration spent in remote areas or actively on the water. The increased possession limit applies to anglers transporting their own fish while on the water. Anglers who are actively engaged in fishing may not possess more than the daily bag limit.

The proposed rule change includes requirements for sorting, storing, and labeling the fish. The fish must be in the possession of the person who caught them.

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

The proposed rule change is anticipated to have no effect on revenue collections of the Louisiana Department of Wildlife and Fisheries (LDWF) or other state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change is anticipated to impose no additional financial cost on anglers and charter vessel operators. It may benefit anglers by providing additional angling opportunities and benefit charter boat operators by facilitating additional revenue opportunities by allowing them to appeal to additional customers who would be allowed to keep more fish on multi-day trips under the proposed rule than they can keep under existing regulations.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change is anticipated to have no impact on competition and employment in Louisiana.

Bryan McClinton
Undersecretary
2401#024

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Hunting Regulations for the 2024-2026 Seasons
(LAC 76:XIX.Chapter 1)

Notice is hereby given that the Wildlife and Fisheries Commission proposes to amend the general and wildlife management area rules and regulations for the 2024-2026

season, the resident game hunting season for the 2024-2026 hunting seasons, the general and wildlife management area rules and regulations for the turkey season, the turkey hunting areas, and seasons, and bag limits for the 2025 turkey season, and the migratory bird seasons, regulations and bag limits for the 2024-2026 hunting seasons. The department manages the take of resident game, outlaw quadrupeds and migratory birds in Louisiana and this action defines legal participants, sets the legal season bag limits along with legal methods of take and hunting season dates for the 2024-2025 hunting season for wildlife in Louisiana. The new hunting rules and regulations for the 2024-2025 and 2025-2026 seasons clarify opening and closing dates of certain hunting seasons; updates language for tracking of wounded deer with dogs, prohibits the use of drones to aid in recovery of wounded deer, clarifies the Deer Area 3 boundaries, closes turkey season on Bayou Macon and Boeuf WMAs, prohibits the operation of motorized vessels on the Catahoula Basin portion of Dewey Wills WMA from 2 p.m. to 4 a.m. and all nighttime activities during waterfowl season, prohibits the operation of motorized vessels 14 days prior to early teal and waterfowl seasons and during the waterfowl season splits on Russell Sage WMA and removes the daily draw lottery on Sherburne WMA south farm making them online applications only.

The secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the commission to promulgate and effectuate this Notice of Intent, including but not limited to, the filing of the Fiscal and Economic Impact Statement, the filing of the Notice of Intent and compiling public comments and submissions for the commission's review and consideration. In the absence of any further action by the commission following an opportunity to consider all public comments regarding the proposed Rule, the secretary is authorized and directed to prepare and transmit a summary report to the legislative oversight committees and file the final Rule.

Title 76

WILDLIFE AND FISHERIES

Part XIX. Hunting and WMA Regulations

Chapter 1. Resident Game Hunting Season

§101. General

A. The resident game hunting season regulations have been adopted by the Wildlife and Fisheries Commission. A complete copy of the regulations pamphlet may be obtained from the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 21:707 (July 1995), amended LR 22:585 (July 1996), LR 23:871 (July 1997), LR 24:1324 (July 1998), LR 25:1290 (July 1999), LR 26:1506 (July 2000), LR 27:1061 (July 2001), LR 28:1615 (July 2002), LR 29:1122 (July 2003), LR 30:1493 (July 2004), LR 31:1627 (July 2005), LR 32:1253 (July 2006), LR 33:1399 (July 2007), LR 34:1447 (July 2008), LR 35:1278 (July 2009), LR 36:1580 (July 2010), LR 37:2206 (July 2011), LR 38:1747 (July 2012), LR 39:2307 (August 2013), LR 40:1534 (August 2014), LR 41:958 (May 2015), LR 42:1107 (July 2016), LR 44:1273 (July 2018), LR 45:933 (July 2019), LR 46:957 (July 2020), LR 47:901 (July 2021), LR 48:1863 (July 2022), LR 49:1231 (July 2023), LR 50:

§103. Resident Game Birds and Animals

A. Shooting Hours—one-half hour before sunrise to one-half hour after sunset.

B. Consult Regulation Pamphlet for Seasons or Specific Regulations on Wildlife Management Areas or Specific Localities

Species	Season Dates	Daily Bag Limit	Possession Limit
Quail	OPENS: third Saturday of November CLOSES: last day of February	10	30
Rabbit and Squirrel	OPENS: first Saturday of October CLOSES: last day of February	8	24

Species	Season Dates	Daily Bag Limit	Possession Limit
Squirrel*	OPENS: first Saturday of May for 23 days	3	9
Deer 2024-2025	See Schedule	1 antlered and 1 antlerless (when legal)	Deer Areas 1,2,3,5,6,7,8, and 9—6/season (not to exceed 3 antlered deer or 4 antlerless deer). Deer Areas 4 and 10 limit—3/season (not to exceed 2 antlered or 2 antlerless deer).

*NOTE: Spring squirrel season is closed on the Kisatchie National Forest, National Wildlife Refuges, U.S. Army Corps of Engineers property. Some state wildlife management areas will be open, check WMA season schedule.

C. Deer Hunting Schedule 2024-2025

Area	Archery	Primitive Firearms (All Either Sex Except as Noted)	Still Hunt (No dogs allowed)	With or Without Dogs
1	OPENS: first day of Oct. CLOSES: last day of Jan.	OPENS: second Sat. of Nov. CLOSES: Fri. after second Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: last day of Jan.	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Fri. before second Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the first Sat. of Dec. OPENS: Mon. after first Sat. of Jan. CLOSES: next to last Sun. of Jan.	OPENS: second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the first Sat. of Dec. CLOSES: Sun. after first Sat. of Jan.
2	OPENS: first day of Oct. CLOSES: last day of Jan.	OPENS: next to last Sat. of Oct. CLOSES: Fri. before last Sat. of Oct. OPENS: Mon. after the last day of Modern Firearm Season in Jan. CLOSES: after 7 days	OPENS: last Sat. of Oct. CLOSES: Tues. before second Sat. of Dec. in odd numbered years and on Wed. during even numbered years except when there are 5 Sats. in Nov. and then it will close on the Tues. in odd numbered years or Wed. during even numbered years before the first Sat. of Dec.	OPENS: Wed. before the second Sat. of Dec. in odd numbered years and on Thurs. during even numbered years except when there are 5 Sats. in Nov., then it will open on the Wed. before the first Sat. of Dec. on odd years and Thurs. during even numbered years CLOSES: 40 days after opening in odd numbered years or 39 days after opening in even numbered years
3	OPENS: third Sat. of Sept. CLOSES: Jan. 15	OPENS: second Sat. of Oct. CLOSES: Fri. before third Sat. of Oct. OPENS: Mon. after last day of Modern Firearm Season CLOSES: after 7 days	OPENS: third Sat. of Oct. CLOSES: Sun. after Thanksgiving Day	OPENS: Mon. after Thanksgiving Day CLOSES: after 35 days
4	OPENS: first day of Oct. CLOSES: last day of Jan.	OPENS: second Sat. of Nov. CLOSES: Fri. after second Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: last day of Jan.	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Fri. before second Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the first Sat. of Dec. OPENS: Mon. after first Sat. of Jan. CLOSES: next to last Sun. of Jan.	OPENS: second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the first Sat. of Dec. CLOSES: Sun. after first Sat. of Jan.

Area	Archery	Primitive Firearms (All Either Sex Except as Noted)	Still Hunt (No dogs allowed)	With or Without Dogs
5	OPENS: first day of Oct. CLOSES: Feb. 15 (first 15 days are BUCKS ONLY)	(All Either Sex except as noted.) OPENS: second Sat. of Nov. CLOSES: Fri. before third Sat. of Nov. OPENS: Mon. after next to last Sun. of Jan. Bucks Only CLOSES: last day of Jan.	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Fri. before second Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the first Sat. of Dec. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Sun. of the same weekend. (EITHER SEX) OPENS: Fri. after Thanksgiving Day CLOSES: Sun. after Thanksgiving Day (EITHER SEX)	OPENS: second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the first Sat. of Dec. CLOSES: next to last Sun. of Jan. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: second Sat. of Dec. CLOSES: Sun. after second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open the first Sat. of Dec. and closes Sun. of the same weekend (EITHER SEX) OPENS: third Sat. of Dec. CLOSES: Sun. after third Sat. of Dec. except when there are 5 Sats. in Nov., then it will open the second Sat. of Dec. and close Sun. of the same weekend (EITHER SEX)
6	OPENS: first day of Oct. CLOSES: Feb. 15 (first 15 days are BUCKS ONLY)	OPENS: second Sat. of Nov. CLOSES: Fri. before third Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: last day of Jan.	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Fri. before second Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the first Sat. of Dec.	OPENS: second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the first Sat. of Dec. CLOSES: next to last Sun. of Jan.
7	OPENS: third Sat. of Sept. CLOSES: Jan. 15.	OPENS: second Sat. of Oct. CLOSES: Fri. before third Sat. of Oct. OPENS: Mon. after last day of Modern Firearm Season CLOSES: after 7 days	OPENS: third Sat. of Oct. CLOSES: Sun. after Thanksgiving	OPENS: Mon. after Thanksgiving Day CLOSES: after 35 days
8	OPENS: third Sat. of Sept. CLOSES: Jan. 15	OPENS: second Sat. of Oct. CLOSES: Fri. before third Sat. of Oct. OPENS: Mon. after last day of Modern Firearm Season CLOSES: after 7 days	OPENS: third Sat. of Oct. CLOSES: Sun. after Thanksgiving Day	OPENS: Mon. after Thanksgiving Day CLOSES: after 35 days
9	OPENS: first day of Oct. CLOSES: Feb. 15 (first 15 days are BUCKS ONLY)	OPENS: second Sat. of Nov. CLOSES: Fri. before third Sat. of Nov. OPENS: Mon. after next to last Sun. of Jan. Bucks Only CLOSES: last day of Jan. Bucks Only	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Fri. before second Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the first Sat. of Dec. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Sunday of the same weekend (EITHER SEX) OPENS: Fri. after Thanksgiving Day CLOSES: Sun. after Thanksgiving Day (EITHER SEX)	OPENS: second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the first Sat. of Dec. CLOSES: next to last Sun. of Jan. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: second Sat. of Dec. CLOSES: Sun. after second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open the first Sat. of Dec. and closes Sun. of the same weekend (EITHER SEX) OPENS: third Sat. of Dec. CLOSES: Sun. after third Sat. of Dec. except when there are 5 Sats. in Nov., then it will open the second Sat. of Dec. and close Sun. of the same weekend (EITHER SEX)
10	OPENS: third Sat. of Sept. CLOSES: Jan. 15	OPENS: second Sat. of Oct. CLOSES: Fri. before third Sat. of Oct. OPENS: Mon. after last day of Modern Firearms CLOSES: after 7 days	OPENS: third Sat. of Oct. CLOSES: 38 days after Thanksgiving Day	

D. Deer Hunting Schedule 2025-2026

Area	Archery	Primitive Firearms (All Either Sex Except as Noted)	Still Hunt (No dogs allowed)	With or Without Dogs
1	OPENS: first day of Oct. CLOSES: last day of Jan.	OPENS: second Sat. of Nov. CLOSES: Fri. after second Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: last day of Jan.	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Fri. before second Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the first Sat. of Dec. OPENS: Mon. after first Sat. of Jan. CLOSES: next to last Sun. of Jan.	OPENS: second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the first Sat. of Dec. CLOSES: Sun. after first Sat. of Jan.
2	OPENS: first day of Oct. CLOSES: last day of Jan.	OPENS: next to last Sat. of Oct. CLOSES: Fri. before last Sat. of Oct. OPENS: Mon. after the last day of Modern Firearm Season in Jan. CLOSES: after 7 days	OPENS: last Sat. of Oct. CLOSES: Tues. before second Sat. of Dec. in odd numbered years and on Wed. during even numbered years except when there are 5 Sats. in Nov. and then it will close on the Tues. in odd numbered years or Wed. during even numbered years before the first Sat. of Dec.	OPENS: Wed. before the second Sat. of Dec. in odd numbered years and on Thurs. during even numbered years except when there are 5 Sats. in Nov., then it will open on the Wed. before the first Sat. of Dec. on odd years and Thurs. during even numbered years CLOSES: 40 days after opening in odd numbered years or 39 days after opening in even numbered years
3	OPENS: third Sat. of Sept. CLOSES: Jan. 15	OPENS: second Sat. of Oct. CLOSES: Fri. before third Sat. of Oct. OPENS: Mon. after last day of Modern Firearm Season CLOSES: after 7 days	OPENS: third Sat. of Oct. CLOSES: Sun. after Thanksgiving Day	OPENS: Mon. after Thanksgiving Day CLOSES: after 35 days
4	OPENS: first day of Oct. CLOSES: last day of Jan.	OPENS: second Sat. of Nov. CLOSES: Fri. after second Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: last day of Jan.	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Fri. before second Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the first Sat. of Dec. OPENS: Mon. after first Sat. of Jan. CLOSES: next to last Sun. of Jan.	OPENS: second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the first Sat. of Dec. CLOSES: Sun. after first Sat. of Jan.
5	OPENS: first day of Oct. CLOSES: Feb. 15 (first 15 days are BUCKS ONLY)	(All Either Sex except as noted.) OPENS: second Sat. of Nov. CLOSES: Fri. before third Sat. of Nov. OPENS: Mon. after next to last Sun. of Jan. Bucks Only CLOSES: last day of Jan.	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Fri. before second Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the first Sat. of Dec. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Sun. of the same weekend. (EITHER SEX) OPENS: Fri. after Thanksgiving Day CLOSES: Sun. after Thanksgiving Day (EITHER SEX)	OPENS: second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the first Sat. of Dec. CLOSES: next to last Sun. of Jan. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: second Sat. of Dec. CLOSES: Sun. after second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open the first Sat. of Dec. and closes Sun. of the same weekend (EITHER SEX) OPENS: third Sat. of Dec. CLOSES: Sun. after third Sat. of Dec. except when there are 5 Sats. in Nov., then it will open the second Sat. of Dec. and close Sun. of the same weekend (EITHER SEX)
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Area	Archery	Primitive Firearms (All Either Sex Except as Noted)	Still Hunt (No dogs allowed)	With or Without Dogs
7	OPENS: third Sat. of Sept. CLOSES: Jan. 15	OPENS: second Sat. of Oct. CLOSES: Fri. before third Sat. of Oct. OPENS: Mon. after last day of Modern Firearm Season CLOSES: after 7 days	OPENS: third Sat. of Oct. CLOSES: Sun. after Thanksgiving	OPENS: Mon. after Thanksgiving Day CLOSES: after 35 days
8	OPENS: third Sat. of Sept. CLOSES: Jan. 15	OPENS: second Sat. of Oct. CLOSES: Fri. before third Sat. of Oct. OPENS: Mon. after last day of Modern Firearm Season CLOSES: after 7 days	OPENS: third Sat. of Oct. CLOSES: Sun. after Thanksgiving Day	OPENS: Mon. after Thanksgiving Day CLOSES: after 35 days
9	OPENS: first day of Oct. CLOSES: Feb. 15 (first 15 days are BUCKS ONLY)	OPENS: second Sat. of Nov. CLOSES: Fri. before third Sat. of Nov. OPENS: Mon. after next to last Sun. of Jan. CLOSES: last day of Jan. Bucks Only	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Fri. before second Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the first Sat. of Dec. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Sunday of the same weekend (EITHER SEX) OPENS: Fri. after Thanksgiving Day CLOSES: Sun. after Thanksgiving Day (EITHER SEX)	OPENS: second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the first Sat. of Dec. CLOSES: next to last Sun. of Jan. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: second Sat. of Dec. CLOSES: Sun. after second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open the first Sat. of Dec. and closes Sun. of the same weekend (EITHER SEX). OPENS: third Sat. of Dec. CLOSES: Sun. after third Sat. of Dec. except when there are 5 Sats. in Nov., then it will open the second Sat. of Dec. and close Sun. of the same weekend (EITHER SEX)
10	OPENS: third Sat. of Sept. CLOSES: Jan. 15	OPENS: second Sat. of Oct. CLOSES: Fri. before third Sat. of Oct. OPENS: Mon. after last day of Modern Firearms CLOSES: after 7 days		

E. Farm-raised white-tailed deer on supplemented shooting preserves:

1. archery, firearm, primitive firearms—October 1-January 31 (either-sex).

F. Exotics on supplemented shooting preserves:

1. either sex—no closed season.

G. Spring squirrel hunting:

1. season dates—opens first Saturday of May for 23 days;

2. closed areas:

a. Kisatchie National Forest, national wildlife refuges, and U.S. Army Corps of Engineers property and all WMAs except as provided in Paragraph 3 below;

3. wildlife management area schedule—opens first Saturday of May for nine days on all WMAs except Fort Johnson-Vernon, Fort Johnson North, Esler Field, Atchafalaya Delta, Pass-a-Loutre and Salvador/Timken. Dogs are allowed during this season for squirrel hunting;

4. limits—daily bag limit is three and possession limit is nine.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115, R.S. 56:109(B) and R.S. 56:141(C).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 21:707 (July 1995), amended LR 22:585 (July 1996), LR 23:871 (July 1997), LR 24:1324 (July 1998), LR 25:1290 (July 1999), repromulgated LR 25:1526 (August 1999), LR 26:1506 (July 2000), LR 27:1061 (July 2001), LR 28:1615 (July 2002), LR 29:1122 (July 2003), repromulgated LR 29:1521 (August 2003), amended LR 30:1494 (July 2004), LR 31:1627 (July 2005), LR

32:1254 (July 2006), LR 33:115 (January 2007), LR 33:1399 (July 2007), LR 34:1447 (July 2008), LR 35:1278 (July 2009), LR 35:2856 (December 2009), LR 36:1580 (July 2010), LR 37:2207 (July 2011), LR 38:1747 (July 2012), LR 39:2307 (August 2013), LR 40:1535 (August 2014), LR 41:958 (May 2015), LR 42:1108 (July 2016), LR 43:1420 (July 2017), LR 44:1273 (July 2018), LR 45:934 (July 2019), LR 46:957 (July 2020), LR 47:901 (July 2021), LR 48:1863 (July 2022), LR 49:1232 (July 2023), LR 50:

§111. General and Wildlife Management Area Hunting Rules and Regulations

A. Hunting Seasons and Wildlife Management Area (WMA) Regulations

1. The rules and regulations contained within this digest have been officially approved and adopted by the Wildlife and Fisheries Commission under authority vested by sections 115 and 116 of title 56 of the *Louisiana Revised Statutes* of 1950 and are in full force and effect in conjunction with all applicable statutory laws. The secretary of the Department of Wildlife and Fisheries (LDWF) has the authority to close or alter seasons in emergency situations in order to protect fish and wildlife resources.

2. Pursuant to section 40.1 of title 56 of the *Louisiana Revised Statutes* of 1950, the Wildlife and Fisheries Commission has adopted monetary values which are assigned to all illegally taken, possessed, injured or destroyed fish, wild birds, wild quadrupeds and other wildlife and aquatic life. Anyone taking, possessing, injuring or destroying fish, wild birds, wild quadrupeds and other wildlife and aquatic life shall be required to reimburse the LDWF a sum of money equal to the value of the wildlife

illegally taken, possessed, injured or destroyed. This monetary reimbursement shall be in addition to any and all criminal penalties imposed for the illegal act.

B. Resident Game Birds and Animals

1. Shooting hours: one-half hour before sunrise to one-half hour after sunset.

C. Other Season Dates

1. Turkey. Please refer to turkey regulations.

2. Raccoon and Opossum. No closed season. Raccoon and opossum can be taken at night by one or more licensed hunters with one or more dogs and one .22 caliber or smaller rimfire firearm. A licensed hunter may take raccoon or opossum with .22 caliber or smaller rimfire firearm, .36 caliber or smaller muzzleloader rifle, archery gear, air rifle or shotgun during daylight hours. Hunting from boats or motor vehicles is prohibited. No bag limit for nighttime or daytime raccoon or opossum hunting during the open trapping season except on certain WMAs as listed. The remainder of the year, the raccoon and opossum bag limit for daytime or nighttime is two per person per day or night. No one who hunts raccoons or opossums as prescribed above shall pelt during the closed trapping season nor sell skins or carcasses of raccoons and opossums taken during the open trapping season unless he is the holder of a valid trapping license which shall be required in addition to his basic hunting license. Pelting or selling carcasses is illegal during closed trapping season.

3. Nutria. On WMAs and private property nutria may be taken recreationally by licensed hunters from September 1 through the last day of February, during legal shooting hours by any legal hunting method with a daily limit of five. Except nutria may be taken on Atchafalaya Delta, Salvador/Timken, Pointe-Aux-Chenes and Pass-a-Loutre WMAs from September 1 to March 31. When taken with a shotgun, non-toxic shot must be used. On WMAs during waterfowl seasons, nutria may be taken only with the use of shotguns with shot no larger than F steel, and during gun deer seasons, anyone taking nutria must display 400 square inches of "hunter orange" and wear a "hunter orange" cap or hat. Recreational nutria hunters must remove each nutria carcass in whole condition from the hunting area, except that nutria may be gutted. Possession of detached nutria parts, including nutria tails, by recreational hunters is illegal. Nutria harvested recreationally may not be pelted nor may such nutria or any nutria parts from recreationally taken nutria be sold, including the tail. Trespassing upon private property for the purpose of taking nutria or other furbearing animals is punishable by fines and possible jail time (R.S. 56:265). The Coastwide Nutria Control Program is a separate program and is in no way related to the nutria recreational season. For questions on the Coastwide Nutria Control Program, call the Lafayette Field Office, (337) 735-8672.

4. Crows. The season for crows shall be September 1 through January 1 with no limit. Crows, blackbirds, cowbirds and grackles may be taken year round during legal shooting hours if they are depredating or about to depredate upon ornamentals or shade trees, agricultural crops, livestock, wildlife, or when concentrated in such numbers as

to cause a health hazard. Louisiana has determined that the birds listed above are crop depredators and that crows have been implicated in the spread of the West Nile virus in humans. As described in 50 CFR Part 21, non-toxic shot must be used for the take of crows, blackbirds, cowbirds and grackles under the special depredation order. In addition an annual report has to be submitted to the U.S. Fish and Wildlife Service for those that participate in the take of these species.

5. Pheasant. Open concurrently with the quail season; no limit.

6. Falconry. Special permit required. Resident and migratory game species may be taken except turkeys. Seasons and bag limits are the same as for statewide and WMA regulations. Refer to LAC 76:V.301 for specific falconry rules.

7. Licensed Hunting Preserve, October 1-April 30, Pen-Raised Birds Only. No limit entire season. Refer to LAC 76:V.305 for specific hunting preserve rules.

8. Deer Management Assistance Program (DMAP). Refer to LAC 76:V.111 for specific DMAP rules. Deer management assistance tags must be in the possession of the hunter in order to harvest an antlerless deer. The tag shall be attached through the hock in such a manner that it cannot be removed before the deer is transported (including those taken on either-sex days and those taken with approved archery equipment or primitive firearms). Failure to do so is a violation of R.S. 56:115. Deer harvested on property enrolled in DMAP do not count in the season or daily bag limit for hunters when legally tagged with DMAP tags. DMAP participants must follow the deer season schedule established for their respective areas, except antlerless deer may be harvested any day of the deer season on property enrolled in DMAP provided that a DMAP tag is possessed by the hunter at the time of harvest. Failing to follow DMAP rules and regulations may result in suspension and cancellation of the program on those lands involved.

9. Farm Raised White-tailed Deer and Exotics on Licensed Supplemented Shooting Preserves

a. Definitions

Exotics—for purposes of this Section means any animal of the family *Bovidae* (except the tribe *Bovini* [cattle]) or *Cervidae* which is not indigenous to Louisiana and which is confined on a supplemented hunting preserve. *Exotics* shall include, but are not limited to, fallow deer, red deer, elk, sika deer, axis deer, and black buck antelope.

Hunting—in its different tenses and for purposes of this Section means to take or attempt to take, in accordance with R.S. 56:8.

Same as Outside—for purposes of this Section means hunting on a supplemented hunting preserve must conform to applicable statutes and rules governing hunting and deer hunting, as provided for in title 56 of the *Louisiana Revised Statutes* and as established annually by the Wildlife and Fisheries Commission.

Supplemented Hunting Preserve—for purposes of this Section means any enclosure for which a current farm-raising license has been issued by the Department of Agriculture and Forestry (LDAF) with concurrence of the

LDWF and is authorized in writing by the LDAF and LDWF to permit hunting.

White-Tailed Deer—for purposes of this Rule means any animal of the species *Odocoileus virginianus* which is confined on a supplemented hunting preserve.

b. Seasons:

i. farm-raised white-tailed deer: consult the regulations pamphlet;

ii. exotics: year round.

c. Methods of take:

i. white-tailed deer: same as outside;

ii. exotics: exotics may be taken with traditional bow, compound bow and crossbow or any bow drawn, held or released by mechanical means; shotguns not larger than 10 gauge, loaded with buckshot or rifled slug; centerfire handguns and rifles no smaller than .22 caliber, rimfire no smaller than .30 caliber, pre-charged pneumatic devices no smaller than .30 caliber and at least 150 grains in weight with a minimum muzzle velocity of 800 feet per second or any combination of bullet weight and muzzle velocity that produces muzzle energy of at least 215 foot pounds of energy or muzzleloading rifles or pistols, .44 caliber minimum, or shotguns 10 gauge or smaller, all of which must load exclusively from the muzzle or cap and ball cylinder, using black powder or an approved substitute only, and using ball or bullet projectile, including sabot bullets only and other approved primitive firearms.

d. Shooting hours:

i. white-tailed deer: same as outside;

ii. exotics: one-half hour before sunrise to one-half hour after sunset.

e. Bag limit:

i. farm-raised white-tailed deer: same as outside;

ii. exotics: no limit.

f. Hunting licenses:

i. white-tailed deer: same as outside;

ii. exotics: no person shall hunt any exotic without possessing a valid basic and deer hunting license.

g. Tagging. White-tailed deer and exotics: each animal shall be tagged in the left ear or left antler immediately upon being killed and before being moved from the site of the kill with a tag provided by the LDAF. The tag shall remain with the carcass at all times.

10. Bobcat. No person other than the holder of a valid basic hunting license may take or possess bobcat, except licensed trappers who may take or possess bobcat during the open trapping season. A basic hunting licensee shall only take bobcat during the time period from one-half hour before sunrise to one-half hour after sunset with approved archery equipment, shotgun, muzzleloader or centerfire firearm. A basic hunting licensee shall not take more than one bobcat per calendar year. This regulation applies only to property that is privately owned, state WMAs, Kisatchie National Forest, and the Bayou des Ourses, Bodcau, Bonnet Carré, and Indian Bayou tracts owned by the Corps of Engineers, but does not apply to state wildlife refuges, or other federally owned refuges and lands. On state WMAs and Kisatchie National Forest, the take of bobcat is restricted to those open seasons on the WMAs which require the respective legal weapons noted above.

D. Hunting—General Provisions

1. A basic resident or non-resident hunting license is required of all persons to hunt, take, possess or cause to be transported by any other person any wild bird or quadruped. See information below for exceptions.

2. No person born on or after September 1, 1969, shall hunt unless that person has first been issued a certificate of satisfactory completion of a firearm and hunter education course approved by the department, except any active or veteran member of the United States armed services or any POST-certified law enforcement officer. Application for the exemption shall be filed in person at the LDWF main office building in the city of Baton Rouge. A person under 16 years of age may hunt without such certificate if he/she is accompanied by and is under the direct supervision of a person who was born before September 1, 1969, and has a valid hunting license or who is 18 years of age or older and has proof of successful completion of a firearm and hunter education course approved by the department. A person who has not completed the firearm and hunter safety course may be issued a valid hunting license by the department. Such license shall be issued with a restriction that requires that person be accompanied by and under the direct supervision of a person who was born before September 1, 1969 and has a valid hunting license or who is 18 years of age or older and has proof of successful completion of a firearm and hunter education course approved by the department.

3. A deer or turkey license, whichever is appropriate, is required in addition to the basic hunting license to hunt, take, possess or cause to be transported any deer or turkey. Additionally, any person younger than 18 years of age engaged in an activity that necessitates the use of deer tags or turkey tags, or involves participation in a youth lottery hunt shall have in their immediate possession a valid, original youth license.

4. A hunting guide license is required for any person or entity who publicly represents himself to be a hunting guide or who transports, aids or provides assistance to another individual(s) in the act of taking, or attempting to take, any wildlife species for compensation on a transactional or for-hire basis. For purposes of this rule, a hunting guide license is not required for any person or entity employed or contracted by a private hunting club to provide hunting guide services exclusively for the club's private members and its invited guests.

5. Taking game quadrupeds or birds from aircraft or participating in the taking of deer with the aid of aircraft or from automobiles or other moving land vehicles is prohibited.

6. Methods of Taking Resident Game Birds and Quadrupeds

a. It is illegal to intentionally feed, deposit, place, distribute, expose, scatter, or cause to be fed, deposited, placed, distributed, exposed, or scattered raw sweet potatoes to wild game quadrupeds.

b. Use of a traditional bow, compound bow and crossbow or any bow drawn, held or released by mechanical means or a shotgun not larger than a 10 gauge fired from the shoulder shall be legal for taking all resident game birds and quadrupeds. Also, the use of a handgun, rifle and falconry

(special permit required) shall be legal for taking all game species except turkey. It shall be illegal to hunt or take squirrels or rabbits at any time with a breech-loaded rifle or handgun larger than .22 caliber, any centerfire firearm, or a muzzleloading firearm larger than .36 caliber. It shall be legal to hunt or take squirrels, rabbits, and outlaw quadrupeds with air rifles.

c. Still hunting is defined as stalking or stationary stand hunting without the use of dog(s). Pursuing, driving or hunting deer with dogs is prohibited when or where a still hunting season or area is designated, and will be strictly enforced. Shotguns larger than 10 gauge or capable of holding more than three shells shall be prohibited. Plugs used in shotguns must be incapable of being removed without disassembly. Refer to game schedules contained within these regulations for specific restrictions on the use of firearms and other devices.

d. No person shall take or kill any game bird or wild quadruped with a firearm fitted with an infrared sight, laser sight, or except as provided in R.S. 56:116(A)(8) any sighting device which projects a beam of light to the target or otherwise electronically illuminates the target, or device specifically designed to enhance vision at night [R.S. 56:116.1(B)(3)(a-b)].

7. Nuisance Animals. Landowners or their designees may remove beaver and nutria causing damage to their property without a special permit. Water set traps and firearms may be used to remove beaver; nutria may be removed by any means except that nutria cannot be taken by the use of headlight and gun between the hours of sunset and sunrise. Any nuisance beaver or nutria trapped or shot outside open trapping season cannot be pelted or sold. A trapping license is required to sell or pelt nuisance beavers or nutria taken during open trapping season. Squirrels found depredating commercial crops of pecans may be taken year-round by permit issued by the LDWF. This permit shall be valid for 30 days from the date of issuance. Contact the local region office for details.

8. Threatened and endangered species. Taking or harassment of any of these species is a violation of state and federal laws. (LAC 76:1.317)

1. Invertebrates		
Pink Mucket	<i>Lampsilis abrupta</i>	E
Louisiana Pearlshell	<i>Margaritifera hembeli</i>	T
Fat Pocketbook	<i>Potamilus capax</i>	E
Inflated Heelsplitter	<i>Potamilus inflatus</i>	T
Rabbitsfoot	<i>Quadrula cylindrica</i>	T
2. Fish		
Gulf Sturgeon	<i>Acipenser oxyrinchus desotoi</i>	T
Pallid Sturgeon	<i>Scaphirhynchus albus</i>	E
Smalltooth Sawfish	<i>Pristis pectinata</i>	E
3. Amphibians		
Dusky Gopher Frog	<i>Lithobates sevosus</i>	E
4. Reptiles (including eggs)		
Loggerhead Sea Turtle	<i>Caretta caretta</i>	T
Green Sea Turtle	<i>Chelonia mydas</i>	T
Hawksbill Sea Turtle	<i>Eretmochelys imbricata</i>	E
Kemp's Ridley Sea Turtle	<i>Lepidochelys kempii</i>	E
Leatherback Sea Turtle	<i>Dermochelys coriacea</i>	E
Ringed Map Turtle	<i>Graptemys oculifera</i>	T
Gopher Tortoise	<i>Gopherus polyphemus</i>	T
Black Pinesnake	<i>Pituophis melanoleucus lodingi</i>	T
Louisiana Pinesnake	<i>Pituophis ruthveni</i>	T

5. Birds (including eggs)		
Whooping Crane	<i>Grus americana</i>	E
Piping Plover	<i>Charadrius melodus</i>	T
Red Knot	<i>Calidris canutus rufa</i>	T
Interior Least Tern	<i>Sterna antillarum athalassos</i>	E
Red-cockaded Woodpecker	<i>Picoides borealis</i>	E
6. Mammals		
West Indian Manatee	<i>Trichechus manatus</i>	T
Northern Long-eared Bat	<i>Myotis septentrionalis</i>	T
Sperm Whale	<i>Physeter macrocephalus</i>	E
Florida Panther	<i>Felis concolor coryi</i>	E
7. Plants		
American Chaffseed	<i>Schwalbea americana</i>	E
Earth-fruit	<i>Geocarpon minimum</i>	T
Louisiana Quillwort	<i>Isoetes louisianensis</i>	E
Pondberry	<i>Lindera melissifolia</i>	E
E = Endangered; T = Threatened		

9. Outlaw Quadrupeds. Holders of a legal hunting license may take coyotes, feral hogs, and armadillos year round during legal daylight shooting hours. The running of coyotes with dogs is prohibited in all turkey hunting areas during the open turkey season. Coyote hunting is restricted to chase only when using dogs during still hunting segments of the firearm and archery only seasons for deer. Foxes are protected quadrupeds and may be taken only with traps by licensed trappers during the trapping season. Remainder of the year "chase only" allowed by licensed hunters. On private property, outlaw quadrupeds may be taken with or by means of an automatic-loading or hand-operated repeating shotgun capable of holding more than three shells when using buckshot or rifled slug ammunition and may be taken while riding or standing in or upon a moving land vehicle.

10. Nighttime Take of Nuisance Animals and Outlaw Quadrupeds. On private property, the landowner, or his lessee or agent with written permission from the landowner and the landowner's contact information in his possession, may take outlaw quadrupeds (coyotes, armadillos and feral hogs), nutria, or beaver during nighttime hours. However, no person shall be allowed to participate or be present during the nighttime hunting activities if convicted of a Class 3 or greater wildlife violation within the previous five years or if he has any other prohibition which would prevent the legal use of a firearm or participation in a hunting activity. Such taking may be with or without the aid of artificial light, infrared or laser sighting devices, or night vision devices. In addition, pursuant to R.S. 56:116(D)(3) any person who is authorized to possess a firearm suppressor may use a firearm fitted with a sound suppressor when taking outlaw quadrupeds, nutria, or beaver. Any person attempting to take outlaw quadrupeds, nutria, or beaver under the provisions of the Paragraph, shall notify the sheriff of the Parish in which the property is located of his intention to attempt to take outlaw quadrupeds, nutria or beaver within twenty-four hours prior to the attempted taking or immediately upon taking the animal.

11. Hunting and/or discharging firearms on public roads. hunting, standing, loitering or shooting game quadrupeds or game birds while on a public road or public road right-of-way is prohibited. Hunting or discharging a firearm on or across an open LMV road or LMV road right-of-way is prohibited. Spot lighting or shining from public roads is prohibited by state law. Hunting from all public roads and public road rights-of-way is prohibited.

12. Tags. Any part of the deer or wild turkey divided shall have affixed thereto the name, date, address and deer or turkey or youth license number, whichever is the appropriate license, of the person killing the deer or wild turkey and the sex of that animal. This information shall be legibly written in pen or pencil, on any piece of paper or cardboard or any material, which is attached or secured to or enclosing the part or parts. See DMAP Regulations (LAC 76:V.111) for deer management assistance tagging requirements on lands enrolled in DMAP.

13. Sex Identification. Positive evidence of sex identification, including the head or sex organs, shall remain on any deer taken or killed within the state of Louisiana, or on all turkeys taken or killed so long as such deer or turkey is kept in camp or field, or is in route to the domicile of its possessor, or until a deer has been appropriately tagged and validated, and proof of electronic tagging or the carcass tag remains with the carcass, or until such deer or turkey has been stored at the domicile of its possessor or divided at a cold storage facility and has become identifiable as food rather than as wild game. Possessors of any portion of a deer or wild turkey, which has been divided in camp or field, without evidence of positive sex identification shall affix a tag in accordance with LAC 76:XIX.111.D.12 identifying the sex of the animal.

14. Use of Drones for the Recovery of Wounded Deer or Bear. The use of unmanned aerial vehicles (UAV) (commonly referred to as a drone) to aid in the recovery of a wounded deer or bear is prohibited.

E. General Deer Hunting Regulations

1. Prior to hunting deer, all deer hunters, regardless of age or license status, must obtain carcass or electronic deer tags and have in possession when hunting deer. Immediately upon harvesting a deer, the hunter must tag the deer with the appropriate carcass or electronic tag. Deer tags may only be used by the hunter to whom the tag was issued. Hunters who allow their deer tags to be used by another person, or who use tags issued to another person, are in violation of this Rule and are subject to fines and other administrative penalties, including, but not limited to, the automatic forfeiture of any remaining deer tags for the season for which they are issued. If using physical tag, the parish and date of kill must be documented on the deer tag and the hunter must validate the harvest by calling the validation toll free number or by utilizing the department's website within 72 hours of the kill. Hunters utilizing electronic tags shall electronically tag and validate their harvest before moving the deer. Hunters harvesting deer on DMAP lands can validate deer per instructions by LDWF using the DMAP harvest data sheets.

2. 2024-2025 Season. One antlered and one antlerless deer per day (when legal) except on Kisatchie National Forest, Indian Bayou Area owned by the US Army Corps of Engineers, and some federal refuges (check refuge regulations) where the daily limit shall be one deer per day. Antlerless deer may be harvested during entire deer season on private lands (all seasons included) except as specified in deer hunting schedule. This does not apply to public lands (WMAs, national forest lands, and federal refuges) which will have specified either-sex days. Deer harvested on property enrolled in DMAP may not count in the season or

daily bag limit for hunters. See DMAP Regulations (LAC 76:V.111) for more information.

3. 2025-2026 Season. One antlered and one antlerless deer per day (when legal) except on Kisatchie National Forest, Indian Bayou Area owned by the US Army Corps of Engineers, and some federal refuges (check refuge regulations) where the daily limit shall be one deer per day. Antlerless deer may be harvested during entire deer season on private lands (all seasons included) except as specified in deer hunting schedule. This does not apply to public lands (WMAs, national forest lands, and federal refuges) which will have specified either-sex days. Deer harvested on property enrolled in DMAP may not count in the season or daily bag limit for hunters. See DMAP Regulations (LAC 76:V.111) for more information.

4. *Bucks Only* and *Legal Antlered Deer* are defined as a deer with at least one visible antler of hardened bony material, broken naturally through the skin. Killing antlerless deer is prohibited except where specifically allowed.

5. *Either-Sex Deer* is defined as male or female deer. Taking or possessing spotted fawns is prohibited.

6. It is illegal to hunt or shoot deer with centerfire firearms smaller than .22 caliber, rimfire firearms smaller than .30 caliber, or a shotgun loaded with anything other than buckshot or slug. Pre-charged pneumatic devices may be used during the modern firearm season for deer provided that they fire a projectile of at least .30 caliber in diameter and at least 150 grains in weight with a minimum muzzle velocity of 800 feet per second or any combination of bullet weight and muzzle velocity that produces muzzle energy of at least 215 foot pounds of energy. Arrows or bolts used with a pre-charged pneumatic device shall only be used with well sharpened broadhead points and may be used to hunt deer only during modern firearm deer season. Handguns may be used for hunting.

7. Taking game quadrupeds or birds from aircraft, participating in the taking of deer with the aid of aircraft or from automobiles or other moving land vehicles is prohibited.

8. Still hunting is defined as stalking or stationary stand hunting without the use of dog(s). Pursuing, driving or hunting deer with dogs or moving vehicles, including ATVs, when or where a still hunting season or area is designated, is prohibited and will be strictly enforced. The training of deer dogs is prohibited in all still hunting areas during the gun still hunting and archery only season. Deer hunting with dogs is allowed in all other areas having open deer seasons that are not specifically designated as still hunting only. A dog may be used to trail and retrieve mortally wounded deer. The dog must be leashed during legal hunting hours, but may be unleashed after legal hunting hours. Any dog used to trail or retrieve mortally wounded deer shall have on a collar with owner's name, address, and phone number.

9. It is illegal to take deer while deer are swimming or while the hunter is in a boat with motor attached in operating position; however the restriction in this Paragraph shall not apply to any person who has lost one or more limbs.

10. Areas not specifically designated as open are closed.

11. It is unlawful to import, sell, use or possess scents or lures that contain natural deer urine or other bodily fluids,

except natural deer urine products produced by manufacturers or entities that are actively enrolled and participating in either the Responsible Hunting Scent Association (RHSA) or Archery Trade Association Deer Protection Program, which has been tested using real-time quaking induced conversion (RT-QuIC) and certified that no detectable levels of Chronic Wasting Disease (CWD) are present and is clearly labeled as such.

12. Primitive Firearms Season: Still Hunt Only. Specific WMAs will also be open, check WMA schedule for specific details. A deer or senior license, whichever is appropriate, is required for all hunters 18 years of age and older. Additionally, any person younger than 18 years of age hunting the primitive firearms season shall have in their immediate possession a valid, original youth license. Either-sex deer may be taken in all areas open for deer hunting except when a Bucks Only season is in progress. In such cases, hunters must conform to the bucks only regulations except antlerless deer may be harvested any day of the deer season on property enrolled in DMAP provided that a DMAP tag is possessed by the hunter at the time of harvest.

a. Legal Firearms for Primitive Firearms Season

i. Rifles or pistols, .44 caliber minimum, or shotguns 10 gauge or smaller, all of which must load exclusively from the muzzle, use black powder or approved substitute only, take ball, shot, or bullet projectile only, including sabot bullets, and may be fitted with magnified scopes.

ii. Single shot, breech loading rifles or single shot, breech loading pistols, .35 caliber or larger, having an exposed hammer, that use metallic cartridges loaded either with black powder or modern smokeless powder, and may be fitted with magnified scopes.

iii. Single shot, breech loading shotguns, 10 gauge or smaller, having an exposed hammer, loaded with buckshot or slug.

iv. Youths 17 or younger may hunt deer with any legal weapon during the primitive firearms season in each deer hunting area.

13. Archery Season. A deer or senior license, whichever is appropriate, is required for all bow hunters 18 years of age and older. Additionally, any person younger than 18 years of age archery deer hunting shall have in their immediate possession a valid, original youth license. Either-sex deer may be taken in all areas open for deer hunting except when a bucks only season is in progress for gun hunting, and except in areas 5, 6 and 9 from October 1-15. Archers must conform to the bucks only regulations except antlerless deer may be harvested any day of the deer season on property enrolled in DMAP provided that a DMAP tag is possessed by the hunter at the time of harvest. Either-sex deer may be taken on WMAs at any time during archery season except when bucks only seasons are in progress on the respective WMA.

a. Bow and Arrow Regulations. Traditional bow, compound bow and crossbow or any bow drawn, held or released by mechanical means will be a legal means of take for all properly licensed hunters. Hunting arrows for deer must have well-sharpened broadhead points. Bow and arrow fishermen must have a sport fishing license and may not carry any arrows with broadhead points unless a deer or turkey season is in progress.

i. It is unlawful:

(a). to have in possession or use any poisoned or drugged arrow or arrows with explosive tips;

(b). to hunt deer with a bow having a pull less than 30 pounds;

(c). to hunt with a bow or crossbow fitted with an infrared, laser sight, electrically-operated sight or device specifically designed to enhance vision at night (does not include non-projecting red dot sights) [R.S. 56:116.1.B.(4)].

14. Hunter Orange or Blaze Pink. Any person hunting any wildlife during the open gun deer hunting season and possessing buckshot, slugs, a primitive firearm, or a centerfire rifle shall display on his head, chest and/or back a total of not less than 400 square inches of "hunter orange" or "blaze pink". Persons hunting on privately owned land may wear a "hunter orange" or "blaze pink" cap or hat in lieu of the 400 square inches. These provisions shall not apply to persons hunting deer from elevated stands on property that is privately owned or to archery deer hunters hunting on lands where firearm hunting is not allowed by agreement of the landowner or lessee. However, anyone hunting deer on such lands where hunting with firearms is allowed shall be required to display the 400 square inches or a "hunter orange" or "blaze pink" cap or hat while walking to and from elevated stands. While a person is hunting from an elevated stand, the 400 square inches or cap or hat may be concealed. Warning: deer hunters are cautioned to watch for persons hunting other game or engaged in activities not requiring "hunter orange" or "blaze pink".

15. Physically Challenged Firearms Season on Private Lands (Either-Sex): first Saturday of October for two days. Restricted to individuals with physically challenged hunter permit.

16. Youth and Honorably Discharged Veterans Season on Private Lands (Either-Sex). Areas 1, 4, 5, 6 and 9: last Saturday of October for seven days; Area 2: second Saturday of October for seven days; and Areas 3, 7, 8 and 10: fourth Saturday of September for seven days. Youths 17 or younger only. Youths must be accompanied by an adult 18 years of age or older. Youths must possess a hunter safety certification or proof of successful completion of a hunter safety course. If the accompanying adult is in possession of hunter safety certification, a valid hunting license or proof of successful completion of a hunter safety course, this requirement is waived for the youth. Additionally, any person younger than 18 years of age shall have in their immediate possession a valid, original youth license. Adults may not possess a firearm. Youths may possess only one firearm while hunting. Legal firearms are the same as described for deer hunting. The supervising adult shall maintain visual and voice contact with the youth at all times. Except youths 12 years old or older who have successfully completed a hunter safety course may hunt without a supervising adult. One of the following must be carried by veterans while hunting:

a. Louisiana OMV issued U.S. Veterans Driver's License; or

b. U.S. Department of Defense Form 214 or one of the following DD_214 equivalents:

i. pre DD 214 era documents (1941_1950):

(a). WE AGO (war department adjutant general) forms, to include WD AGO 53, WD AGO 55, WD AGO 53_55;

(b). JAVPERS (naval personnel) discharge documents, to include NAVPERS 553, NAVMC78PD, NAVCG 553;

ii. National Personnel Records Center NPRC "statement of service," issued as a result of a destroyed discharge record during the 1973 National Archives fire;

iii. National Guard/Air National Guard must have NGB_22 with 6 or more years of service.

F. Description of Areas, 2021-2023

1. Area 1

a. All of the following parishes are open: Concordia, East Carroll, Franklin, Madison, Richland, Tensas, West Carroll.

b. Portions of the following parishes are also open:

i. Catahoula—east of Boeuf River to Ouachita River, east of Ouachita River from its confluence with Boeuf River to LA 8, south and east of LA 8 southwesterly to parish line;

ii. Grant—east of US 165 and south of LA 8;

iii. LaSalle—south of a line beginning where Little River enters Catahoula Lake following the center of the lake eastward to Old River then to US 84, east of US 84 northward to LA 8, south of LA 8 eastward to parish line;

iv. Ouachita—south of US 80 and east of Ouachita River, east of LA 139 from Sicard to junction of LA 134, south of LA 134 to Morehouse line at Wham Brake;

v. Rapides—east of US 165 and north of Red River.

c. Still hunting only in all or portions of the following parishes:

i. Catahoula—south of Deer Creek to Boeuf River, east of Boeuf and Ouachita Rivers to LA 8 at Harrisonburg, west of LA 8 to LA 913, west of LA 913 and LA 15 to Deer Creek;

ii. East Carroll—all;

iii. Franklin—all;

iv. Morehouse—east of US 165 (from Arkansas state line) to Bonita, south and east of LA 140 to junction of LA 830-4 (Cooper Lake Road), east of LA 830-4 to Bastrop, east of LA 139 at Bastrop to junction of LA 593, east and north of LA 593 to Collinston, east of LA 138 to junction of LA 134 and south of LA 134 to Ouachita line at Wham Brake;

v. Ouachita—south of US 80 and east of Ouachita River, east of LA 139 from Sicard to junction of LA 134, south of LA 134 to Morehouse line at Wham Brake;

vi. Richland—all;

vii. West Carroll—all.

2. Area 2

a. All of the following parishes are open:

i. Bienville, Bossier, Caddo, Caldwell, Claiborne, DeSoto, Jackson, Lincoln, Natchitoches, Red River, Sabine, Union, Webster, Winn;

ii. except: Kisatchie National Forest which has special regulations. Caney, Corney, Middlefork tracts of Kisatchie have the same regulations as area 2, except still hunting only for deer.

b. Portions of the following parishes are also open:

i. Allen—north of US 190 from parish line westward to Kinder, east of US 165 from Kinder northward to LA 10 at Oakdale, north of LA 10 from Oakdale westward to the parish line;

ii. Avoyelles—that portion west of I-49;

iii. Catahoula—west of Boeuf River to Ouachita River, west of Ouachita River from its confluence with Boeuf River to LA 8, north and west of LA 8 southwesterly to parish line;

iv. Evangeline—all except the following portions: east of I-49 to junction of LA 29, east of LA 29 south of I-49 to Ville Platte, and north of US 167 east of Ville Platte;

v. Grant—all except that portion south of LA 8 and east of US 165;

vi. Jefferson Davis—north of US 190;

vii. LaSalle—north of a line beginning where Little River enters Catahoula Lake, following the center of the lake eastward to Old River then to US 84, west of US 84 northward to LA 8, north of LA 8 eastward to parish line;

viii. Morehouse—west of US 165 (from Arkansas state line) to Bonita, north and west of LA 140 to junction of LA 830-4 (Cooper Lake Road), west of LA 830-4 to Bastrop, west of LA 139 to junction of LA 593, west and south of LA 593 to Collinston, west of LA 138 to junction of LA 134 and north of LA 134 to Ouachita Parish line at Wham Brake;

ix. Ouachita—all except south of US 80 and east of Ouachita River, east of LA 139 from Sicard to junction of LA 134, south of LA 134 to Morehouse Parish line at Wham Brake;

x. Rapides—all except north of Red River and east of US 165, south of LA 465 to junction of LA 121, west of LA 121 and LA 112 to Union Hill, and north of LA 113 from Union Hill to Vernon Parish line, and that portion south of Alexandria between Red River and US 167 to junction of US 167 with I-49 at Turkey Creek exit, east of I-49 southward to parish line;

xi. Vernon—north of LA 10 from the parish line westward to LA 113, south of LA 113 eastward to parish line. Also the portion north of LA 465 west of LA 117 from Kurthwood to Leesville and north of LA 8 from Leesville to Texas state line.

c. Still hunting only in all or portions of the following parishes:

i. Claiborne and Webster—Caney, Corney and Middlefork tracts of Kisatchie National Forest (see Kisatchie National Forest regulations);

ii. Ouachita—east of Ouachita River;

iii. Rapides—west of US 167 from Alexandria southward to I-49 at Turkey Creek exit, west of I-49 southward to parish line, north of parish line westward to US 165, east of US 165 northward to US 167 at Alexandria. North of LA 465 from Vernon Parish line to LA 121, west of LA 121 to I-49, west of I-49 to LA 8, south and east of LA 8 to LA 118 (Mora Road), south and west of LA 118 to Natchitoches Parish line;

iv. Vernon—east of Mora-Hutton Road from Natchitoches Parish line to Hillman Loop Road, south and east of Hillman Loop Road to Comrade Road, south of Comrade Road to LA 465, east and north of LA 465 to Rapides Parish line.

3. Area 3

- a. Portions of the following parishes are open:
 - i. Acadia—north of I-10;
 - ii. Allen—south of LA 10 eastward to US 165 at Oakdale, west of US 165 at Oakdale southward to US 190 at Kinder, south of US 190 at Kinder eastward to parish line;
 - iii. Beauregard—east of LA 27 from the parish line northward to DeRidder and north of US 190 westward from DeRidder to Texas state line;
 - iv. Calcasieu—east of LA 27 from Sulphur northward to the parish line, and north of I-10;
 - v. Jefferson Davis—north of I-10 and south of US 190;
 - vi. Lafayette—west of I-49 and north of I-10;
 - vii. Rapides—south of LA 465 to junction of LA 121, west of LA 121 and LA 112 to Union Hill and north of LA 113 from Union Hill to Vernon Parish line;
 - viii. St. Landry—west of US 167;
 - ix. Vernon—east of LA 113 to Pitkin, south of LA 10 to Allen Parish line, west and north of LA 113, south of LA 465, east of LA 117 from Kurthwood to Leesville, and south of LA 8 from Leesville to Texas state line.

b. Still hunting only for portions of the following parishes:

- i. Acadia—north of I-10;
- ii. Allen—south of US 190 and west of LA 113;
- iii. Beauregard—west of LA 113 and east of LA 27 from the parish line northward to DeRidder and north of US 190 westward from DeRidder to Texas state line;
- iv. Calcasieu—east of LA 27 from Sulphur northward to the parish line, and north of I-10;
- v. Jefferson Davis—north of I-10 and south of US 190;
- vi. Lafayette—west of I-49 and north of I-10;
- vii. Rapides—south of LA 465 to junction of LA 121, west of LA 121 and LA 112 to Union Hill and north of LA 113 from Union Hill to Vernon Parish line;
- viii. St. Landry—west of US 167;
- ix. Vernon—west and north of LA 113, south of LA 465, east of LA 117 from Kurthwood to Leesville, and south of LA 8 from Leesville to Texas state line.

4. Area 4

- a. All of St. Helena and Washington Parishes are open.
- b. Portions of the following parishes are also open:
 - i. East Baton Rouge—all except that portion west of I-110 and west of US 61;
 - ii. East Feliciana—east of US 61;
 - iii. Livingston—north of I-12;
 - iv. Tangipahoa—north of I-12;
 - v. St. Tammany—all except that portion south of I-12, west of LA 1077 to LA 22, south of LA 22 to Tchefuncte River, west of Tchefuncte River southward to Lake Pontchartrain.

c. Still hunting only in all or portions of the following parishes:

- i. East Feliciana and East Baton Rouge—east of Thompson Creek from the Mississippi state line to LA 10, north of LA 10 from Thompson Creek to LA 67 at Clinton, west of LA 67 from Clinton to Mississippi state line, south of Mississippi state line from LA 67 to Thompson Creek.

Also that portion of East Baton Rouge Parish east of LA 67 from LA 64 north to Parish Line, south of Parish Line from LA 64 eastward to Amite River, west of Amite River southward to LA 64, north of LA 64 to LA 37 at Magnolia, east of LA 37 northward to LA 64 at Indian Mound, north of LA 64 from Indian Mound to LA 67. Also, that portion of East Feliciana Parish east of LA 67 from parish line north to LA 959, south of LA 959 east to LA 63, west of LA 63 to Amite River, west of Amite River southward to parish line, north of parish line westward to LA 67;

- ii. St. Helena—north of LA 16 from Tickfaw River at Montpelier westward to LA 449, east and south of LA 449 from LA 16 at Pine Grove northward to Rohner Road, south of Rohner Road to LA 1045, south of LA 1045 to the Tickfaw River, west of the Tickfaw River from LA 1045 southward to LA 16 at Montpelier;

- iii. Tangipahoa—that portion of Tangipahoa Parish north of LA 10 from the Tchefuncte River to LA 1061 at Wilmer, east of LA 1061 to LA 440 at Bolivar, south of LA 440 to the Tchefuncte River, west of the Tchefuncte River from LA 440 southward to LA 10;

- iv. Washington and St. Tammany—east of LA 21 from the Mississippi state line southward to the Bogue Chitto River, north of the Bogue Chitto River from LA 21 eastward to the Pearl River Navigation Canal, east of the Pearl River Navigation Canal southward to the West Pearl River, north of the West Pearl River from the Pearl River Navigation Canal to Holmes Bayou, west of Holmes Bayou from the West Pearl River northward to the Pearl River, west of the Pearl River from Holmes Bayou northward to the Mississippi state line, south of the Mississippi state line from the Pearl River westward to LA 21. Also, that portion of Washington Parish west of LA 25 from the Mississippi state line southward to the Bogue Chitto River, then west of the Bogue Chitto River to its junction with the St. Tammany Parish line, north of the St. Tammany Parish line to the Tangipahoa Parish line, east of the Tangipahoa Parish line to the Mississippi state line, south of the Mississippi state line to its junction with LA 25.

5. Area 5

a. Portions of the following parishes are open:

- i. St. Martin—south of I-10 and east of the West Atchafalaya Basin Protection Levee and west of the East Atchafalaya Basin Protection Levee;

- ii. Iberville—south of I-10 and west of the East Atchafalaya Basin Protection Levee;

- iii. Iberia—east of the West Atchafalaya Basin Protection Levee and west of the East Atchafalaya Basin Protection Levee;

- iv. St. Mary—east of the West Atchafalaya Basin Protection Levee;

- v. High water benchmark closure. Deer hunting in those portions of Iberville and St. Martin parishes south of I-10, west of the East Atchafalaya Basin Protection Levee, east of the West Atchafalaya Basin Protection Levee, and north of Alligator Bayou and Bayou Sorrel will be closed when the river stage of the Atchafalaya River reaches 18 feet msl at Butte LaRose, and will reopen when the river stage recedes to 17 feet msl at Butte LaRose. Deer hunting in those portions of Iberville, St. Martin, St. Mary and Iberia parishes west of the East Atchafalaya Basin Protection Levee, east of the West Atchafalaya Basin Protection Levee

and south of Alligator Bayou and Bayou Sorrel will be closed when the river stage of the Atchafalaya River reaches 15 feet msl at Butte LaRose, and will reopen when the river stage recedes to 14 feet msl at Butte LaRose.

6. Area 6

a. All of West Feliciana and Pointe Coupee Parishes are open.

b. Portions of the following parishes are also open:

i. Avoyelles—all except that portion west of I-49;

ii. East Baton Rouge—that portion west of I-110 and west of US 61;

iii. East Feliciana—west of US 61;

iv. Evangeline—that portion east of I-49 to junction of LA 29, east of LA 29 south of I-49 to Ville Platte and north of US 167 east of Ville Platte;

v. Iberville—all north of I-10, and that portion south of I-10 at the Atchafalaya Basin protection levee south to Upper Grand River, then north of Upper Grand River to the Intracoastal Canal at Jack Miller, then west of the Intracoastal Canal northward to Bayou Plaquemine, then north of Bayou Plaquemine to the Mississippi River;

vi. Lafayette—north of I-10 and east of I-49;

vii. Rapides—south of Alexandria between Red River and US 167 to the junction of US 167 with I-49 at Turkey Creek Exit, east of I-49 southward to parish line;

viii. St. Landry—east of US 167;

ix. St. Martin—north of I-10;

x. West Baton Rouge—north of I-10.

c. Still hunting only in all or portions of the following parishes:

i. Avoyelles—north of LA 1 from Simmesport westward to LA 115 at Marksville, east of LA 115 from Marksville northward to the Red River near Moncla, south and west of the Red River to LA 1 at Simmesport;

ii. Rapides—south of Alexandria between Red River and US 167 to the junction of US 167 with I-49 at Turkey Creek Exit, east of I-49 southward to parish line;

iii. West Feliciana—west of Thompson Creek to Illinois-Central Railroad, north of Illinois-Central Railroad to LA 964, east of LA 964 northward to US 61, north of US 61 westward to the junction of US 61 and LA 966, east of LA 966 from US 61 to Chaney Creek, south of Chaney Creek to Thompson Creek.

7. Area 7

a. Portions of the following parishes are open:

i. Iberia—south of LA 14 and west of US 90;

ii. St. Mary—all except that portion north of US 90 from Iberia Parish line eastward to Wax Lake Outlet, east of Wax Lake Outlet southward to Intracoastal Waterway, north of Intracoastal Waterway eastward to the Atchafalaya River, east of the Atchafalaya River.

8. Area 8

a. Portions of the following parishes are open:

i. Beauregard—that portion west of LA 27 from parish line northward to DeRidder, south of US 190 from DeRidder to Texas state line;

ii. Calcasieu—that portion west of LA 27 from the parish line southward to Sulphur and north of I-10 from Sulphur to the Texas state line.

9. Area 9

a. All of the following parishes are open: Ascension, Assumption, Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John, Terrebonne.

b. Portions of the following parishes are open:

i. Iberia—east of US 90 and west of the West Atchafalaya Basin Protection Levee and east of the East Atchafalaya Basin Protection Levee;

ii. Iberville—east of the East Atchafalaya Basin Protection Levee and south of Upper Grand River to the Intracoastal Canal to Bayou Plaquemines, then south of Bayou Plaquemines to the Mississippi River;

iii. Lafayette—south of I-10 and east of US 90;

iv. Livingston—south of I-12;

v. St. Martin—west of the Atchafalaya Basin Protection Levee and south of I-10. East of the East Atchafalaya Basin Protection Levee and south of I-10;

vi. St. Mary—east of US 90 from Iberia Parish line to the Wax Lake Outlet, east of Wax Lake Outlet southward to Intracoastal Waterway, north of Intracoastal Waterway eastward to the Atchafalaya River, east of the Atchafalaya River except for portion within the East and West Atchafalaya Basin Protection Levees;

vii. St. Tammany—that portion south of I-12, west of LA 1077 to LA 22, south of LA 22 to Tchefuncte River, west of Tchefuncte River southward to Lake Pontchartrain;

viii. Tangipahoa—south of I-12.

c. Still hunting only in all or portions of the following parishes:

i. Iberville—east of the Mississippi River;

ii. Plaquemines—east of the Mississippi River;

iii. St. Bernard—all of the parish shall be still hunting only except that portion of St. Bernard known as the spoil area between the MRGO on the east and Access Canal on the west, south of Bayou Bienvenue and north of Bayou la Loutre;

iv. St. John—south of Pass Manchac from Lake Pontchartrain to US 51, east of US 51 from Pass Manchac to LA 638 (Frenier Beach Road). North of LA 638 from US 51 to Lake Pontchartrain, west of Lake Pontchartrain from LA 638 to Pass Manchac.

10. Area 10

a. All of Cameron and Vermillion Parishes are open.

b. Portions of the following parishes are open:

i. Acadia—south of I-10;

ii. Calcasieu—south of I-10;

iii. Iberia—west of US 90 and north of LA 14;

iv. Jefferson Davis—south of I-10;

v. Lafayette—south of I-10 and west of Hwy 90.

G. WMA Regulations

1. General

a. The following rules and regulations concerning the management, protection and harvest of wildlife have been officially approved and adopted by the Wildlife and Fisheries Commission in accordance with the authority provided in *Louisiana Revised Statutes* of 1950, section 109 of title 56. Failure to comply with these regulations will

subject individual to citation and/or expulsion from the management area.

b. Citizens are cautioned that by entering a WMA managed by the LDWF they may be subjecting themselves and/or their vehicles to game and/or license checks, inspections and searches.

c. WMA seasons may be altered or closed anytime by the LDWF secretary in emergency situations (floods, fire or other critical circumstances).

d. Hunters may enter the WMA no earlier than 4 a.m. unless otherwise specified. Hunters must check out and exit the WMA no later than two hours after sunset, or as otherwise specified.

e. All privately owned property which is completely surrounded by a wildlife management area shall be subject to all state hunting and fishing provisions, including those provisions regarding seasons. Such private property shall not be subject to the special hunting and fishing provisions which govern the wildlife management area, except that deer may not be taken with the aid of dogs. However, the owner or lessee of such property shall be required to participate in the deer management assistance program provided for in R.S. 56:110. In addition, the owner or lessee of such property shall not be allowed to hunt, trap or take resident game by the aid of baiting or placing bait intended to attract or entice the resident game to the area where hunters are attempting to take them.

f. Dumping garbage or trash on WMAs is prohibited. Garbage and trash may be properly disposed of in designated locations if provided.

g. Disorderly conduct or hunting under influence of alcoholic beverages, chemicals and other similar substances is prohibited.

h. Damage to or removal of trees, shrubs, hard mast (including but not limited to acorns and pecans), wild plants, non-game wildlife (including reptiles and amphibians) or any species of butterflies, skippers or moths is prohibited without a permit from the LDWF. Gathering and/or removal of American lotus (*grande volée*, *Nelumbo lutea*) seeds and pods, soft fruits, mushrooms and berries shall be limited to five gallons per person per day.

i. Burning of marshes is prohibited. Hunting actively burning marsh is prohibited.

j. Nature Trails. Trails shall be limited to pedestrians only. No vehicles, ATVs, horses, mules, bicycles, etc. allowed. Removal of vegetation (standing or down) or other natural material prohibited.

k. Deer seasons are for legal antlered deer unless otherwise specified.

l. Small game, when listed under the WMA regulations may include both resident game animals and game birds as well as migratory species of birds.

m. Oysters may not be harvested from any WMA, except that oysters may be harvested from private oyster leases and state seed grounds located within a WMA, when authorized by the Wildlife and Fisheries Commission and upon approval by the Department of Health.

n. Free ranging livestock prohibited.

o. Operation of drones or unmanned aerial vehicles (UAV) on WMAs is prohibited.

p. Operating, modifying, tampering with or altering any water control structures on WMAs is prohibited.

q. Limited Access Areas (LAA): Operation of internal combustion powered vessels prohibited September through January. Operation of trolling motors allowed. A *trolling motor* is defined as a self-contained unit that includes a completely submerged electric motor at the end of the shaft, propeller and controls, and is affixed to a vessel, either at the bow or stern. Vehicles prohibited November through January. Limited access areas are on Atchafalaya Delta, Boeuf, Dewey W. Wills, Joyce, Manchac, Pass-a-Loutre, Pointe-aux-Chenes, Pomme de Terre and Russell Sage WMAs. See WMA maps for specific locations.

2. Permits

a. A valid WMA access permit shall be required for use of department-administered lands including wildlife refuges, Wildlife Management Areas (WMA) and Wildlife Conservation Areas (WCA). Persons under 18 years of age are exempt from this requirement. WMA access permits are not required for persons only traveling through the department-administered lands provided that the most direct route is taken and no activities or stops take place.

b. Self-Clearing Permits. A self-clearing permit is required for all activities (hunting, fishing, hiking, bird watching, sightseeing, etc.) on WMAs. The self-clearing permit will consist of two portions: check in, check out. All persons must either check in/check out electronically through the LDWF WMA Self-Clearing Permit app/Internet Web Portal or obtain a WMA self-clearing permit from an information station. Users may check in one day in advance of use. Users that check in by electronic means are required to possess proof of check in and must check out within 24 hours. If utilizing paper Self-Clearing Permit from an information station, check in portion must be completed and put in a permit box before each day's activity. The check-out portion must be carried by each person while on the WMA and must be completed and put in a permit box immediately upon exiting the WMA. No permit is required of fishers and boaters who do not travel on a WMA road and/or launch on the WMA as long as they do not get out of the boat and onto the WMA. When mandatory deer checks are specified on WMAs, hunters must check deer at a check station. When mandatory check in for deer seasons is specified on WMAs, hunters must check in at designated locations, and obtain a daily hunt permit. Self-clearing permits are not required for persons only traveling through the WMA provided that the most direct route is taken and no activities or stops take place.

3. Special Seasons

a. Youth Deer Hunt. Youths 17 or younger only. Youths must be accompanied by an adult 18 years of age or older. Youths must possess a hunter safety certification or proof of successful completion of a hunter safety course. If the accompanying adult was born before September 1, 1969 and has a valid hunting license or who is 18 years of age or older and has proof of successful completion of a firearm and hunter education course approved by the department, this requirement is waived for the youth. Additionally, any youth participating in the hunt shall have in their immediate possession a valid, original youth license. Adults may not possess a firearm. Youths may possess only one firearm while hunting. Legal firearms are the same as described for deer hunting. The supervising adult shall maintain visual and voice contact with the youth at all times, except properly

licensed youths and youths 12 years old or older who have successfully completed a hunter safety course may hunt without a supervising adult. Contact the appropriate region office for maps of specific hunting areas. Either-sex deer may be taken on WMAs with youth hunts. Consult the regulations pamphlet for WMAs offering youth hunts.

NOTE: Some hunts may be by pre-application lottery.

b. Youth Squirrel Hunt (on selected WMAs only). Only youths 17 or younger may hunt. Squirrel, rabbit, raccoon, hogs and opossum may be taken. No dogs allowed. All other seasons will remain open to other hunters. Youths must possess a hunter safety certification or proof of successful completion of a hunter safety course. Youths must be accompanied by one adult 18 years of age or older. If the accompanying adult was born before September 1, 1969 and has a valid hunting license or who is 18 years of age or older and has proof of successful completion of a firearm and hunter education course approved by the department, this requirement is waived for the youth. Adults may not possess a firearm. Youths may possess only one firearm while hunting. The supervising adult shall maintain visual and voice contact with the youth at all times, except properly licensed youths and youths 12 years old or older who have successfully completed a hunter safety course may hunt without a supervising adult. Self-clearing permits are required. Consult the regulations pamphlet for WMAs offering youth squirrel hunts.

c. Youth Mourning Dove Hunt. A youth mourning dove hunt will be conducted on specific WMAs and will follow the same regulations provided for youth deer hunts on the first or second weekend of the mourning dove season (Saturday and/or Sunday only). Consult the regulations pamphlet for WMAs offering youth mourning dove hunts.

d. Physically Challenged Season. An either-sex deer season will be held for hunters possessing a physically challenged hunter permit on WMAs during the dates specified under the individual WMA. Participants must possess a physically challenged hunter permit. Contact region office for permit application and map of specific hunting area. Consult the regulations pamphlet for WMAs offering physically challenged seasons.

e. Turkey Lottery Hunts. Hunts restricted to those persons selected by lottery. Consult the regulations pamphlet for deadlines. Contact region offices for more details.

f. Waterfowl Lottery Hunts. Hunts restricted to those persons selected by lottery. Consult the regulations pamphlet for deadline. Consult regulations pamphlet for individual WMA schedules or contact any Wildlife Division office for more details.

g. Mourning Dove Lottery Hunts. Consult regulations pamphlet for individual WMA schedules or contact any Wildlife Division office for more details.

h. Trapping. Consult annual trapping regulations for specific dates. All traps must be run daily. Traps with teeth are illegal. Hunter orange required when a deer gun season is in progress.

i. Raccoon Hunting. A licensed hunter may take raccoon or opossum, two per person per day, during daylight hours only, during the open hunting season in progress on WMAs.

Nighttime Experimental—all nighttime raccoon hunting where allowed is with dogs only. There is no bag limit. Self-clearing permit required.

j. Sport Fishing. Sport fishing, crawfishing and frogging are allowed on WMAs when in compliance with current laws and regulations except as otherwise specified under individual WMA listings.

k. Small Game Emphasis Areas. Specially designated areas on certain WMAs will allow small game hunting with dogs, confined to that specific area when the remainder of the WMA is restricted to still hunt only. Additionally, off season training of rabbit and bird dogs may be allowed on some of the small game emphasis areas. Small game emphasis areas are offered on Big Colewa Bayou, Bayou Macon, Bodcau, Boeuf, Dewey W. Wills, Marsh Bayou, Pomme de Terre, Richard K. Yancey, Russell Sage, Sandy Hollow, Sherburne, Tunica Hills and Walnut Hill WMAs.

4. Firearms

a. Firearms having live ammunition in the chamber, magazine, cylinder or clip when attached to firearms and crossbows cocked in the ready position are not allowed in or on vehicles, boats under power, motorcycles, ATVs, UTVs, ATCs or in camping areas on WMAs. Firearms may not be carried on any area before or after permitted hours except in authorized camping areas and except as may be permitted for authorized trappers.

b. Firearms and bows and arrows are not allowed on WMAs during closed seasons except on designated shooting ranges or as permitted for trapping and except as allowed pursuant to R.S. 56:109(C) and R.S. 56:1691. Bows and broadhead arrows are not allowed on WMAs except during deer archery season, turkey season or as permitted for bowfishing. Active and retired law enforcement officers in compliance with POST requirements, federal law enforcement officers and holders of Louisiana concealed handgun permits or permit holders from a reciprocal state who are in compliance with all other state and federal firearms regulations may possess firearms on WMAs provided these firearms are not used for any hunting purpose.

c. Encased or broken down firearms and any game harvested may be transported through the areas by the most direct route provided that no other route exists except as specified under WMA listing.

d. Loaded firearms are not allowed near WMA check stations.

e. The following cannot be carried onto any WMA except during modern and primitive firearm deer seasons and during special shotgun season for feral hogs on Atchafalaya Delta, Pass-a-Loutre, Pointe-aux-Chenes and Salvador/Timken WMAs (consult regulations pamphlet for specific WMA regulations):

- i. centerfire rifles;
- ii. centerfire break-action and centerfire bolt-action handguns;
- iii. centerfire scoped handguns;
- iv. shotgun slugs or shot larger than BB lead or F steel.

f. Target shooting and other forms of practice shooting are prohibited on WMAs except as otherwise specified.

g. Discharging of firearms on or across, or hunting from designated roads, ATV/UTV trails, nature trails, hiking trails, and their rights-of-way is prohibited during the modern firearms and primitive firearms deer seasons.

5. Methods of Taking Game

a. Moving deer or hogs on a WMA with organized drives and standers, drivers or making use of noises or noise-making devices is prohibited.

b. On WMAs, except Floy McElroy WMA, the daily limit shall be one antlered deer and one antlerless deer (when legal) per day, not to exceed the Deer Area limit for the Deer Area that a WMA is contained within (all segments included) by all methods of take.

c. Baiting, hunting over bait, or possession of bait is prohibited on all WMAs, except bait may be kept in a vehicle traversing a WMA road or parked on a WMA road. Bait is defined as any substance used to attract game via ingestion.

d. During mandatory deer check hunts, deer may not be skinned nor have any external body parts removed including but not limited to feet, legs, tail, head or ears before being checked out.

e. Deer hunting on WMAs is restricted to still hunting only.

f. Construction of and/or hunting from permanent tree stands or permanent blinds on WMAs is prohibited. Any permanent stand or permanent blind will be removed and destroyed. A permanent blind is any blind using non-natural materials or having a frame which is not dismantled within two hours after the end of legal shooting time each day. Blinds with frames of wood, plastic, metal poles, wire, mesh, webbing or other materials may be used but must be removed from the WMA within two hours after the end of legal shooting time each day. Blinds made solely of natural vegetation and not held together by nails or other metallic fasteners may be left in place but cannot be used to reserve hunting locations. Natural vegetation (including any material used as corner posts) is defined as natural branches that are 2 inches or less in diameter. All decoys must be removed from the WMA daily. Permanent tree stands are any stands that use nails, screws, spikes, etc., to attach to trees and are strictly prohibited. Deer stands may not be left on WMAs unless the stands are removed from trees, placed flat on the ground, and left in a non-hunting position (a non-hunting position is one in which a hunter could not hunt from the stand in its present position). Also, all stands left must be legibly tagged with the user's LDWF ID number. No stand may be left on any WMA prior to the day before deer season opens on that WMA and all stands must be removed from the WMA within one day after the close of deer hunting on that WMA. Free standing blinds must be disassembled when not in use. Stands left will not reserve hunting sites for the owner or user. All portable stands, blinds, tripods, etc., found unattended in a hunting position, not placed flat on the ground, or untagged will be confiscated and disposed of by the LDWF. LDWF is not responsible for unattended stands left on an area.

g. Physically Challenged Wheelchair Confined Deer and Waterfowl Hunting Areas: special deer and

waterfowl hunting areas, blinds and stands identified with LDWF logos, have been established for physically challenged hunter permit (PCHP) wheelchair confined hunters on WMAs. Hunters must obtain a PCHP permit and are required to make reservations to use blinds and stands. PCHP wheelchair hunting areas are available on Alexander State Forest, Bayou Pierre, Big Colewa Bayou, Buckhorn, Clear Creek, Floy McElroy, Fort Johnson-Vernon, Maurepas Swamp, Sherburne, and West Bay WMAs. Check WMA hunting schedules or call the LDWF field offices in Pineville, Lafayette, Lake Charles, Minden, Monroe or Hammond for information.

h. Hunting from utility poles and structures, and oil and gas exploration facilities or platforms is prohibited.

i. It is illegal to save or reserve hunting locations using permanent stands or blinds. Stands or blinds attached to trees with screws, nails, spikes, etc. are illegal.

j. Tree climbing spurs, spikes or screw-in steps are prohibited.

k. Unattended decoys will be confiscated and forfeited to the LDWF and disposed of by the LDWF. This action is necessary to prevent preemption of hunting space.

l. Spot lighting (shining) from vehicles is prohibited on all WMAs.

m. Horses and mules may be ridden on WMAs except where prohibited and except during gun seasons for deer and turkey. Riding is restricted to designated roads and trails depicted on WMA map, self-clearing permit is required. Organized trail rides prohibited except allowed by permit only on Esler Field. Hunting and trapping from horses and mules is prohibited except for quail hunting or as otherwise specified. Horse-drawn conveyances are prohibited.

n. All hunters (including archers and small game hunters) except waterfowl hunters and mourning dove hunters on WMAs must display 400 square inches of "hunter orange" or "blaze pink" and wear a "hunter orange" or "blaze pink" cap during open gun season for deer. Quail and woodcock hunters and hunters participating in special dog seasons for rabbit, squirrel and feral hogs are required to wear a minimum of a "hunter orange" or "blaze pink" cap. All other hunters and archers (while on the ground) except waterfowl hunters also must wear a minimum of a "hunter orange" or "blaze pink" cap during special dog seasons for rabbit and squirrel and feral hogs. Also all persons afield during hunting seasons are encouraged to display "hunter orange" or "blaze pink". Hunters participating in special shotgun season for feral hogs on Atchafalaya Delta, Pass-a-Loutre, Pointe-aux-Chenes and Salvador/Timken WMAs must display 400 square inches of "hunter orange" or "blaze pink" and wear a "hunter orange" or "blaze pink" cap.

o. Deer hunters hunting from concealed ground blinds must display a minimum of 400 square inches of "hunter orange" or "blaze pink" above or around their blinds which is visible from 360 degrees.

p. Archery Season for Deer. The archery season on WMAs is the same as outside and is open for either-sex deer except as otherwise specified on individual WMAs. Archery season restricted on Atchafalaya Delta and closed on certain WMAs when special seasons for youth or physically challenged hunts are in progress. Consult regulations pamphlet for specific seasons.

q. Either-sex deer may be taken on WMAs at any time during archery season except when bucks only seasons are in progress on the respective WMAs. Archers must abide by bucks only regulations and other restrictions when such seasons are in progress.

r. Primitive Firearms Season for Deer. Either-sex unless otherwise specified. See WMA deer schedule. Except youths 17 or younger may use any legal weapon during the primitive firearm season.

6. Camping

a. A WMA camping permit is required for all persons camping on LDWF operated campgrounds on WMAs. Camping on WMAs, including trailers, houseboats, vessels, recreational vehicles and tents, is allowed only in designated areas and for a period not to exceed 16 consecutive days, regardless if the camp is attended or unattended. At the end of the 16-day period, camps must be removed from the area for at least 48 hours. Camping area use limited exclusively to outdoor recreational activities. Camping is available on a first-come, first-serve basis unless otherwise specified.

b. Houseboats and vessels utilized for recreational activities are prohibited from overnight mooring within WMAs except on stream banks adjacent to designated camping areas. Overnight mooring of vessels that provide lodging for hire are prohibited on WMAs. Houseboats and vessels shall not impede navigation. On Atchafalaya Delta WMA houseboats may be moored by permit only in designated areas during hunting season. Permits are available by lottery annually or by five-year lease through a bid program.

c. Discharge of human waste onto lands or waters of any WMA is strictly prohibited by state and federal law. In the event public restroom facilities are not available at a WMA, the following is required. Anyone camping on a WMA in a camper, trailer, or other unit (other than a houseboat or tent) shall have and shall utilize an operational disposal system attached to the unit. Tent campers shall have and shall utilize portable waste disposal units and shall remove all human waste from the WMA upon leaving. Houseboats moored on a WMA shall have a permit or letter of certification from the Health Unit (Department of Health) of the parish within which the WMA occurs verifying that it has an approved sewerage disposal system on board. Further, that system shall be utilized by occupants of the houseboats when on the WMA.

d. No refuse or garbage may be dumped from these boats.

e. Firearms may not be kept loaded or discharged in a camping area unless otherwise specified.

f. Campsites must be cleaned by occupants prior to leaving and all refuse placed in designated locations when provided or carried off by campers.

g. Trash must be contained at all times while camping.

h. Burning of trash is prohibited.

i. Glass containers prohibited on campgrounds.

j. Non-compliance with camping regulations will subject occupant to immediate expulsion and/or citation, including restitution for damages.

k. Swimming is prohibited within 100 yards of boat launching ramps.

7. Restricted Areas

a. For your safety, all oil and gas production facilities (wells, pumping stations and storage facilities) are off limits.

b. No unauthorized entry or unauthorized hunting in restricted areas, refuges, or limited use areas unless otherwise specified.

8. Dogs. All use of dogs on WMAs, except for bird hunting and duck hunting, is experimental as required by law. Having or using dogs on any WMA is prohibited except for nighttime experimental raccoon hunting, squirrel hunting, rabbit hunting, bird hunting, duck hunting, hog hunting and bird dog training when allowed; see individual WMA season listings for WMAs that allow dogs. Dogs running at large are prohibited on WMAs. The owner or handler of said dogs shall be liable. Only recognizable breeds of bird dogs and retrievers are allowed for quail and migratory bird hunting. Only beagle hounds which do not exceed 15 inches at the front shoulders and which have recognizable characteristics of the breed may be used on WMAs having experimental rabbit seasons. A leashed dog may be used to trail and retrieve wounded or unrecovered deer during legal hunting hours. Any dog used to trail or retrieve wounded or unrecovered deer shall have on a collar with owner's name, address and phone number. In addition, a dog may be used to trail and retrieve unrecovered deer after legal hunting hours; however, no person accompanying a dog after legal hunting hours may carry a firearm of any sort.

9. Vehicles

a. An all-terrain vehicle is a wheeled or tracked off-road vehicle (not legal for highway use) with specifications not to exceed the following: weight-750 pounds, length-85", and width-48". ATV tires are restricted to those no larger than 26 x 12 with a maximum 1" lug height and a maximum allowable tire pressure of 12 psi. as indicated on the tire by the manufacturer. Use of all other ATVs or ATV tires are prohibited on a WMA.

b. *Utility Type Vehicle (UTV, also Utility Terrain Vehicle)*—any recreational motor vehicle other than an ATV, wheeled or tracked, not legal for highway use, designed for and capable of travel over designated unpaved roads, traveling on four or more low-pressure tires or tracks, with specifications not to exceed the following: weight-1900 pounds, length-128" and width-68". UTV tires are restricted to those no larger than 27 x 12 with a maximum 1" lug height and a maximum allowable tire pressure of 12 psi. UTV's are commonly referred to as side by sides and may include golf carts.

c. Vehicles having wheels with a wheel-tire combination radius of 17 inches or more measured from the center of the hub and horizontal to ground are prohibited.

d. The testing, racing, speeding or unusual maneuvering of any type of vehicle is prohibited within WMAs due to property damages resulting in high maintenance costs, disturbance of wildlife and destruction of forest reproduction.

e. Tractor or implement tires with farm tread designs R1, R2 and R4 known commonly as spade or lug grip types are prohibited on all vehicles.

f. Airboats, aircraft, personal water craft, "mud crawling vessels" (commonly referred to as crawfish

combines which use paddle wheels for locomotion) and hover craft are prohibited on all WMAs and refuges, except type A personal water craft, model year 2003 and beyond, which are eight feet in length and greater, may be operated within WMAs except Bussey Brake WMA from April 1 until the Monday of Labor Day weekend, from sunrise to sunset only, and except personal water craft allowed on designated portions of Alexander State Forest WMA year-round. Personal water craft are defined as a vessel which uses an inboard motor powering a water jet pump as its primary source of propulsion and is designed to be operated by a person sitting, standing or kneeling on the vessel rather than in the conventional manner of sitting or standing inside the vessel. No person shall operate such water craft at a speed greater than slow/no wake within 100 feet of an anchored or moored vessel, shoreline, dock, pier, or persons engaged in angling or any other manually powered vessel.

g. Driving or parking vehicles on food or cover plots and strips is prohibited.

h. Blocking the entrance to roads and trails is prohibited.

i. Licensed motorized vehicles (LMVs) legal for highway use, including motorcycles, are restricted entirely to designated roads as indicated on WMA maps. UTVs are restricted to marked UTV trails only, except that those UTVs in which the manufacturer's specifications do not exceed the weight, length, width, and tire restrictions for ATVs are allowed on ATV trails. ATVs are restricted to marked ATV trails only. When WMA roads are closed to LMVs, ATVs and UTVs may then use those roads when allowed. This restriction does not apply to bicycles.

NOTE: Only ATV and UTV trails marked with signs and/or paint, and depicted on WMA maps are open for use.

j. Use of special ATV trails for physically challenged persons is restricted to ATV physically challenged permittees. Physically challenged ATV permittees are restricted to physically challenged ATV trails or other ATV trails only as indicated on WMA maps or as marked by sign and/or paint. Persons 60 years of age and older, with proof of age, are also allowed to use special physically challenged trails and need not obtain a permit. However, these persons must abide by all rules in place for these trails. Physically challenged persons under the age of 60 must apply for and obtain a physically challenged hunter program permit from the LDWF.

k. Entrances to ATV trails will be marked with peach colored paint. Entrances to physically challenged-only ATV trails will be marked with blue colored paint. Entrances to ATV trails that are open year round will be marked with purple paint. The end of all ATV trails will be marked by red paint. WMA maps serve only as a general guide to the route of most ATV trails, therefore all signage and paint marking as previously described will be used to determine compliance.

l. Roads and trails may be closed due to poor condition, construction or wet weather.

m. ATVs, and motorcycles cannot be left overnight on WMAs except on designated camping areas. ATVs are prohibited from two hours after sunset to 4 a.m., except raccoon hunters may use ATVs during nighttime raccoon take seasons only. ATVs are prohibited from March 1 through August 31 except squirrel hunters are allowed to use

ATV trails during the spring squirrel season on the WMA and except certain trails may be open during this time period to provide access for fishing or other purposes and some ATV trails will be open all year long on certain WMAs.

n. Caution. Many LDWF-maintained roadways on WMAs are unimproved and substandard. A maximum 20 mph speed limit is recommended for all land vehicles using these roads, unless specific signage otherwise allows or restricts.

o. Hunters are allowed to retrieve their own downed deer and hogs with the aid of an ATV or electric bicycle except on Thistlethwaite, Sherburne, Atchafalaya Delta, Pass-a-Loutre, Pointe-aux-Chenes, Salvador/Timken, Lake Boeuf, Biloxi, and the Crusel Tract of Maurepas Swamp WMAs under the following conditions:

i. no firearms or archery equipment is in possession of the retrieval party or on the ATV;

ii. the retrieval party may consist of no more than one ATV and one helper;

iii. ATVs may not be used to locate or search for wounded game or for any other purpose than retrieval of deer and hogs once they have been legally harvested and located;

iv. UTV's may not be used to retrieve downed deer or hogs.

p. No wake zones. Operation of vessels beyond bare steerage speed (the slowest speed a vessel can travel while allowing the operator to maintain directional control of the vessel) in posted no wake zones is prohibited.

q. Electric bicycles are restricted to designated roads and ATV/UTV trails.

r. Factory OEM installed or OEM equivalent exhausts are required for all boat/powercraft motors. No person shall operate or allow to be operated a powercraft with an altered muffler or muffler cutout or in a manner that bypasses or reduces the effectiveness of the muffler system.

10. Commercial Activities

a. Hunting Guides/Outfitters. No person or group may act as a hunting guide, outfitter or in any other capacity for which they are paid or promised to be paid directly or indirectly by any other individual or individuals for services rendered to any other person or persons hunting on any WMA, regardless of whether such payment is for guiding, outfitting, lodging or club memberships.

b. Except for licensed activities otherwise allowed by law, commercial activities are prohibited without a permit issued by the secretary of the LDWF.

c. Commercial Fishing. Permits are required of all commercial fishermen using Grassy Lake, Pomme de Terre and Spring Bayou WMAs. Drag seines (except minnow and bait seines) are prohibited except experimental bait seines allowed on Dewey Wills WMA north of LA 28 in Diversion Canal. Commercial fishing is prohibited during regular waterfowl seasons on Grand Bay, Silver Lake and Lower Sunk Lake on Richard K. Yancey WMA. Commercial fishing is prohibited on Salvador/Timken, Pointe-aux-Chenes, and Russell Sage WMAs except commercial fishing on Pointe-aux-Chenes is allowed in Cut Off Canal. No commercial fishing activity shall impede navigation and no unattended vessels or barges will be allowed. Non-compliance with permit regulations will result in revocation of commercial fishing privileges for the period the license is

issued and one year thereafter. Commercial fishing is allowed on Pass-a-Loutre and Atchafalaya Delta WMAs. See Pass-a-Loutre for additional commercial fishing regulations on mullet.

11. WMAs Basic Season Structure. For season dates, bag limits, shooting hours, special seasons and other information consult the annual regulations pamphlet for specific details.

12. Resident Small Game (squirrel, rabbit, quail, mourning dove, woodcock, snipe, rail and gallinule). Same as outside except closed during modern firearm either-sex deer seasons on certain WMAs (see WMA schedule) and except non-toxic shot, size 6 or smaller must be used for dove, rail, snipe, and gallinule. Unless otherwise specified under a specific WMA hunting schedule, the use of dogs for rabbit and squirrel hunting is prohibited. Spring squirrel season with or without dogs: first Saturday of May for nine days. Consult regulations pamphlet for specific WMAs.

13. Waterfowl (ducks, geese and coots). Consult regulations pamphlet. Hunting after 2 p.m. prohibited on all WMAs except for Atchafalaya Delta, Biloxi, and Pass-a-Loutre. Consult specific WMA regulations for shooting hours on these WMAs.

14. Archery. Consult regulations pamphlet.

15. Hogs. Feral hogs may be taken during any open hunting season on WMAs by properly licensed and/or permitted hunters using only guns or bow and arrow legal for specified seasons in progress, except take of hogs is prohibited during nighttime raccoon seasons. Hogs may not be taken with the aid of dogs, except feral hogs may be taken with the aid of dogs during the month of February on Attakapas, Bodcau, Clear Creek, Little River, Pearl River, Sabine, Sabine Island, and West Bay and that portion of Dewey W. Wills north of the Catahoula Lake Diversion Canal by self-clearing permit. All hogs must be killed immediately and may not be transported live under any conditions. During the February dog season hunters may use centerfire handguns in addition to using guns allowed for season in progress. Additionally, feral hogs may be taken on Atchafalaya Delta, Pass-a-Loutre, Pointe-aux-Chenes and Salvador/Timken WMAs from February 16 through March 31 with archery equipment, shotguns loaded with buckshot or slugs or rimfire rifles no larger than .22 caliber. Additional requirements may be specified under individual WMAs, see regulation pamphlet.

16. Outlaw Quadrupeds and Birds. Consult regulations pamphlet. During hunting seasons specified on WMAs, except the turkey and spring squirrel seasons, take of outlaw quadrupeds and birds, with or without the use of electronic calls, is allowed by properly licensed hunters and only with guns or bows and arrows legal for season in progress on WMA. However, crows, blackbirds, grackles and cowbirds may not be taken before September 1 or after January 1. As described in 50 CFR Part 21, non-toxic shot must be used for the take of crows, blackbirds, cowbirds and grackles under the special depredation order. In addition an annual report has to be submitted to the U.S. Fish and Wildlife Service for those that participate in the take of these species.

17. WMAs Hunting Schedule and Regulations

a. Acadiana Conservation Corridor. Self-Clearing Permit required for all activities.

i. Archery only: Oct. 1-15 bucks only, Oct. 16-Feb. 15, either sex.

ii. All other seasons closed. No motorized vehicles allowed and no access via I-49 right-of-way.

b. Alexander State Forest. From December through February all hunters must check daily with the Office of Forestry for scheduled burning activity. No hunting or other activity will be permitted in burn units the day of the burning. Call 318-487-5172 or 318-487-5058 for information on burning schedules. Attaching stands to Red Cockaded Woodpecker cavity trees is prohibited. Cavity trees are marked with painted, double white bands. Self-Clearing Permits required for hunters only. Vehicles restricted to paved and graveled roads. No parking on or fishing or swimming from bridges. No open fires except in recreational areas. Physically Challenged Wheelchair Confined Deer Hunting Area: Access restricted. Check WMA map for location and call Pineville or Baton Rouge Offices for details and applications. PCHP blind hunting by reservation for Class I, III and IV PCHP permittees only.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Firearms: first Sat. of Nov. for 2 days, either sex. Mandatory Deer Check; Fri. after Thanksgiving Day for 3 days, bucks only.

(c). Primitive Firearms: second Sat. of Oct. for 2 days. Mandatory Deer Check.

(d). Youth Lottery: last Sat. of Oct. for 2 days, Fri. after Thanksgiving for 3 days, third Sat. in Dec. for 2 days, either-sex.

(e). PCHP Blinds: first Sat. of Nov. for 2 days, Mandatory Deer Check, second Sat. in Dec. for 2 days.

ii. Small Game: Same as outside except closed during deer primitive firearms (either-sex), deer firearms (either-sex) and deer firearms (bucks only) and open to squirrel hunting during the spring season, first Sat. of May for 9 days. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. before Christmas to the last day of Feb.

iii. Waterfowl: Same as outside. (Certain areas may be closed as posted).

c. Atchafalaya Delta. Self-Clearing Permit required for all activities. All persons must either check in/check out electronically through the LDWF WMA Self-Clearing Permit app/Internet Web Portal or obtain a WMA Self-Clearing Permit from an information station located at Main Delta campground, Wax Delta Campground, Cul-de-sac on Big Island, and Berwick Public Boat Launch (Jesse Fontenot Boat Launch). Camping and houseboat mooring allowed ONLY in designated campgrounds. Houseboat mooring allowed by permit only during hunting season (see Subparagraph G. 6. Camping b. for details) and by normal means during remainder of the year. Vessels/Vehicles: Mudboats or air-cooled propulsion vessels powered by more than 36 total horsepower are prohibited on the WMA. All ATVs/UTVs, motorcycles, horses and mules prohibited except as permitted for authorized WMA trappers. Big

Island: Except for youth deer hunting (provided for below), all other hunting closed from October 1 through the last day of youth deer seasons. Main Delta area closed to all hunting except for youth deer hunting during youth deer seasons. Limited Use Area: Access prohibited Mar. 1-Jan. 31. Hunting restricted to rabbit with shotgun only from first day of Feb. through last day of Feb. non-toxic (maximum size #6) shot only, without beagles only. See WMA map for specific location.

i. Deer Archery (either-sex): Oct. 1 - Jan. 31 on Main Delta only; no deer hunting on Wax Lake Delta.

ii. Deer Youth Shotgun (buckshot only, either-sex) and Archery (either-sex): first Sat. of Oct. for 2 days; second Sat. of Oct. for 2 days on Main Delta only; no deer hunting on Wax Lake Delta.

iii. Small Game: same as outside except Rabbit Only:

(a). Wax Lake Delta: first Sat. of Oct. through last day of Feb. Beagles prohibited November through January.

(b). Main Delta: first day of Feb. through last day of Feb. with or without beagles. Closed October through January.

iv. Waterfowl: same as outside, except shooting hours shall be 1/2 hour before sunrise to 2 p.m. during opening weekends of teal and duck season and 1/2 hour before sunrise to sunset the remainder of the season, and except shooting hours are the same as outside for the Youth Hunt weekend.

v. Feral Hogs: may be taken by properly licensed hunters Oct. 1 to the last day of February. In addition, hunters may hunt feral hogs with archery equipment, shotguns loaded with buckshot or slugs or rimfire rifles no larger than .22 caliber from Feb. 16 - March 31. Hunters must also display 400 square inches of "hunter orange" or "blaze pink" and wear a "hunter orange" or "blaze pink" cap during special shotgun season for feral hogs.

d. Attakapas. Area closed to all except Youth Deer Hunters when the Youth deer season is open.

i. Deer:

(a). Deer hunting will be closed when the river stage of the Atchafalaya River reaches 15 feet msl at Butte LaRose and will reopen when the river stage recedes to 14 feet msl at Butte LaRose.

(b). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15, either sex.

(c). Youth: last Sat. of Oct. for 2 days, either-sex.

(d). Firearms Either-Sex: Fri. after Thanksgiving Day for 2 days.

(e). Firearms Bucks Only: fourth Sat. of Dec. for 9 days.

(f). Primitive Firearms (Bucks only): third Sat. of Jan. for 2 days.

ii. Turkey: closed.

iii. Small Game and Waterfowl: same as outside except small game hunting closed during either-sex modern firearms seasons closed during youth deer seasons and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after primitive firearms season ends to the last day of Feb.

iv. Raccoon (Nighttime): second Sat. of Sept. for 16 days and the day after the last deer firearms season (bucks only or primitive) to the last day of Feb.

e. Bayou Macon. Area Closed: To all except Youth Deer Hunters last Sat. of Oct. for 2 days. All night activities prohibited except as otherwise provided.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth: last Sat. of Oct. for 2 days, either-sex.

(c). Firearms: Either sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit.

(d). Primitive Firearms: third Sat. of Dec. for 9 days.

ii. Turkey: closed.

iii. Small Game and Waterfowl: same as outside except closed during either-sex modern firearms season and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after the last deer firearms season (bucks only or primitive) to the last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel Mon. after third Sat. of Oct.-Sun. prior to firearms either-sex deer, and training of beagles for rabbit and dogs for squirrel allowed June 1- August 31.

iv. Raccoon: (Nighttime): Sept. 1 for 16 days and first Sat. of Jan. to the last day of Feb.

f. Bayou Pierre. Waterfowl Refuge is closed to all hunting, trapping and fishing except for archery hunting for deer, which is allowed on the entire area. Refuge is marked with "Waterfowl Refuge" signs. Contact Minden Office for details for lottery hunts listed below at 318-371-3050.

i. Deer

(a). Archery only: Oct. 1-Jan. 31, either-sex. Archery hunting is allowed in the waterfowl refuge.

ii. Waterfowl Lottery Only: (Designated Portion)

(a). Lottery Youth Hunt: same as outside youth waterfowl hunt.

(b). General Lottery Hunt: second weekend of first split and first weekend of second and third splits of the West Zone season.

iii. Other Small Game: same as outside and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. before Christmas to last day of Feb.

iv. Raccoon (Nighttime): Sat. before Christmas to last day of Feb.

g. Big Colewa Bayou. Physically Challenged Wheelchair Confined Deer Hunting Area: Access restricted. Check WMA map for location and call Monroe or Baton Rouge Offices for details and applications. Hunting by reservation for wheelchair confined PCHP permittees only. Fri. after Thanksgiving for 3 days, either-sex and second Sat. of Dec. for 16 days, bucks only.

i. Deer:

(a). Archery only: Oct. 1-Jan. 31, either-sex.

ii. Small Game and Waterfowl: same as outside and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles

allowed for rabbit hunting Jan. 1 to last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel Mon. after third Sat. of Oct.-Sun. prior to Thanksgiving, and training of beagles for rabbit and dogs for squirrel allowed June 1-August 31.

iii. All nighttime activities prohibited.

h. Big Lake. Area closed to all south of Big Lake and Crystal Roads when youth deer season is open. North of Big Lake and Crystal Roads open to all activities.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth: last Sat. of Oct. for 2 days, either-sex.

Youth hunt on designated portion. See WMA map for specific location.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit.

(d). Firearms Bucks Only: second Sat. of Dec. for 14 days.

(e). Primitive Firearms: day after firearms bucks only season closes for 14 days.

ii. Turkey: opening day of statewide season for 9 days, except season will open for 10 days when statewide season opens on Good Friday.

(a). Youth: Sat. before opening day of statewide season for 2 days, except when that Sat. falls on Easter weekend then season will open on Good Friday for 3 days.

iii. Small Game: same as outside except closed during either-sex firearms seasons and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after primitive firearms season ends to the last day of Feb.

iv. Waterfowl: same as outside except closed during either-sex modern firearms seasons.

v. Raccoon (Nighttime): the day after primitive firearms season ends to the last day of Feb.

vi. Sport Fishing: yoyos, limblines and trotlines prohibited on Big and Chain Lakes.

vii. Commercial fishing: commercial fishing is prohibited.

i. Biloxi. Self-Clearing Permits required for all activities. Vessels/Vehicles: All airboats, ATVs/UTVs, motorcycles, horses, and mules are prohibited. Mud boats or air cooled propulsion vessels can only be powered by straight shaft "long-tail" air-cooled mud motors that are 25 total horsepower or less. All other types of mud boats or air cooled propulsion vessels, including "surface-drive" boats, are prohibited. Overnight mooring of all vessels 50 feet in length or more is prohibited. Dogs are prohibited except retrievers allowed for waterfowl hunting. No structures may be erected including fixed or permanent blinds of any type.

i. Deer

(a). Archery (bucks only): Oct. 1-15.

(b). Deer Archery (either-sex): Oct. 16-Jan. 31.

ii. Small Game and Waterfowl: same as outside except closed to squirrel hunting during the spring season.

j. Bodcau. Area closed to all except Youth deer hunters during the Youth Deer Hunt on designated portion. Limited Use Area: Small game and waterfowl same as rest

of WMA. Deer hunting archery only. See WMA map for specific location.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth: Sat. after second Fri. of Oct. for 2 days, either-sex on designated portion.

(c). Firearms either-sex: last Sat. of Oct. to the Sun. after Thanksgiving Day. Last Sat. of Oct. and Sun. after last Sat. of Oct., Mandatory Deer Check.

(d). Primitive Firearms: Mon. after Thanksgiving Day for 7 days.

ii. Turkey

(a). Opening day of statewide season for 16 days, except season will open for 17 days when statewide season opens Good Friday.

(b). Youth: Sat. before opening day of statewide season for 2 days except when that Sat. falls on Easter weekend, then season will open on Good Friday for 3 days. Fourth Sat. of April for 2 days.

iii. Small Game and Waterfowl: same as outside except closed during the youth deer hunt on designated portion and entire area first 2 days of modern firearms deer season except spring squirrel season will be open the first Sat. of May for 9 days only, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms deer season ends to the last day of Feb. On that portion designated as Small Game Emphasis Area, beagles allowed for rabbit and dogs allowed for squirrel from the first Sat. of Oct. through the Fri. immediately prior to the opening day of firearms deer season, and training of beagles for rabbit and dogs for squirrel allowed June 1-Sept. 30.

(a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.

iv. Raccoon (Nighttime): day after primitive firearms deer season ends to the last day of Feb. and May 1-Sept. 30.

v. Bird Dog Training Area: open all year except closed during WMA Turkey Season. Contact Minden Office for information.

vi. Fishing: nets and traps prohibited on Ivan Lake.

k. Boeuf. Area Closed to all south of LA 4 except Youth Deer Hunters when youth deer season is open. North of LA 4 open to all activities. Internal combustion engines and craft limited to 10 hp rating or less in the Greentree Reservoir.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth: second Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. - Mandatory Deer Check, Sun. - Self-Clearing Permit.

(d). Firearms Bucks Only: first Sat. of Dec. for 14 days.

(e). Primitive Firearms: day after the close of Firearms Bucks Only for 14 days. Second Sat. of Nov. for 7 days.

ii. Turkey: closed.

iii. Small Game and Waterfowl: same as outside except closed during Deer Either-sex modern firearms

season, and except spring squirrel season will be open the first Sat. of May for 9 days only, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after the last deer firearms season (bucks only or primitive) to the last day of Feb. Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel Mon. after third Sat. of Oct.-Sun. prior to Thanksgiving, and training of beagles for rabbit and dogs for squirrel allowed June 1-August 31.

iv. Raccoon (Nighttime): second Sat. of Sept. for 16 days and the day after the last deer firearms season (bucks only or primitive) to the last day of Feb.

1. Buckhorn. Area Closed: last Sat. of Oct. for 2 days to all except Youth and Physically Challenged Deer hunters.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth and Physically Challenged: last Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit; and second Sat. of Dec. for 2 days.

(d). Firearms Bucks Only: third Sat. of Dec. for 14 days.

(e). Primitive Firearms: day after firearms bucks only season ends for 14 days.

(f). Youth and Physically Challenged Wheelchair Confined Deer Hunting Area: check map for location. Access restricted. Call Monroe or Baton Rouge Offices for further details.

(g). Youth Lottery: second weekend and last consecutive Sat. and Sun. of Dec. except when either of those days falls on Dec. 24 or 25, then it will be the third weekend of Dec. and first consecutive Sat. and Sun. in Jan. Either-sex. Hunting by pre-application lottery only.

(h). Physically Challenged Wheelchair Confined: second weekend and last consecutive Sat. and Sun. of Dec. except when either of those days falls on Dec. 24 or 25, then it will be the third weekend of Dec. and first consecutive Sat. and Sun. in Jan. Either-sex. Hunting by reservation for wheelchair confined. PCHP permittees only.

ii. Small Game and Waterfowl: same as outside except closed during either-sex modern firearm season and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after primitive firearms season ends to the last day of Feb.

iii. Raccoon (Nighttime): day after primitive firearms season ends to the last day of Feb.

m. Bussey Brake. Area closed to all hunting and trapping activity. Area closed to all activities between two hours after sunset until 4 a.m. with the exception of rod and reel or cane pole fishing. Fishing may take place between these hours at the north fishing pier or by boat. Access to all other areas are prohibited between these hours. Recreational fishing and all other allowed non-consumptive uses only. No personal watercraft or water skiing. No camping. No ATVs/UTVs or electric bicycles allowed. No motorized

vehicles of any type allowed on reservoir levee except at boat launch for purpose of launching boat or to access fishing pier. Pulling boats over levees or any other activities that cause detriment to the levees is prohibited. Horseback riding and non-motorized bicycles are allowed only on the designated trail named Levee Trail (see map at boat launch kiosk). Access is granted at two marked locations, adjacent to the boat launch and just beyond the boat launch parking area. No tying boats to channel marker poles. A No-Wake Zone is in effect in the harbor inside the wave break. No boats allowed within 30 feet of fishing piers.

i. Fishing: fish may be taken only by rod and reel or cane pole for recreational purposes. Tournament fishing allowed by Special Use Permit only. All types of nets, including but not limited to gill nets, trammel nets, hoop nets, wire nets, fyke nets and fish seines are prohibited. Trotlines, yo-yos, limb lines, stump lines, slat traps, jugs, cans, and pipes are prohibited. Shoreline (non-boat) fishing only allowed at designated locations. No fishing or lake access from rocks along interior of reservoir levee.

(a). Black Bass (*Micropterus spp.*)

(i). Daily limit: recreational daily creel limit shall be five fish, in the aggregate;

(ii). Possession limit: possession limit shall be five fish while on water and ten fish while off water, in the aggregate;

(iii). Length: the maximum total length limit shall be 16 inches, with the exception that one fish over 16 inches may be kept.

(b). Crappie (*Pomoxis spp.*)

(i). Daily limit: recreational daily limit shall be 25 fish in the aggregate;

(ii). Possession limit: possession limit shall be 25 fish while on water and 50 fish while off water, in the aggregate;

(iii). Length: the minimum total length shall be 10 inches.

(c). Bream (*Lepomis spp.*)

(i). Daily limit: recreational daily creel limit shall be 50 fish, in the aggregate;

(ii). Possession limit: possession limit shall be 50 fish while on the water and 100 while off the water in the aggregate;

(iii). Length: no minimum length.

n. Clear Creek. Area Closed to all except Youth Deer Hunters when the Youth Deer Season is open. Physically Challenged Wheelchair Confined Deer Hunting Area: Access restricted. Check WMA map for location and call Lake Charles or Baton Rouge Offices for details and applications. Hunting blind reservations for wheelchair confined PCHP permittees only. Same deer seasons listed below.

i. Deer

(a). Archery: third Sat. of Sept. to Jan. 15, either-sex.

(b). Youth Deer Hunt: next to last Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-sex: last Sat. of Oct. for 2 days, Mandatory Deer Check and Fri. after Thanksgiving for 3 days, Self-Clearing Permit.

(d). Firearms Bucks Only: Mon. after close of Primitive Season to Thanksgiving Day, and second Sat. of Dec. to Jan. 1.

(e). Primitive Firearms: Mon. after first either-sex firearms weekend for 7 days.

ii. Turkey

(a). Mon. after second Sat. of April for 21 days.

(b). General Lottery: opening day of statewide season for 2 days, second Sat. of April for 2 days.

(c). Youth Lottery: Sat. before opening day of statewide season for 2 days.

iii. Small Game and Waterfowl: same as outside except closed during either-sex gun hunts and except spring squirrel season will be open first Sat. of May for 9 days only, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after firearms bucks only season closes to the last day of Feb.

(a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.

iv. Raccoon (Nighttime): day after firearms bucks only season closes to the last day of Feb.

o. Dewey Wills. Area Closed: to all except Youth and Physically Challenged Deer Hunters during the Physically Challenged and Youth Deer Hunt only on that portion of the area north of the Diversion Canal. High Water Benchmark Road Closures: Hunt Road (South of the Catahoula Lake Diversion Canal) and Muddy Bayou Road east of Nolan Bayou Road will be closed when water levels at the Larto Lake gauge reaches 45.0 ft. msl, and will reopen when water levels recede to 43.0 ft. msl, and Muddy Bayou Road west of the intersection of Nolan Bayou Road and Sandy Bayou Road will be closed when water levels at the Larto Lake gauge reaches 42.0 ft. msl and will reopen when water levels recede to 40.0 ft. msl.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Physically Challenged and Youth: last Sat. of Oct. for 2 days, either-sex. Only that portion of the area north of the Diversion Canal shall be open only to Physically Challenged and youth deer hunters. The remainder of the area is open to all.

(c). Youth Lottery: first Sat. of Dec. for 2 days, first Sat. of Jan. for 2 days except when Jan. 1 falls on one of those days, then there will be no hunt that weekend, second Sat. of Jan. for 2 days, and third Sat. of Jan. for 2 days, either-sex. Contact Pineville Office (318-487-5885) for details and applications.

(d). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit. No hunting allowed in the greentree impoundment or within 100 feet of the greentree levee if duck season is in progress.

(e). Firearms Bucks Only: fourth Sat. of Dec. for 16 days.

(f). Primitive Firearms: second Sat. of Dec. for 2 days.

ii. Turkey: closed.

iii. Small Game and Waterfowl: same as outside except closed during Physically Challenged and Youth Deer Season north of the Diversion Canal and the entire area during the either-sex firearm hunt except waterfowl hunting will be allowed in the greentree impoundment and Catahoula

Basin during the firearm either-sex season and open to squirrel hunting during the spring season first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after Firearms Bucks-Only season ends to the last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel first Sat. of Oct. to the third Sun. of Nov., and training of beagles for rabbit and dogs for squirrel allowed June 1-August 31. Catahoula Basin: Nov. 1-Jan. 31, all motorized vessels prohibited 2 p.m. to 4 a.m., and all nighttime activities prohibited during open waterfowl season except for the Catahoula Basin buffer zone, which will remain open to motorized vessels year round for recreation and navigation.

iv. Raccoon

(a). Nighttime: day after primitive firearms season ends to the last day of Feb.

(b). Nighttime Chase only: May 1-Sept. 25, Tuesdays and Thursdays only. Raccoon hunters may use ATVs on designated trails during take season only.

v. Crawfish: limited to 100 pounds per person per day.

vi. Larto Tracts: all season dates on Larto Tracts (see WMA map) same as outside, except deer hunting restricted to archery only. All vehicles, including ATVs, are prohibited.

p. Elbow Slough.

i. Mourning Dove: Saturdays, Sundays and Wednesdays only during first and second split of the outside season, and except by lottery only opening Sat. and second Sat. of first 8 days of first split. Applications available at Pineville office and online. Contact Pineville office for details.

ii. Rabbit: Feb. 1 to the last day of Feb. Beagles allowed.

iii. Crawfish: March-July. Limit: 100 lbs. per person per day. Recreational crawfishing only. No traps or nets left overnight.

iv. Woodcock: same as outside.

v. All other seasons closed. Non-toxic (minimum size #6) shot only for all hunting. All motorized vehicles prohibited.

q. Elm Hall. ATVs/UTVs prohibited.

i. Deer

(a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15, either sex.

(b). Firearms Either-sex: Fri. after Thanksgiving Day for 2 days.

(c). Firearms Bucks Only: Sun. after Thanksgiving Day and the fourth Sat. of Dec. for 9 days.

(d). Primitive Firearms: next to last Sat. in Jan. for 2 days.

ii. Small Game and Waterfowl: same as outside except closed during either-sex firearm seasons for deer, beagles allowed for rabbits and dogs allowed for squirrel hunting the day after the close of primitive firearms to the end of Feb. and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs.

r. Esler Field. All or portions of the area may be closed daily due to military activities. All game harvested must be reported on self-clearing checkout permit. No hunting in Restricted Areas. Swimming in Twin Lakes

prohibited. Retriever training allowed on selected portions of the WMA. Area closed: to all except youth deer hunters second full weekend in November.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth Deer Hunt: second full weekend in Nov., either-sex on designated portion of the WMA.

(c). Firearms Bucks Only: Dec. 26-Jan. 1.

(d). Primitive Firearms: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit. All deer harvested must be brought to Rifle Range Road Weigh Station. Second Sat. of Dec. for 2 days, Self-Clearing Permit.

ii. Turkey: opening day of statewide season for 9 days, except season will open for 10 days when statewide season opens Good Friday.

iii. Small Game and Waterfowl: same as outside, except closed during either-sex gun hunts for deer and except closed to squirrel hunting during the spring season. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. after Jan. 1 to the last day of Feb.

iv. Raccoon (Nighttime): last consecutive Sat. and Sun. in Jan. to last day of Feb.

v. Fishing: special regulations to be posted at Twin Lakes.

s. Floy Ward McElroy. Access restricted. Contact Monroe Wildlife Field Office at 318-343-4045 for information.

i. Deer: limit 1 deer per participant per weekend for all hunts.

(a). Youth Lottery: second weekend and last consecutive Sat. and Sun. of Dec. except when either of those days falls on Dec. 24 or 25, then it will be the third weekend of Dec., and second consecutive Sat. and Sun. in Jan., either-sex. Restricted to those selected as a result of the pre-application lottery.

(b). Physically Challenged Wheelchair Confined Lottery: first Sat. of Nov. for 2 days, either-sex. Restricted to wheelchair confined PCHP permittees only selected as a result of the pre-application lottery.

(c). Beyond Becoming an Outdoors Woman (BOW) Lottery Deer Hunt: first weekend in Dec. Hunt restricted to those that have successfully completed the Becoming an Outdoors Woman Deer Management Course. Must be Hunter Education certified. Contact LDWF Education Section, 318-343-1241, for more information.

t. Fort Johnson North. Self-clearing permit required daily for all activities. All or portions of the area may be closed daily due to military activities. Check LDWF Hunting Pamphlet for information on open areas and special ATV regulations. Hunters are cautioned not to pick up any foreign material or objects while hunting on the WMA. Also, it is mandatory for hunters to check the open area maps, located at check stations, daily for sudden closures.

i. Deer

(a). Archery: third Sat. of Sept. to Jan. 15, either-sex except restricted to bucks only when bucks only gun season is in progress.

(b). Primitive Firearms: second Sat. of Oct. for 7 days, Self-Clearing Permit required.

(c). Firearms Either-Sex: last Sat. of Oct. for 2 days, mandatory deer check, and Fri. after Thanksgiving

Day for 3 days, Fri. and Sat. mandatory deer check, Sun. self-clearing permit.

(d). Firearms Bucks Only: Mon. after last Sat. of Oct. to Thanksgiving Day, second Sat. of Dec. to Jan. 1.

ii. Turkey: same as outside.

(a). Youth Lottery: Sat. before opening day of statewide season.

iii. Small Game and Waterfowl: same as outside except closed during either-sex firearms hunts for deer and except closed to squirrel hunting during the spring season. "Hunter orange" or "blaze pink" must be worn when bucks only gun hunts for deer are in progress. Squirrel hunting with dogs allowed Mon. after Thanksgiving Day for 12 days and Jan. 2 to last day of Feb.

iv. Feral Hogs: may be taken by properly licensed hunters from beginning of Archery Season to Jan. 1. Hunters may hunt feral hogs with shotguns loaded with buckshot or slugs from Jan. 2 to the end of Feb. Hunters must also display 400 square inches of "hunter orange" or "blaze pink" and wear a "hunter orange" or "blaze pink" cap during special shotgun season for hogs.

u. Fort Johnson-Vernon. Self-clearing permit required daily for all activities. All or portions of the area may be closed daily due to military activities. Check LDWF Hunting Pamphlet for information on open areas and special ATV regulations. Hunters are cautioned not to pick up any foreign material or objects while hunting on the WMA. Also, it is mandatory for hunters to check the open area maps, located at check stations, daily for sudden closures. Physically Challenged Wheelchair Confined Deer Hunting Area: Access restricted. Check WMA map for location and call Lake Charles Office for details and applications. Hunting blind reservations for wheelchair confined PCHP permittees only. Same deer seasons listed below.

i. Deer:

(a). Archery: third Sat. of Sept. to Jan. 15, either-sex. Special Archery regulations for Archery Only Area, check locally at Building 2396 on 22nd St., either-sex deer legal the entire season. Remainder of WMA restricted to bucks only when bucks only gun season is in progress.

(b). Primitive Firearms: second Sat. of Oct. for 7 days, Self-Clearing Permit required.

(c). Firearms Either-sex: last Sat. of Oct. for 2 days mandatory deer check, and Fri. after Thanksgiving Day for 3 days, Fri. and Sat. mandatory deer check, Sun. self-clearing permit.

(d). Firearms Bucks Only: Mon. after last Sat. of Oct. to Thanksgiving Day, second Sat. of Dec. to Jan. 1.

ii. Turkey: same as outside.

(a). Youth Lottery: Sat. before opening day of statewide season.

iii. Small Game and Waterfowl: same as outside except closed during either-sex firearms hunts for deer and except closed to squirrel hunting during the spring season. "Hunter orange" or "blaze pink" must be worn when bucks only gun hunts for deer are in progress. Squirrel hunting with dogs allowed Mon. after Thanksgiving Day for 12 days and Jan. 2 to the last day of Feb.

iv. Feral Hogs: may be taken by properly licensed hunters from beginning of Archery Season to Jan. 1. Hunters may hunt feral hogs with shotguns loaded with buckshot or slugs from Jan. 2 to the end of Feb. Hunters must also

display 400 square inches of “hunter orange” or “blaze pink” and wear a “hunter orange” or “blaze pink” cap during special shotgun season for hogs.

v. Fishing: special regulations pertaining to fishing are posted at specific lakes.

v. Grassy Lake. Area Closed: To all except Youth Deer Hunters during Youth Deer Hunt.

i. Deer

(a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15 either-sex.

(b). Youth: last Sat. of Oct. for 2 days.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit.

(d). Firearms Bucks Only: fourth Sat. of Dec. for 9 days.

(e). Primitive Firearms (either-sex): second Sat. of Dec. for 2 days.

ii. Turkey: closed.

iii. Small Game and Waterfowl: same as outside except closed during either-sex firearms hunts for deer and open to squirrel hunting during the spring season first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends to last day of Feb.

(a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.

iv. Sport Fishing: same as outside except allowed after 2 p.m. during waterfowl season, and except allowed after 10 a.m. during early Teal Season on Smith Bay, Red River Bay and Grassy Lake proper.

v. Commercial Fishing: permitted except on Smith Bay, Red River Bay and Grassy Lake proper on Saturday and Sunday and during waterfowl season. Permits available from area supervisor Spring Bayou Headquarters or Lafayette Field Office.

vi. Raccoon (Nighttime): second Sat. of Sept. for 16 days, day after primitive firearms season ends for 12 days, and day after bucks only firearm season ends to the last day of Feb.

vii. Crawfish: March 15-July 31. Recreational only. 100 pounds per person daily. No nets or traps may be left overnight.

w. Hutchinson Creek

i. Deer:

same as outside, Archery Only, Either-sex.

ii. Turkey: same as outside.

iii. Small Game and Waterfowl: same as outside. Open to squirrel hunting during the spring season first Sat. of May for 9 days. Beagles allowed for rabbits and dogs allowed for squirrel hunting first Sat. of Jan to the last day of Feb.

iv. Raccoon: second Sat. of Sept. for 16 days and first Sat. of Jan to the last day of Feb.

x. J. C. Sonny Gilbert. Area Closed: last Sat. of Oct. for 2 days to all except Youth Deer Hunters.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth: last Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, self-clearing permit.

(d). Firearms Bucks Only: first Sat. of Dec. for 14 days.

(e). Primitive Firearms: day after close of Firearms Bucks Only for 14 days.

ii. Turkey

(a). General Lottery: opening day of statewide season for 9 days, with 3 consecutive 3 day hunts.

(b). Youth Lottery: Sat. before opening day of statewide season for 2 days, except when that Sat. falls on Easter weekend, then season will open on Good Friday for 3 days.

iii. Small Game and Waterfowl: same as outside except closed during either-sex modern firearms seasons for deer and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after the last deer firearms season (bucks only or primitive) to the last day of Feb.

iv. Raccoon (Nighttime): the day after the last deer firearms season (bucks only or primitive) to last day of Feb.

v. Sport Fishing: restricted to rod and reel, and pole fishing only. All other gear prohibited.

y. John Franks

i. Deer

(a). Archery Only: Oct. 1-Jan. 31, either-sex.

ii. Small Game and Waterfowl: same as outside. Beagles allowed for rabbits and dogs allowed for squirrel Sat. before Christmas to end of Feb. Open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs.

z. Joyce. Swamp Walk: closed from 30 minutes after sunset to 30 minutes before sunrise. No loaded firearms or hunting allowed within 100 yards of walkways. Check hunting schedule and use walkway at your own risk.

i. Deer

(a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15 either-sex.

(b). Youth: first Sat. of Nov. for 2 days, either-sex.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Self-Clearing Permit.

(d). Firearms bucks only: third Sat. of Dec. for 16 days.

(e). Primitive Firearms (either-sex): second Sat. of Jan. for 2 days and Mon. after the next to last Sun. of Jan. for 7 days.

ii. Small Game and Waterfowl: same as outside and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms ends to the last day of Feb.

(a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.

iii. Raccoon (Nighttime): day after primitive firearms ends to last day of Feb.

iv. Crawfish: limited to 100 pounds per person per day.

aa. Lake Boeuf. Self-Clearing Permit required for all activities. Self-Clearing Permit available at Theriot Canal boat landing off LA 308. All nighttime activities prohibited except that hunters may enter the WMA no earlier than 4 a.m. and must check out and exit the WMA no later than two

hours after sunset, or as otherwise specified. ATVs/UTVs, motorcycles, horses and mules are prohibited.

- i. Deer
 - (a). Archery (bucks only): Oct. 1-15
 - (b). Archery (either-sex): Oct. 16 - Jan. 31
- ii. Waterfowl: same as outside.
- iii. Small Game: first day of Nov. to the last day of Feb. and open to squirrel hunting during the spring season from the first Sat. of May for 9 days, with or without dogs. Beagles prohibited November and December.
- bb. Lake Ramsey. All vehicles restricted to Parish Roads and designated parking areas.
 - i. Deer
 - (a). Archery only, Oct. 1-Jan. 31, either-sex.
 - ii. Turkey: opening day of statewide season for 16 days, except season will open for 17 days when statewide season opens Good Friday.
 - iii. Small Game and Waterfowl: same as outside and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. after Jan. 1 to last day of Feb.
 - iv. Foot traffic only—all vehicles restricted to Parish Roads, except ATVs allowed for hunters retrieving downed deer or feral hogs.
 - v. Bird Dog Training Area: open all year except closed during WMA Turkey Season. Contact Hammond Office (985-543-4777) for information.
 - cc. Little River
 - i. Deer
 - (a). Archery: Oct. 1-Jan. 31, either-sex.
 - (b). Firearms Bucks Only: last Sat. of Oct. for 16 days.
 - (c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, and second Sat. of Dec. for 2 days.
 - ii. Turkey: opening day of statewide season for 16 days, except season will open for 17 days when statewide season opens Good Friday.
 - iii. Raccoon
 - (a). Nighttime: Mon. after second Sat. of Jan. to last day of Feb.
 - (b). Nighttime Chase Only: May 1-Sept. 25, Tuesdays and Thursdays only. Raccoon hunters may use ATVs on designated trails during take seasons only.
 - iv. Small Game and Waterfowl: same as outside except spring squirrel season will be open the first Sat. of May for 9 days only, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. before Christmas to the last day of Feb.
 - (a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.
 - v. Crawfish: March-July. Limit: 100 pounds per person per day. Recreational crawfishing only. No traps or nets left overnight.
 - dd. Loggy Bayou. Limited Use Area: small game and waterfowl same as rest of WMA. Deer hunting archery only. See WMA map for specific location.
 - i. Deer
 - (a). Archery: Oct. 1-Jan. 31, either-sex.
 - (b). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit.

(c). Primitive Firearms: Mon. after Thanksgiving Day for 7 days.

- ii. Small Game and Waterfowl: same as outside except closed during either-sex firearms seasons for deer and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. before Christmas to the last day of Feb.
- iii. Raccoon (Nighttime): Sat. before Christmas to the last day of Feb.
- ee. Manchac
 - i. Deer
 - (a). Archery: Oct. 1-15 bucks only; Oct. 16-Feb. 15 either-sex.
 - ii. Small Game and Waterfowl: same as outside except steel shot required for rails, snipe and gallinules and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting Feb. 1 to the last day of Feb.
 - iii. Raccoon (Nighttime): Feb. 1 to the last day of Feb.
 - iv. Crabs: no crab traps allowed. Attended lift nets are allowed.
 - ff. Marsh Bayou
 - i. Deer: same as outside, archery only, either-sex.
 - ii. Small Game: same as outside. Open to squirrel hunting during the spring season first Sat. of May for 9 days. Beagles allowed for rabbits and dogs allowed for squirrel hunting first Sat. of Jan. to the last day of Feb. On that portion designated as Small Game Emphasis Area, training of beagles for rabbit and dogs for squirrel allowed June 1-August 31.
 - iii. Raccoon: second Sat. of Sept. for 16 days and first Sat. of Jan. to the last day of Feb.
 - gg. Maurepas Swamp. Camping limited to tent camping in designated areas. See WMA map for locations. No loaded firearms or hunting allowed within 100 yards of Nature Trail. Benchmark Closure: Area Closed to all deer hunting when USGS water level gauge CRMS 5373, available at <http://waterdata.usgs.gov/la/nwis/rt> is at or above 3.0 ft. gage height and reopens to deer hunting when water levels recede to 2.5 ft. gage height following a closure. Motorized vehicles prohibited on Crusel Tract (see WMA map for Crusel Tract). Limited Use Area: small game same as outside except shotgun only. Deer hunting archery only. See WMA map for specific location. Area Closed to all hunters except Youth Deer Hunters during Youth Deer Season. Physically Challenged Wheelchair Confined Deer Hunting Area: Access restricted. Check WMA map for location and call Hammond Office for details and applications. Hunting by reservation for wheelchair confined PCHP permittees only. Same deer seasons listed below.
 - i. Deer
 - (a). Archery: Oct. 1-15 bucks only; Oct. 16-Feb. 15 either sex.
 - (b). Youth: first Sat. of Nov. for 2 days, either-sex.
 - (c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, and Sun. Self-Clearing Permit

(d). Firearms Bucks Only: third Sat. of Dec. for 16 days.

(e). Primitive Firearms (either-sex): second Sat. of Jan. for 2 days and Mon. after the next to last Sun. of Jan. for 7 days.

ii. Small Game and Waterfowl: same as outside except closed Friday after Thanksgiving Day for 3 days during either-sex firearms hunts and closed during youth deer season and except spring squirrel season will be open the first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms ends to the last day of Feb.

(a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.

iii. Raccoon (Nighttime): day after primitive firearms ends to last day of Feb.

iv. Crawfish: limited to 100 pounds per person per day.

hh. Pass-A-Loutre. Self-Clearing Permit required for all activities. Permits available at Pass-a-Loutre Headquarters, Camp Canal and all designated camping areas. Oyster harvesting is prohibited. Camping allowed only in designated areas. See self-clearing permit station at headquarters and WMA map for designated camping areas. Vessels/Vehicles: All ATVs/UTVs, motorcycles, horses and mules are prohibited. Mud boats or air-cooled propulsion vessels powered by more than 36 total horsepower prohibited. Operation of mud boats and air-cooled propulsion engines prohibited after 2 p.m. Sept. 1-Jan. 31, except allowed after 2 p.m. in South Pass, Pass-a-Loutre, Southeast Pass, Loomis Pass, Dennis Pass, and Cadro Pass.

i. Deer

(a). Archery (bucks only): Oct. 1- Feb.15.

(b). Youth Shotgun bucks only: second to last Sat. in Oct. for 2 days.

(c). Deer Shotgun: bucks only may be taken with shotguns with either slugs or buckshot for seven days starting the day after the closure of the first split of duck season.

ii. Small Game and Waterfowl: same as outside. Beagles prohibited October through last day of waterfowl season.

iii. Feral Hogs: may be taken by properly licensed hunters from Oct. 1 to the last day of February. In addition, hunters may hunt feral hogs with archery equipment, shotguns loaded with buckshot or slugs, or rimfire rifles no larger than .22 caliber from Feb. 16-March 31. Hogs may be taken with the aid of dogs Feb. 16-March 15. Hunters must also display 400 square inches of "hunter orange" or "blaze pink" and wear a "hunter orange" or "blaze pink" cap during special shotgun season for feral hogs.

iv. Commercial Fishing: same as outside. Commercial mullet fishing open only in: South Pass, Pass-a-Loutre, North Pass, Southeast Pass, Northeast Pass, Dennis Pass, Johnson Pass, Loomis Pass, Cadro Pass, Wright Pass, Viveats Pass, Cognevich Pass, Blind Bay, Redfish Bay, Garden Island Bay, Northshore Bay, East Bay (west of barrier islands) and oil and gas canals as described on the LDWF Pass-a-Loutre WMA map.

ii. Pearl River. Shooting range: Self-clearing permit not required but all range users must obtain a daily check in

validation slip at the range upon sign-in at the range. For dates, time or more information call 985-643-3938 or www.honeyisland.org. No loaded firearms or hunting within 100 yards of boardwalk. All roads closed 8 p.m. to 4 a.m. to all vehicles. Old Hwy. 11 will be closed when river gauge at Pearl River, Louisiana, reaches 16.5 feet. All hunting except waterfowl hunting south of Hwy. 90 will be closed when the river stage at Pearl River reaches 16.5 feet. No hunting in the vicinity of the Nature Trail. Observe "No Hunting" signs. Area Closed to all hunters except Youth Hunters during Youth deer hunt.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth Deer Hunt: first Sat. of Nov. for 2 days, either-sex.

(c). Firearms Either-Sex: Fri. after Thanksgiving Day for 3 days, Self-Clearing Permit.

(d). Firearms Bucks Only: first Sat. of Dec. for 16 days.

(e). Primitive Firearms: two Sats. prior to Thanksgiving for 7 days and day after firearms bucks only season closes for 14 days.

ii. Turkey

(a). General Lottery: opening day of statewide season for 2 days.

(b). Youth: Sat. and Sun. before opening day of statewide season.

iii. Small Game: same as outside except closed the Friday after Thanksgiving Day for 3 days during either-sex firearms hunts for deer, and closed during youth deer hunt, and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends to last day of Feb.

(a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.

iv. Waterfowl: same as outside except no hunting in Waterfowl Refuge Area and except closed Fri. after Thanksgiving for 3 days, and during youth deer hunt north of U.S. Hwy. 90.

v. Raccoon (Nighttime): second Sat. of Sept. for 16 days and day after primitive firearms season ends to last day of Feb.

vi. Crawfish: commercial crawfishing prohibited. Limited to 100 pounds per person per day.

jj. Pointe-Aux-Chenes. All nighttime activities prohibited except that hunters may enter the WMA no earlier than 4 a.m. and must check out and exit the WMA no later than two hours after sunset, or as otherwise specified. Possession of more than one daily limit of fish/crab/shrimp while on the WMA is prohibited. Self-clearing permits available at Island Road Boat Launch, Grand Bayou Boat Launch and at Point Farm gate behind Montegut Middle School. Parking of vehicles on levees prohibited. Vessels/Vehicles: All boats powered by internal combustion engines having total horsepower above 25 Hp are not allowed in the Grand Bayou, Montegut and Pointe-aux-Chenes water management units. Public is permitted to travel anytime through the WMA for access purposes only, in the waterways known as Grand Bayou, Humble Canal, Little Bayou Blue, Grand Bayou Blue, St. Louis Canal, and Bayou Pointe-aux-Chenes unless authorized by LDWF. All

ATVs/UTVs, motorcycles, horses and mules are prohibited. Fishing, crabbing, cast netting or any other activities or trespassing on water control structures are prohibited.

i. Feral Hogs: may be taken by properly licensed hunters from Oct. 1 to the last day of February. In addition, hunters may hunt feral hogs with archery equipment, shotguns loaded with buckshot or slugs, or rimfire rifles no larger than .22 caliber from Feb. 16-March 31. Hunters must also display 400 square inches of "hunter orange" or "blaze pink" and wear a "hunter orange" or "blaze pink" cap during special shotgun season for feral hogs. All Point-aux-Chenes Property except Point Farm Unit and Restricted Areas

ii. Deer

(a). Archery (bucks only): Oct. 1-15.

(b). Archery (either-sex): Oct. 16-Feb. 15.

(c). Firearms (bucks only): Fri. after Thanksgiving Day for 3 days and second Sat. of Dec. for 7 days.

iii. Waterfowl: same as outside.

iv. Small Game: same as outside except closed during bucks only firearms season and open to squirrel hunting during the spring season from the first Sat. of May for 9 days, with or without dogs. Beagles prohibited October through December.

v. Recreational Fishing: the harvest of all fish, shrimp, crabs and crawfish is for recreational purposes only and any commercial use is prohibited. All cast net contents shall be contained and bycatch returned to the water immediately.

vi. Shrimp may be taken by the use of cast nets only. During the inside open shrimp season, 25 lbs. per boat or vehicle per day (heads on) maximum shall be permitted. Size count to conform with open season requirements. During the inside closed season, 10 lbs. per boat or vehicle per day (heads on) may be taken for bait.

vii. Oyster Harvesting Prohibited.

viii. Fish may be taken only by rod and reel or hand lines for recreational purposes only.

ix. Crabs may be taken only through the use of hand lines or nets; however, none are to remain set overnight. No drop net is allowed to be left unattended at any time. A maximum of 12 drop nets may be possessed/attended per boat or vehicle. Twelve dozen crabs maximum are allowed per boat or vehicle per day.

x. Crawfish: may be harvested in unrestricted portions of the WMA and shall be limited to 100 lbs. per person per day. Gear used to catch crawfish shall not remain set overnight.

xi. Point Farm Unit (Pointe-aux-Chenes). An approximately 1300-acre area inside the Pointe-aux-Chenes WMA which is generally bounded on the west by the double gates behind the Montegut Middle School, the Point Farm levee and the WMA boundary, and on the north by the WMA boundary, and is bounded on the east and south by the Point Farm ridge levee. The boundary of Point Farm is more accurately marked with signs. Point Farm gate will be open all Saturdays during the month of February, weather permitting. Parking in designated areas required for mourning dove hunting. No motorized vessels allowed in the drainage ditches. Except for mourning dove hunting, (provided for below) all other hunting closed until after the

last day of youth deer hunts. Area closed to all except Youth Deer Hunters when the Youth Deer Season is open. Limited Use Area: archery only, firearms prohibited. See WMA map for specific location.

(a). Deer

(i). Youth Lottery (either-sex): first Sat. of Oct. for 2 days, second Sat. of Oct. for 2 days, daily youth hunt permit required. Call the Lafayette Field Office, Coastal WMAs, 337-735-8667 for details.

(ii). Archery (either-sex): Oct. 16-Jan. 14.

(b). Waterfowl: closed.

(c). Small Game: same as outside, except closed until the day after the last youth deer hunt day and open to squirrel hunting during the spring season from the first Sat. of May for 9 days, with or without dogs. Beagles prohibited October and November. Non-toxic shot only south of the dove field gate.

(d). Mourning Dove: hunting will be permitted each day during the September split and each day of the second and third splits (AFTER the last youth deer hunt day). Gates will be opened on Saturdays during the first and second segments, weather permitting, except during waterfowl season and Youth Deer Hunt weekends. Parking will be allowed in designated areas only. Non-toxic shot only south of the dove field gate.

kk. Pomme de Terre. Area Closed: to all except Youth Deer Hunters during Youth Deer Hunt.

i. Deer

(a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15 either sex.

(b). Youth: last Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat Mandatory Deer Check, Sun. Self-Clearing Permit.

(d). Firearms Bucks Only: fourth Sat. of Dec. for 9 days.

(e). Primitive Firearms: second Sat. of Dec. for 2 days.

ii. Turkey: fourth Sat. of April for 9 days.

(a). Youth Lottery: third Sat. of April for 2 days.

iii. Small Game and Waterfowl: same as outside except closed during either-sex firearms hunt for deer and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends to last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel first Sat. of Oct.-day before last Sat. of Oct., Mon. after Thanksgiving for 12 days, and Mon. after primitive firearms season for 12 days and training of beagles for rabbit and dogs for squirrel allowed June 1-August 31.

(a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.

iv. Raccoon (Nighttime): second Sat. of Sept. for 16 days and day after firearms bucks only season ends to last day of Feb.

v. Commercial Fishing: permitted Monday through Friday except closed during duck season. Commercial Fishing Permits available from area supervisor, Lafayette Wildlife Field Office or Spring Bayou Headquarters.

vi. Sport Fishing: same as outside except allowed after 2 p.m. during waterfowl season, and except allowed after 10 a.m. during early Teal Season.

vii. Crawfish: March 15-July 31. Recreational only. 100 lbs. per person daily. No nets or traps may be left overnight.

ll. Richard K. Yancey. Area closed on that portion of the area south of Black Hawk Acme Levee Road, west of LA Hwy. 15, southward to Old River Control Structure, thence south to Sugar Mill Chute, last Sat. of Oct. for 2 days to all except Youth and Physically Challenged Deer Hunters. The remainder of the WMA is open to all users.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth Lottery: third and fourth Sat. of Dec. except if the fourth Sat. is Christmas Day, then the hunt will be the second and third Sat. of Dec. and the first and second Sat. in Jan. except when the first Sat. of Jan. is New Year's Day then the hunt will be the second and third Sat. of Jan., either-sex.

(c). Youth and Physically Challenged: last Sat. of Oct. for 2 days, either-sex.

(d). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit.

(e). Firearms Bucks Only: last Sat. of Dec. for 9 days.

(f). Primitive Firearms (Either-Sex): second Saturday in December for 2 days.

ii. Turkey: closed.

iii. Small Game and Waterfowl: same as outside except closed during the either-sex firearms season and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after firearms bucks only season ends to last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel first Sat. of Oct.-Oct. 31, and Mon. after Thanksgiving for 12 days, and training of beagles for rabbit and dogs for squirrel allowed June 1-August 31.

iv. Quail: closed.

v. Raccoon (Nighttime): second Sat. of Sept. for 16 days and day after firearms bucks only season ends to last day of Feb.

vi. Crawfish: recreational crawfishing allowed west of the Mississippi River Levee only Mar. 15 to July 31, recreational crawfishing only. Crawfish harvested limited to 100 pounds per person per day. No traps left overnight. No motorized watercraft allowed.

vii. Sport Fishing and Commercial Fishing: same as outside except closed from 30 minutes before sunrise until 2 p.m. on: Grand Bay, Silver Lake, Lower Sunk Lake, Lac A' Sostien, and Moreau Lake during open waterfowl seasons, except during early Teal Season, recreational fishing allowed after 10 a.m.

mm. Russell Sage. Area Closed: last Sat. of Oct. for 2 days South of I-20 only to all except Youth and Physically Challenged Deer Hunters. North of I-20 open to all other allowable activities. Wham Brake: closed to all motorized vessels 14 days prior to opening day of duck and teal seasons, excluding youth and Veteran days. Also closed

to all motorized vessels during waterfowl season splits, and September 1-Jan. 31, all motorized vessels prohibited 2 p.m. to 4 a.m., and all nighttime activities prohibited during open waterfowl season. Waterfowl Refuge: North of LA Highway 15 closed to all hunting, fishing, trapping and ATV use during duck season including early teal season, except hunting allowed during Falconry Waterfowl Season. Transporting trash or garbage on WMA roads is prohibited. All nighttime activities prohibited except as otherwise provided. Chauvin Tract: All season dates on Chauvin Tract (US 165 North) same as outside, except still hunt only, except deer hunting restricted to archery only, and except small game shotgun only. All vehicles including ATVs prohibited. Wham Brake Area: Waterfowl hunting open during either-sex deer season.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth and Physically Challenged: last Sat. of Oct. for 2 days, either-sex, south of I-20 only.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit.

(d). Firearms Bucks Only: second Sat. of Dec. for 14 days.

(e). Primitive Firearms: Mon. after Firearms either-sex season for 7 days.

ii. Small Game and Waterfowl: same as outside

except closed during either-sex firearms deer seasons, except Wham Brake area, South Bosco Tract and Pintail Alley area will remain open during either-sex firearms deer seasons, and except spring squirrel season will be open the first Sat. of May for 9 days only, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after the last deer firearms season (bucks only or primitive) to last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel Mon. after third Sat. of Oct.-Sun. prior to Thanksgiving, and training of beagles for rabbit and dogs for squirrel allowed June 1-August 31. Snipe hunting after 2 p.m. prohibited during duck season.

(a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.

iii. Raccoon (Nighttime): first Sat. of Sept. for 16 days and the day after the last deer firearms season (bucks only or primitive) to last day of Feb.

iv. Crawfish: 100 pounds per person per day limit.

nn. Sabine. Area Closed: to all activities third Sat. of Oct. for 2 days to all but Youth Deer Hunters.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth and Physically Challenged: third Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-Sex: fourth Sat. of Oct. for 2 days, Fri. after Thanksgiving Day for 3 days, Self-clearing Permit.

(d). Firearms Bucks Only: day after primitive firearm season to day before Thanksgiving Day. First Sat. of December for 9 days.

(e). Primitive Firearms: Mon. after the fourth Sat. in Oct. for 7 days.

ii. Turkey

(a). General Lottery: second Fri. of April for 3 days, fourth Fri. of April for 3 days.

iii. Small Game and Waterfowl: same as outside except closed during either-sex firearms hunts for deer and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. before Christmas to last day of Feb.

iv. Raccoon (Nighttime): Sat. before Christmas to last day of Feb.

oo. Sabine Island. Sabine Island boundaries are Sabine River on the west, Cut-Off Bayou on the north, and Old River and Big Bayou on the south and east. Self-Clearing Permits required for hunters only. Area Closed: fourth Sat. of Sept. for 2 days to all except Youth Deer Hunters.

i. Deer

(a). Same as Area 8 Deer Season except still hunt only.

(b). Archery: third Sat. of Sept. to Jan. 15, either-sex.

(c). Youth: fourth Sat. of Sept. for 2 days, either-sex.

ii. Small Game and Waterfowl: same as outside except closed fourth Sat. of Sept. for 2 days and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Squirrel hunting with dogs allowed day after Area 8 deer season ends to last day of Feb.

iii. Raccoon (Nighttime): day after Area 8 deer season ends to last day of Feb.

iv. Feral Hogs: may be taken by properly licensed hunters from third Sat. of Sept. to last day of Feb. Hogs may be taken with the aid of dogs Feb. 1 to last day of Feb.

pp. Salvador/Timken. Self-Clearing Permit required for all activities. Permits available at Pier 90, Bayou Gauche, Bayou Segnette State Park landings, and at Airboat Adventures in Lafitte. Vessels/Vehicles: All ATVs/UTVs, motorcycles, horses and mules prohibited. Use of mud boats powered by internal combustion engines with more than four cylinders is prohibited. Pulling boats over levees, dams or water control structures or any other activities which cause detriment to the integrity of levees, dams and water control structures is prohibited. AREA Closed: During the month of October to all activities except fishing, Youth Deer Hunters and Youth Waterfowl Hunters, if the latter is provided for.

i. Deer

(a). Archery (either-sex): Nov. 1-Jan. 31.

(b). Youth (either-sex): Last 4 Sats. of Oct. for 2 days each except when the last Sat. is the 31st in which case the season will be the first four Sats. of Oct. for 2 days each, either sex.

(c). Firearms (either-sex): Fri. before Thanksgiving for 3 days.

(d). Firearms (bucks only): Mon. before Thanksgiving Day for 28 days.

(e). Deer Primitive Firearms (either-sex): day after Firearms Bucks Only for 7 days.

ii. Waterfowl: same as outside.

iii. Small Game: same as outside except closed October through December. Beagles allowed for rabbits Jan. through last day of Feb.

iv. Feral Hogs: may be taken by properly licensed hunters from Oct. 1 to the last day of February. In addition, hunters may hunt feral hogs with archery equipment, shotguns loaded with buckshot or slugs, or rimfire rifles no larger than .22 caliber from Feb. 16-March 31. Hunters must also display 400 square inches of "hunter orange" or "blaze pink" and wear a "hunter orange" or "blaze pink" cap during special shotgun season for feral hogs.

v. Recreational Fishing: the harvest of all fish, shrimp, crabs and crawfish are for recreational purposes only and any commercial use is prohibited.

vi. Shrimp: may be taken by the use of cast nets only. During the inside open shrimp season, 25 lbs. per boat per day (heads on) maximum shall be permitted. Size count to conform with open season requirements. During the inside closed season, 10 lbs. per boat per day (heads on) maximum may be taken for bait. All cast net contents shall be contained and bycatch returned to the water immediately.

vii. Fish: may be taken only by rod and reel or hand lines for recreational purposes.

viii. Crabs: may be taken only through the use of hand lines or nets; however, none are to remain set overnight. Twelve dozen crabs maximum are allowed per boat or vehicle per day.

ix. Crawfish: may be harvested in unrestricted portions of the WMA and shall be limited to 100 lbs. per person per day. Fishing gear used to catch crawfish shall not remain set overnight.

x. Experimental Nighttime Activity Season

(a). 12 a.m., June 1 through official sunrise Aug. 15. Nighttime activities limited to the take of frogs and fishing with a rod and reel. All other nighttime activities prohibited. Daily limit of 50 frogs per vessel in aggregate (bull frogs/pig frogs). If engaged in frogging on or while traversing the WMA, all frogs in possession will be deemed to have been taken from the WMA. At no time may anyone possess more than one daily limit of frogs while on the water.

(b). Size Limit: (Measured from the tip of the muzzle to the posterior end of the body between the hind legs). Bull frogs harvested must be 5 inches or larger. Pig frogs harvested must be 3 inches or larger.

(c). Check out portion of self-clearing permit must include boat registration number under the comments section. Possession of firearms while participation in any experimental nighttime activity is prohibited.

qq. Sandy Hollow. No hunting with any firearm south of Jackson Road, except school board tract, on days of scheduled field trials. Dates of field trials are listed on the check stations or can be obtained from the Hammond office (985-543-4777). Area Closed: North tract closed to all hunters first Sat. of Nov. for 2 days, except Youth and Physically Challenged Deer Hunters.

i. Deer

(a). Youth/Physically Challenged: first Sat. of Nov. for 2 days, either-sex.

(b). Archery: Oct. 1-Jan. 31, either-sex.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, and third Sat. of Dec. for 2 days.

(d). Primitive Firearms: second Sat. of Dec. for 7 days, fourth Sat. of Dec. for 7 days, and the first Sat. of Jan. for 2 days.

ii. Turkey: opening day of statewide season for 16 days, except season will open for 17 days when statewide season opens Good Friday.

(a). Youth Lottery: Sat. and Sun. before opening day of statewide season.

iii. Small Game and Waterfowl: same as outside except closed Fri. after Thanksgiving for 3 days and Youth/Physically Challenged hunt, and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends to last day of Feb.

(a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days. On that portion designated as Small Game Emphasis Area, training of beagles for rabbit and dogs for squirrel allowed June 1-August 31.

iv. Raccoon (Nighttime): day after primitive firearms season ends to last day of Feb.

v. Mourning Dove: first day and second Sat. through end of first split. Closed remainder of first split. Second and third splits are same as outside except Youth Hunt on Northern tract during the opening day of the first segment. Hunt restricted to youths younger than 18 years of age and supervising adult who must be 18 years of age or older. The supervising adult must maintain visual and voice contact with the youth at all times.

vi. Bird Dog Training: Mon. after opening day of Mourning Dove Season to the Sun. before opening of Quail Season and Feb. 1 to last day of Feb., except restricted to that portion south of LA Hwy. 10 only and except blank pistols only. Wild birds only (use of pen-raised birds prohibited).

vii. Bird Dog Training Area: an area has been designated to allow use of released birds for dog training purposes. Open all year except closed during either-sex modern firearm hunts for deer, WMA turkey season and opening weekend of the first segment of dove season. Contact Hammond Office (985-543-4777) for information.

viii. Bird Dog Field Trials: permit required from Hammond Office.

ix. Horseback Riding: Self-clearing Permit required. Organized trail rides prohibited. Riding allowed only on designated roads and trails (see WMA map). Horses and mules are specifically prohibited during turkey and gun season for deer except as allowed for bird dog field trials. No horses and mules on green planted areas. Horse-drawn conveyances prohibited.

rr. Sherburne. The area known as the South Farm is located on the East Side of Sherburne WMA. No hunting will be allowed except specified lottery hunts, within the levee system of the farm from the Fri. before the first lottery youth deer hunt on the South Farm until the day after the last lottery duck hunt on the South Farm. Waterfowl hunting will be allowed by lottery only during the open regular duck hunting season. Hunting will be allowed in the wooded portions east of the waterfowl impoundments. Consult the WMA maps for exact locations. No hunting allowed within the levee system of the farm. Area Closed: Last Sat. of Oct. for 2 days except to Youth and Physically Challenged Deer Hunters and South Farm closed to all hunters except youth lottery deer hunters. Physically Challenged Wheelchair Confined Deer Hunting Area: Access restricted. Check

WMA map for location and call Lafayette or Baton Rouge Offices for details and applications. Hunting by reservation for wheelchair confined PCHP permittees only. Same deer seasons as listed below. Physically Challenged Wheelchair Confined Waterfowl Hunting Area: Access restricted. Call Lafayette or Baton Rouge Offices for further details. Hunting by reservation for wheelchair confined PCHP permittees only.

i. Deer

(a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15 either sex.

(b). Youth and Physically Challenged: last Sat. of Oct. for 2 days, either-sex, all other seasons closed, self-clearing permit.

(c). Youth Lottery: last Sat. and Sun. of Oct., fourth Mon. of Dec., and first and second Sun. of Jan. except no hunt on Christmas Day or Christmas Eve, either-sex. Contact Lafayette office, 337-262-2080 for details and applications.

(d). Firearms Either-sex: Fri. after Thanksgiving Day for 2 days, Mandatory Deer Check and Sun. after Thanksgiving, Self-Clearing Permit, and second Sat. after Thanksgiving for 2 days, Self-Clearing Permit.

(e). Firearms Bucks Only: fourth Sat. of Dec. for 9 days.

(f). Primitive Firearms: Fri. after close of Firearms Bucks only for 3 days.

ii. Turkey: closed.

iii. Small Game: same as outside except closed during Firearms Either-Sex Deer and except spring squirrel season will be open the first Sat. of May for 9 days only, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends to last day of Feb.

(a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.

(b). On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel first Sat. of Oct.-Oct. 31, and Mon. after close of second firearms either-sex deer season for 9 days, except closed last Sat. of Oct. for 2 days, and training of beagles for rabbit and dogs for squirrel allowed June 1-August 31.

iv. Waterfowl, Snipe, Rail, and Gallinules: same as outside except closed during Firearms Either-Sex Deer and except hunting after 2 p.m. prohibited except no hunting in Waterfowl Refuge. That portion of Sherburne WMA known as the South Farm restricted to Lottery hunts only. All other hunting closed on South Farm complex from the Friday before Youth Lottery Deer Hunt until the day after the last Waterfowl hunt on the South Farm. Contact the Wildlife Field Office for details and description of "South Farm."

(a). Youth Waterfowl Lottery: hunting by pre-application lottery only.

(b). Disabled Veterans Waterfowl Lottery: hunting by pre-application lottery only.

(c). General Waterfowl Lottery: hunting by pre-application lottery only.

v. Quail: closed.

vi. Raccoon (Nighttime): second Sat. of Sept. for 16 days and day after primitive firearms season ends to last day of Feb.

vii. Crawfish: March 15-July 31, Recreational crawfishing only. Crawfish harvest limited to 100 pounds per person per day. No traps or nets left overnight. No motorized watercraft allowed on farm complexes. Retriever training allowed on selected portions of the WMA. Contact the Wildlife Field office for specific details.

viii. Vehicular traffic prohibited on East Atchafalaya River levee within Sherburne WMA boundaries.

ix. Rifle and Pistol/Handgun Range open Tuesday-Sunday. Skeet ranges: manual thrower range open Tuesday through Sunday. High and low house open by appointment only, contact Lafayette office, 337-262-2080. No trespassing in restricted areas.

NOTE: Atchafalaya National Wildlife Refuge and U.S. Army Corps of Engineers land holdings adjacent to the Sherburne Wildlife Management Area will have the same rules and regulations as Sherburne WMA. No hunting or trapping in restricted area.

x. Bird Dog Training Area: Open to bird dog training all year except closed during either-sex modern firearm hunts for deer, WMA turkey season, and opening weekend of first and second segments of dove season.

ss. Soda Lake

i. Deer

(a). Archery Only, Oct. 1-Jan. 31, either-sex.

ii. Small Game and Waterfowl: portion west of Twelve Mile Bayou same as outside, falconry only and open to squirrel hunting during the spring season, first Sat. of May for 9 days, Falconry only. Portion east of Twelve Mile Bayou open same as outside. Beagles allowed for rabbits and dogs allowed for squirrel Sat. before Christmas to end of Feb. Open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs.

tt. Spring Bayou. Area Closed: last Sat. of Oct. for 2 days to all except Youth Deer Hunters. No hunting allowed in Headquarters area. Only overnight campers allowed in the improved Boggy Bayou Camping area. Rules and Regulations posted at campsite. Water skiing permitted only in Old River and Grand Lac.

i. Deer

(a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15 either sex.

(b). Youth: last Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Self-Clearing Permit.

(d). Firearms Bucks Only: fourth Sat. of Dec. for 16 days.

(e). Primitive Firearms: Mon. after close of Firearms Bucks only for 7 days.

ii. Turkey

(a). Youth Lottery: fourth Sat. of April for 2 days.

iii. Small Game and Waterfowl: same as outside except small game closed during either-sex firearms hunts for deer. Waterfowl to remain open during either-sex firearms hunts for deer. Open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends to last day of Feb.

(a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.

iv. Raccoon (Nighttime): second Sat. of Sept. for 16 days and day after primitive firearms season ends to last day of Feb.

v. Commercial Fishing: gill nets and trammel nets 3.5 inches and greater permitted Monday through Friday except slat traps and hoop nets permitted any day. The take and possession of grass carp is prohibited. Permits available from area supervisor or Lafayette Wildlife Field Office. Closed until after 2 p.m. during waterfowl season.

vi. Sport Fishing: same as outside except only allowed after 2 p.m. during waterfowl season, except during early Teal Season, recreational fishing allowed after 10 a.m.

vii. Crawfish: March 15-July 31. Recreational only, 100 lbs. per person per day.

uu. Tangipahoa Parish School Board. Self-Clearing Permits required for all activities. No horseback riding during gun season for deer or turkey. ATVs are not allowed except as otherwise specified.

i. Deer: same as outside.

ii. Turkey: same as outside.

iii. Small Game and Waterfowl: same as outside and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends to the last day of Feb.

iv. Raccoon (Nighttime): day after primitive firearms season ends to last day of Feb.

vv. Thistlethwaite. Restricted Area: small game hunting allowed with shotgun only loaded with shot no larger than BB lead or F steel. Deer hunting allowed by archery only. Area Closed: Last Sat. of Oct. for 2 days, except to Youth Deer Hunters. All motorized vehicles restricted to improved roads only. All users must enter and leave through Main Gate only.

i. Deer

(a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15 either-sex.

(b). Youth Deer Hunt: last. Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-Sex: Fri. after Thanksgiving Day for 3 days, first Saturday of Dec. for 9 days, and fourth Saturday of Dec. for 2 days.

(d). Firearms Bucks Only: Mon. after the last Either-Sex Firearm hunt in Dec. for 14 days.

(e). Primitive Firearms: second Sat. in Nov. for 2 days and Mon. after close of Firearms Bucks Only for 7 days.

ii. Small Game and Waterfowl: same as outside except closed during either-sex firearms hunts for deer and open to squirrel hunting during the spring season, first Sat. of May for 9 days. Beagles allowed for rabbits and dogs allowed for squirrel hunting February 1-28.

ww. Tunica Hills. Area Closed Fri. through Sun. before opening day of statewide turkey season except youth turkey hunters and remain closed through the first nine days of the statewide turkey season except for turkey hunters.

Area Closed: first Sat. of Nov. for 2 days to all except Youth Deer Hunters. Camping limited to tents only in designated areas.

- i. Deer
 - (a). Archery: Oct. 1-15, bucks only, Oct. 16-Jan. 31, either sex, Feb. 1-15, bucks only.
 - (b). Youth Hunt: first Sat. of Nov. for 2 days, either-sex.
 - (c). Primitive Firearms: Fri. after Thanksgiving Day for 3 days, Self-Clearing Permit, either-sex, second Sat. of Dec. for 9 days, except when there are 5 Sats. in Dec. then it will open on the third Sat. of Dec., the initial Sat. and Sun. either-sex, the remaining 7 days bucks only, self-clearing permit.
- ii. Turkey: opening day of statewide season for 9 days.
 - (a). Youth Lottery: Sat. and Sun. before opening day of statewide season.
 - (b). Small Game and Waterfowl: same as outside except closed during Youth Deer Hunt and Primitive Firearms Deer Hunt and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs, South Tract only. Beagles allowed for rabbits and dogs allowed for squirrel hunting third Saturday of Oct. for 7 days and Feb. 1 to last day of Feb. on South Tract only. On that portion designated as Small Game Emphasis Area (South Tract Only), training of beagles for rabbit and dogs for squirrel allowed June 1-August 31.
 - (c). Raccoon (Nighttime): Feb. 1 to last day of Feb. on South Tract only.
- xx. Walnut Hill.
 - i. Deer: same as outside, archery only, either-sex.
 - ii. Turkey: same as outside.
 - iii. Small Game: same as outside. Open to squirrel hunting during the spring season first Sat. of May for 9 days. Beagles allowed for rabbits and dogs allowed for squirrel hunting first Sat. of Jan. to the last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel first Sat. of Oct.-Feb. 28, and training of beagles for rabbit and dogs for squirrel allowed June 1-August 31.
 - iv. Raccoon: second Sat. of Sept. for 16 days and first Sat. of Jan. to the last day of Feb.
- yy. West Bay. Area Closed: next to last Sat. of Oct. for 2 days to all except Youth and Physically Challenged Deer Hunters. Limited Use Area: small game same as outside except shotgun only and deer hunting—Archery only. See WMA map for specific location. PCHP Limited Use Area (PCHP Wheelchair Bound Hunting Area): Access restricted. Check WMA map for location and call Lake Charles or Baton Rouge offices for details and applications. Hunting by reservation for wheelchair confined PCHP permittees only. Same deer season listed below.
 - i. Deer
 - (a). Archery: third Sat. of Sept. to Jan. 15, either-sex.
 - (b). Youth and Physically Challenged: next to last Sat. of Oct. for 2 days, either-sex, for physically challenged and youth hunters only.
 - (c). Firearms Either-sex: last Sat. of Oct. for 2 days Mandatory Deer Check and Fri. after Thanksgiving Day for 3 days, Self-Clearing.

(d). Firearms Bucks Only: Mon. after close of Primitive Season to Thanksgiving Day, and second Sat. of Dec. to Jan. 1.

- (e). Primitive Firearms: Mon. after first either-sex firearms weekend for 7 days.
- ii. Turkey:
 - (a). General Lottery: opening day of statewide season for 2 days, second Sat. of April for 2 days, third Sat. of April for 2 days.
 - (b). Youth Lottery: Sat. before opening day of statewide season for 2 days.
 - iii. Small Game and Waterfowl: same as outside except closed during either-sex firearms hunts and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after firearms bucks only season closes to last day of Feb.
 - (a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.
 - iv. Raccoon (Nighttime): day after firearms bucks only season closes to last day of Feb.

18. Other Areas

- a. Camp Avondale Scout Reservation
 - i. Deer
 - (a). Firearms Either-sex: second Sat. in Nov. for 3 days. Restricted to scout program.

19. U.S. Forest Service Areas

- a. Kisatchie National Forest (KNF)
 - i. Vehicles
 - (a). Motorized travel off designated roads and trails and outside designated areas is prohibited on the entire KNF. Motor Vehicle Use Maps (MVUM) showing designated roads and trails and associated vehicles and travel seasons are available in all Forest Service offices and on the Kisatchie website (www.fs.usda.gov/kisatchie).
 - (b). ATV/UTV (50" maximum width); operation is prohibited on public roads and road rights-of-ways. Use is allowed on Forest roads designated as open seasonally to ATV/UTV use. Use is prohibited in some campsites and recreation areas; see bulletin boards for additional information. (Also see MVUM)
 - (c). Nighttime ATV/UTV travel is prohibited. ATV/UTV travel is allowed between one hour before sunrise and one hour after sunset.

(d). Game retrieval with an ATV/UTV is only allowed within designated 300-foot corridors (see MVUM).

(e). Camping corridors for highway legal vehicles to drive within 100 feet of the road and camp are designated on the Caney District and in the National Red Dirt Wildlife Management Preserve.

ii. Firearms

(a). Hunting or discharging a firearm is prohibited as follows:

(i). In or within 150 yards of a residence, building, campsite, developed recreation site or occupied area;

(ii). Across/on/from a National Forest System Road (NFSR) legally open to motorized use;

(iii). Across a body of water where any person/property is exposed to injury/damage as a result of such a discharge;

(iv). Hunting within 50 feet of any NFSR.

(b). It is prohibited to possess a firearm having live ammunition in the chamber, magazine, cylinder or clip (when attached to a firearm), or crossbow cocked and in the ready position in or on any type vehicle while on KNF.

(c). All deer must be tagged as required by LDWF regulations.

(d). Active and retired law enforcement officers in compliance with POST requirements, Federal Law Enforcement Officers, holders of Louisiana concealed handgun permits or permit holders from a reciprocal state, who are in compliance with all other state and federal firearms regulations, may possess firearms while on KNF lands, provided these firearms are not used for any hunting purposes.

(e). The following cannot be carried while hunting on KNF lands except during modern and primitive deer seasons.

(i). centerfire rifles;

(ii). break-action centerfire and bolt-action centerfire handguns;

(iii). scoped centerfire handguns;

(iv). shotgun slugs or shot larger than BB lead or F steel.

iii. Hunter Orange: LDWF WMA regulations for hunter orange and blaze pink apply.

iv. General: Hunting or discharging a firearm in or within 150 yards of a residence, building, campsite, developed recreation site or occupied area, across/on a NFSR legally open to motorized use, across a body of water where any person/property is exposed to injury/damage as a result of such discharge, is prohibited.

v. Hunting General:

(a). Deer Bag Limit: 1 per day up to the statewide seasonal limit.

(b). All deer hunting is still-hunting only.

(c). All deer must be tagged as required by LDWF regulations.

(d). Hunting stand, blind, tripod, baiting, spot-lighting, etc. regulations applicable to LDWF WMAs are in effect on KNF (unless otherwise specified, refer to "Methods of Taking Game" section of the LDWF WMA Regulations) excluding the "Bag Limit" section and "Horses and Mules" section.

(e). Hunting from a permanent stand prohibited. Placing or leaving a temporary stand limited to 24 hours.

(f). The training of deer dogs is prohibited year round.

(g). LDWF Youth Deer Hunt regulations apply for all KNF lands except that archery and open season small game hunting is allowed (excluding those portions of the Vernon Unit within Fort Johnson-Vernon WMA).

vi. Archery Deer Hunting:

(a). Either-sex deer may be taken at any time by archers during the archery season except when bucks-only firearms seasons are in progress on KNF (archers must hunt only bucks during bucks-only firearm seasons).

(b). Archers must adhere to the full hunter orange requirements during any firearm season for deer.

(c). Vernon Unit of the Calcasieu Ranger District (Vernon Parish, excluding Fort Johnson-Vernon WMA): Same as outside.

(d). Catahoula (Grant and Rapides Parishes), Winn (Winn, Grant and Natchitoches Parishes), Kisatchie Ranger Districts (Natchitoches Parish), Evangeline Unit of the Calcasieu Ranger District (Rapides Parish), and Caney Range District (Webster and Claiborne Parishes): same as outside (including Catahoula and Red Dirt National Wildlife Management Preserves).

vii. Firearms for Deer Hunting (excludes the Catahoula and Red Dirt National Wildlife Management Preserves):

(a). Catahoula (Grant and Rapides Parishes), Winn (Winn, Grant and Natchitoches Parishes), Kisatchie Ranger Districts (Natchitoches Parish), Evangeline Unit of the Calcasieu Ranger District (Rapides Parish), and the Vernon Unit of the Calcasieu Ranger District (Vernon Parish, excluding Fort Johnson-Vernon WMA).

(b). Youth only, either-sex, same as outside, still hunt only; LDWF regulations for hunter orange apply.

(c). Primitive Firearms, either-sex: next to last Sat. of Oct. through Sun. after the next to last Sat. of Oct., Sat. after close of Dec. firearms bucks only hunt for 2 days, still hunt only.

(d). Firearms, either-sex: last Sat. of Oct. through Sun. after the last Sat. of Oct., Fri. after Thanksgiving, still hunt only.

(e). Firearms, bucks only: Sat. after the last Sat. of Oct. through Thanksgiving, Sat. after Thanksgiving through Sun. after Thanksgiving, second Sat. of Dec. for 16 days, still hunt only.

viii. Caney Ranger District (Webster and Claiborne Parishes): same as outside including Youth Only Hunt and Primitive Firearms (Area 2) except still hunt only. Either-sex entire season.

ix. Turkey: opening day of statewide season for 23 days except season will open for 24 days when statewide season opens Good Friday (on all ranger districts except the Caney Ranger District); Caney Ranger District: opening day of statewide season for 16 days except season will open for 17 days when statewide season opens Good Friday.

x. Turkey Youth: Sat. before opening day of statewide season for 2 days except when that Sat. falls on Easter weekend, then season will open on Good Friday for 3 days (on all Ranger Districts except Vernon Unit lands within Fort Johnson-Vernon WMA).

xi. Other seasons on entire KNF (See Catahoula/Red Dirt National Wildlife Management Preserve section for additional information):

(a). Rabbit, Squirrel, Quail and Migratory Game Birds: same dates and bag limits as outside except closed to squirrel hunting during the spring season. Youth squirrel: fourth Sat. of Sept. for 2 days.

(b). Waterfowl: same as outside except waterfowl hunting ceases at 2 p.m. If hunting on Corney Lake (Caney Ranger District), a permit (free of charge) is required for the use of a duck blind on the lake.

(c). Feral Hogs, Coyotes, Armadillos and Beavers: may be taken during daylight hours only, on any KNF hunt by properly licensed hunters with weapons legal for that hunt.

(d). Raccoons, Opossums, Fox (chase only) (nighttime, chase only): may be hunted during daylight or

nighttime from Oct. 1 through Feb. 28 unless otherwise stated. A licensed hunter may take raccoon or opossum, two per person per day, except during the trapping season when there shall be no limit. (Please see Louisiana Trapping Regulations pamphlet for additional information. Also please see "Hunting-dog usage during deer firearm seasons" section below for exceptions).

(e). Bobcat and Nutria: LDWF regulations apply.

(f). Crows: may be taken Sept. 1 through Jan. 1 only.

(g). Fishing: LDWF state creel limits apply (See Louisiana Fishing Regulations pamphlet for additional information).

(h). Trapping: see LDWF Trapping Regulations pamphlet for additional information.

(i). Hunting Dog Usage: Hunting dog usage during deer firearm seasons (only for KNF areas outside the Catahoula and Red Dirt National Wildlife Management Preserves): hunting dogs that are legal for hunting species other than deer, and that stay within voice-command distance of handler are allowed during deer gun hunts. Hunting dogs that range beyond voice-command distance of handler are prohibited during deer gun hunts. The training of deer or hog dogs is prohibited year-round. Hunting with recognized bird-hunting dogs during quail and woodcock seasons, recognized raccoon-hunting dogs during raccoon hunting season and recognized pointer/retriever dogs during migratory bird season is permissible. Only beagles which do not exceed 15 inches at the front shoulder may be used for rabbit hunting. All dogs must be collared with owner's name and phone number attached. Dogs running at large are prohibited. The owner/handler shall be liable.

(j). Hunting-dog training: March 1 through Sept. 30 (except all dogs prohibited during turkey hunting season), allowed only in the following circumstances: dogs are within voice-command distance of handler; dogs are participating in nighttime raccoon chases mentioned above; dogs are participating in licensed events conducted by nationally-recognized kennel clubs (KNF permit required-contact Forest Supervisor's office); dogs are under close control of hikers; and any dog on a leash. No firearms allowed while training dogs. Hunting-dog training prohibited in Catahoula and Red Dirt National Wildlife Management Preserves.

(k). Bird Dog Training Area: only that portion of the Vernon Unit known as the "dove field". Bird dogs may be trained year round except closed during turkey season. Permit required from LDWF to use pen-raised quail.

(l). Hunting-Dog Nighttime Chase Only: (All breeds allowed, no deer dogs or hog dogs). May 1 through Sept. 30, Tuesdays and Fridays only. No firearms allowed. Nighttime ATV/UTV travel is prohibited. Hunting-dog nighttime chase is prohibited in the Catahoula and Red Dirt National Wildlife Management Preserves during this period.

xii. Catahoula and Red Dirt National Wildlife Management Preserves (NWMP). Owner: U.S. Forest Service: Catahoula NWMP – 36,000 acres in Grant and Winn Parishes; Red Dirt NWMP – 38,000 acres in Natchitoches Parish.

(a). Season Permit required for hunting, fishing and/or trapping on the preserve; for a permit or to get additional information contact the Forest Supervisor's Office, Winn, Catahoula or Kisatchie Ranger District offices

or www.fs.fed.us/r8/kisatchie/hunting/index.html. In addition to the Season Permit, a Self-Clearing Daily Permit is required for all hunters during all deer gun hunts and turkey hunts. The Self-Clearing Daily Permits will be available at the main check stations, hunter-camps within the NWMPs, Kisatchie, Winn and Catahoula district offices, and at the Forest Supervisor's Office. Permits are free of charge. The Self-Clearing Permit consists of two portions: check-in and check-out. The check-in portion must be completed and put in the permit box before each hunt on the day of the hunt. The check-out portion must be carried by each person while on the NWMP and must be completed and put in the permit box immediately at the end of the day's hunt. Hunters can also check in/check out electronically through the LDWF WMA Self-Clearing Permit app/Internet Web Portal. Users that check in by electronic means are required to possess proof of check in and must check out within 24 hours.

NOTE: When Mandatory Deer Checks are specified (see below), all hunters must check deer at the NWMPs main check stations.

(b). Hunting with Dogs: hunting with recognized bird-hunting dogs during quail and woodcock seasons, recognized raccoon-hunting dogs during raccoon hunting season, and recognized pointer/retriever dogs during migratory bird season is permissible. Only beagles which do not exceed 15 inches at the front shoulder may be used for rabbit hunting. All dogs must be collared with owner's name and phone number attached. Dogs running at large are prohibited. The owner/handler shall be liable. No training of dogs in the NWMPs outside of pertinent seasons.

(c). Select Prohibitions: additional information and prohibitions are provided on Season Permit for the NWMPs.

(d). Deer:

(i). Archery Season: same as Area 2. Archers are required to check harvested deer at the main check station during the mandatory deer check days, see dates below.

(ii). Youth Only Hunt, Either-Sex: same as outside, still hunt only. Self-Clearing Daily Permit required.

(iii). Physically Challenged Hunt, Either-Sex: second Sat. of Oct. through Sun. after the second Sat. of Oct., still hunt only, Self-Clearing Daily Permit required; hunters must also have in possession a LDWF Physically Challenged Hunters Permit.

(iv). Primitive Firearms, Either-Sex: next to last Sat. of Oct. through Sun. after the next to last Sat. of Oct., still-hunt only, Self-Clearing Daily Permit required. Mandatory deer check at main check stations.

(v). Firearms, Either-Sex: last Sat. of Oct. through Sun. after the last Sat. of Oct., and Fri. after Thanksgiving, still-hunt only, Self-Clearing Daily Permit required. Mandatory deer check at main check stations.

(vi). Firearms, Bucks Only: Sat. after Thanksgiving through Sun. after Thanksgiving, still-hunt only, self-clearing daily permit required.

(e). Turkey:

(i). Opening day of statewide season for 23 days except season will open for 24 days when statewide season opens Good Friday.

(ii). Youth: Sat. before opening day of statewide season for 2 days except when that Sat. falls on

Easter weekend, then season will open on Good Friday for 3 days.

(f). Squirrel, Rabbit, Quail, Dove, Woodcock and Waterfowl (without dogs): all seasons same as outside (unless otherwise stated) except closed during deer firearm hunts. Consult LDWF hunting pamphlet for additional information. No spring squirrel season.

(g). Youth Squirrel: fourth Sat. of Sept. for 2 days.

(h). Squirrel/Rabbit (with dogs): first Sat. of Jan. through last day of Feb.

(i). Quail (with dogs): same as outside.

(j). Raccoon/Opossum (non-dog season/daylight hours): may be taken by properly licensed hunter as incidental take with gear legal for the season in progress.

(k). Raccoon (nighttime, with dogs): first Sat. of Jan. through last day of Feb.

(l). Fishing: closed to fishing during deer gun hunts.

20. Bayou Teche National Wildlife Refuge: Owned by U.S. Fish and Wildlife Service, 9,028 acres within St. Mary Parish

a. Deer

i. Archery: same as outside, except closed during youth and firearms deer seasons, limit one deer per day; Franklin Unit closed.

ii. Youth Firearms: last Sat. of Oct. for 2 days, either-sex, limit one deer per day; Franklin and Bayou Sale Units closed.

iii. Firearms: Fri. after Thanksgiving for 3 days, either-sex, limit one deer per day; Franklin and Bayou Sale Units closed.

b. Small Game: same as outside, except closed during youth and firearms deer seasons; Franklin Unit closed.

c. Waterfowl: same as outside except closed after 12 noon, and except closed during firearms deer season; Franklin Unit closed.

21. U.S. Army Corps of Engineers Areas

a. Bonnet Carre' Spillway: The use and/or possession of firearms is prohibited in the ARCHERY-ONLY area. Baiting or hunting over bait for any species is prohibited. The use and/or possession of alcoholic beverages is prohibited while in possession of a firearm.

i. Vehicles. Motorized Vehicles and All-Terrain Vehicles: all motorized vehicles, including automobiles, ATVs and motorcycles are restricted to designated roads and trails. ATVs must be operated under a valid permit from Spillway Office, be brought in to the area by vehicle or trailer, off loaded in parking areas and may only be operated on designated trails. Vehicles must park in designated parking areas. Blocking gates or roads with a vehicle or ATV is prohibited. ATVs are not allowed off designated trails. The use of ATVs outside of the ATV area without a permit is strictly prohibited. No exceptions! Designated trails are open from 5 a.m. until two hours after sunset.

ii. Firearms. The possession of firearms, ammunition, loaded projectile firing devices, bows and arrows, crossbows, or other weapons are prohibited except during designated area hunts. Hunters must have firearms unloaded at all times while traveling within the area by motor vehicle, ATV, horse, bicycle and while in a vessel

under mechanical power. Loaded weapons are not allowed within 100 feet of designated ATV trails, foot trails, and roads; or within 100 yards of designated parking areas. Loaded is defined as shells or cartridges in the gun's chamber, magazine, cylinder or clip when attached to firearms or crossbows cocked and in the ready position, or caps on muzzleloader.

iii. Deer: All users except waterfowl hunters must display a total of 400 square inches of "Hunter Orange" and wear a "Hunter Orange" cap during the open gun hunts for deer. Hunter orange must be worn the entire time while in the field.

(a). Archery (bucks only): Oct. 1-15.

(b). Archery (either-sex): Oct. 16-Feb. 15, unless a bucks only season is in progress.

(c). Shotgun (either-sex): Fri. after Thanksgiving Day for 3 days.

(d). Shotgun (bucks only): Sat. before Christmas for 16 days.

(e). Youth (either-sex): last Sat. in Oct. for 2 days. Additional permit required from Spillway office.

iv. Small Game, Migratory Game Birds and Waterfowl: same as outside. Shotgun only. Hunting waterfowl after 12 p.m. (noon) prohibited. During shotgun deer season, use of dogs allowed for waterfowl hunting only. Dove hunting zone is the South Zone. Waterfowl hunting zone is the East Zone. Squirrel and Rabbit: hunting with dogs not allowed north of US 61 during shotgun season for deer.

v. Armadillos, Beaver, Feral Hogs, Nutria, and Coyote: may be taken incidental to any Spillway hunt with weapons legal for that hunt.

b. Indian Bayou Area. Additional Permit required and posted restrictions apply for all persons regardless of age. Permits must be signed prior to hunting any game and must be carried at all times while in the field. To obtain a permit, see bulletin boards on-site, visit the Atchafalaya Basin Floodway System Project Office, 112 Speck Lane, Port Barre, LA 70577, phone (337) 585-0853 or visit the project website <https://www.mvn.usace.army.mil/recreation/> (then click on Atchafalaya Basin). All hunting shall be still hunting only, except as otherwise specified.

i. Deer: daily Limit on deer is one per day. Antler Deer Point Restriction: A legal buck shall be defined as a deer with at least 4 points on one side or a deer with unbranched antlers commonly referred to as spikes (no minimum length). To be counted as a point, a projection must be at least one inch long and its length must exceed the length of its base. The beam tip is counted as a point but not measured as a point.

(a). Archery: Oct. 1-15 bucks only. Oct. 16-Feb. 15, either-sex.

(b). Youth and Physically Challenged Deer Hunt: fourth Sat. of Oct. for 2 days, first Sat. of Nov. for 2 days, either-sex, no antler restrictions, Mandatory Deer Check. All other seasons closed.

(c). Firearms Either-sex: Fri. after Thanksgiving for 3 days, first Sat. of Dec. for 2 days. Mandatory Deer Check.

(d). Primitive Firearms Either-sex: second Fri. of Dec. for 3 days, second Sat. of Jan. for 2 days.

(e). Firearms Bucks Only: last Sat. of Dec. for 9 days, Mandatory Deer Check.

(f). Deer Youth Lottery: third Sat. of Nov., Tues. after third Sat. of Nov., third Sat of Dec., Tues. after third Sat. of Dec.

ii. Turkey: closed.

iii. Small Game, Migratory Game Birds and Waterfowl: same as outside except closed during Youth and Physically Challenged Deer Hunt, and during Firearms Either-sex deer season (except waterfowl season will remain open during all deer gun hunts). Hunting waterfowl after 2 p.m. prohibited. Squirrel and rabbit hunting with dogs allowed Mon. after second Sat. of Jan. to last day of Feb. Youth squirrel hunt fourth Sat. of Sept. for 2 days. Raccoon (Nighttime): second Sat. of Sept. for 16 days, Mon. after second Sat. of Jan. to last day of Feb. Special use permit required.

iv. Hogs, Coyote, Beaver, and Nutria: may be taken incidental to any hunt with weapons legal for that hunt. Consult U.S. Army Corps of Engineers' "Hunting Guide to Indian Bayou" brochure for additional posted restrictions.

v. Crawfishing: Commercial and recreational crawfishing is permitted from Oct. 1-Jan. 31 starting at 12 p.m. each day and all day from Feb. 1-July 31 with an additional annual permit required. A maximum limit of 500 traps for Commercial Crawfishing. All equipment left on the area (including traps) must also be tagged with the permit number issued. The permit is available Jan. 1. Call USACE Port Barre Office for more details, 337-585-0853 or visit www.mvn.usace.army.mil/Missions/Recreation/AtchafalayaBasin.aspx.

c. Old River Control and Lock Area: Additional permit required and posted restrictions apply for all persons regardless of age. Permits must be signed prior to hunting any game and must be carried at all times while in the field. To obtain a permit: see brown box in front of Old River campground for *Old River Hunting and Trail Guide* or visit the Old River website www.mvn.usace.army.mil/Missions/Recreation/Old-River-Control or call phone 225-492-2169. All hunters must have in their possession a picture ID and valid State Hunting License and a signed Corps of Engineers hunting permit. Use of dogs is restricted during the deer season, except for duck hunting. Raccoon, rabbit and squirrel hunting with dogs are permitted after deer season, unless otherwise specified. Baiting or hunting over bait for any species is prohibited. The possession of loaded weapons and the discharging of firearms are prohibited within 100 feet of designated roads, levees, and parking areas and 200 feet of water control structures and navigational locks.

i. Deer: all deer hunting shall be still hunting only. Moving deer or hogs on Corps land with organized drivers and standers, or making use of noises or noise making devices is prohibited.

(a). Archery (either-sex): Oct. 1-Jan. 31.

(b). Muzzleloader (blackpowder only): second Sat. in December for 2 days. During the Muzzleloader season you may only use black powder weapons or archery equipment. Black powder weapons must use black powder or approved substitute only and must be loaded from the muzzle.

(c). Shotgun (either-sex): Fri. after Thanksgiving Day for 3 days.

(d). Shotgun (bucks only): last Sat. of Dec. for 9 days.

(e). Youth (either-sex): 17 years and under: last Sat. of Oct. for 2 days.

ii. Turkey: closed.

iii. Small Game, Migratory Game Birds and Waterfowl: same as outside, except hunting waterfowl after 2 p.m. prohibited, no firearms larger than .22 caliber rimfire and except beagles are allowed for rabbit and dogs are allowed for squirrel Mon. after Thanksgiving for 12 days and end of Shotgun bucks only to last day of Feb.

iv. Woodcock: same as outside except hunting with dogs prohibited.

v. Raccoon: day after Shotgun bucks only season ends to last day of Feb.

vi. Hogs, Coyote, Beaver, and Nutria: may be taken incidental to any hunt with weapons legal for that hunt.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115 and R.S. 56:116.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 25:1279 (July 1999), amended LR 26:1494 (July 2000), LR 27:1049 (July 2001), LR 28:1603 (July 2002), LR 29:1124 (July 2003), repromulgated LR 29:1522 (August 2003), amended LR 30:1495 (July 2004), LR 31:1611 (July 2005), LR 32:1251 (July 2006), LR 33:1382 (July 2007), LR 34:1429 (July 2008), LR 35:1264 (July 2009), LR 36:1566 (July 2010), LR 37:2190 (July 2011), LR 38:1732 (July 2012), LR 39:2292 (August 2013), LR 40:1540 (August 2014), LR 41:963 (May 2015), LR 42:1112 (July 2016), LR 43:1423 (July 2017), LR 44:1277 (July 2018), LR 45:938 (July 2019), LR 46:961 (July 2020), LR 47:904 (July 2021), LR 48:511 (March 2022), LR 48:1867 (July 2022), LR 49:1235 (July 2023), LR 50:

§113. General and WMA Turkey Hunting Regulations

A. General Regulations. Only gobblers (male turkeys) may be taken. Taking of hen (female) turkeys, including bearded hens, is prohibited; still hunting only. Use of dogs, electronic calling devices, motorized decoys and live decoys is illegal. Turkeys may be hunted with shotguns, including muzzleloading shotguns, using shot not larger than #2 lead, #2 non-toxic, or BB steel shot, and approved archery equipment but by no other means. Shooting turkeys from a moving or stationary vehicle is prohibited. Shotguns capable of holding more than three shells prohibited. The running of coyote with dogs is prohibited in all turkey hunting areas during the open turkey season. No person shall hunt, trap or take turkeys by the aid of baiting or on or over any baited area. Baiting means placing, exposing, depositing or scattering of corn (shelled, shucked or unshucked), wheat or other grain, salt, or other feed so as to constitute a lure, attraction or enticement to, on or over any areas where hunters are attempting to take turkeys. A baited area is any area where corn (shelled, shucked or unshucked), wheat or other grain, salt, or other feed capable of luring, attracting or enticing turkeys is directly or indirectly placed, exposed, deposited, distributed or scattered. Such areas remain baited areas for 15 days following complete removal of all such corn, wheat or other grain, salt, or other feed. Wildlife agents are authorized to close such baited areas and to place signs

in the immediate vicinity designating closed zones and dates of closures. No person hunting turkeys more than 200 yards from a baited area will be in violation of the turkey baiting regulation.

B. Tags

1. Prior to hunting turkeys, all turkey hunters, regardless of age or license status, must obtain turkey tags and have them in their possession while turkey hunting. Turkey tags may only be used by the hunter to whom the tag was issued. Hunters who allow their turkey tags to be used by another person, or who use tags issued to another person, are in violation of this Rule and are subject to fines and other administrative penalties, including, but not limited to, the automatic forfeiture of any remaining turkey tags for the season for which they are issued. Immediately upon killing a turkey, hunters must attach a carcass tag to or electronically tag the turkey before it is moved from the site of the kill and must document the kill on the turkey harvest report card. If using carcass tags, the date of kill and parish of kill must be recorded on the carcass tag, and the tag must remain attached to the turkey while kept at camp or while it is transported to the domicile of the hunter or to a cold storage facility. Hunters who keep the carcass or meat at a camp must also comply with game possession tag regulations. Within 72 hours of the kill, the hunter must report the kill. Hunters may report turkeys electronically, calling the validation phone number, or using the validation website.

2. Turkey hunters purchasing licenses by phone will be given an authorization number and a LDWF identification number that will serve as their license and tags until the physical license and tags arrive by mail. Turkey hunters who have purchased a license with tags, but have not yet received their physical license and tags, must immediately tag their kill with a possession tag before moving it from the site of the kill. The authorization number and LDWF identification number must be recorded on the possession tag. Hunters must retain documentation of any turkeys killed and upon receiving their physical tags and harvest report card, validate their kill as required in these regulations. The tags for turkeys killed prior to receiving the physical tags must be removed from the turkey harvest report card and discarded.

3. Tags removed from the turkey harvest report card prior to killing a turkey are no longer valid and if lost will not be replaced. Duplicate tags and turkey harvest report cards are available to replace lost report cards and attached tags. Hunters will be charged a fee for duplicate turkey harvest report cards and tags. Hunters that have killed a turkey prior to losing their remaining tag and harvest report card must remove and discard the duplicate tag to account for the original tag that was used and validated. Hunters must record any previously validated turkey on the duplicate turkey harvest report card.

C. Possession of Live Wild Turkeys. No person shall take live wild turkeys or their eggs from the wild. No person shall possess captive live wild turkeys, (*Meleagris gallopavo silvestris*, *M.g. osceola*, *M.g. intermedia*, *M.g. merriami*, *M.g. mexicana*) or their eggs, regardless of origin, without a valid game breeder license. No pen-raised turkeys from within or without the state shall be liberated (released) within the state.

D. Statewide Youth and Physically Challenged Season Regulations. Only youths 17 years of age or younger or hunters possessing a physically challenged hunter permit with wheelchair classification may hunt. Youth must possess a hunter safety certification or proof of successful completion of a hunter safety course. Youths must be accompanied by one adult 18 years of age or older. If the accompanying adult is in possession of hunter safety certification, a valid hunting license or proof of successful completion of a hunter safety course, this requirement is waived for youth younger than 16 years of age. Additionally, any person younger than 18 years of age shall have in their immediate possession a valid, original youth license. Adults accompanying youth may not possess a firearm or bow. Youths may possess only one firearm or bow while hunting. The supervising adult shall maintain visual and voice contact with the youth at all times, except youths 12 years old or older who have successfully completed a hunter safety course may hunt without a supervising adult. Only one gobbler (male turkey) per day may be taken and any gobbler (male turkey) taken by the hunter during this special season counts towards their season bag limit of two.

E. Shooting Hours—one-half hour before sunrise to one-half hour after sunset.

F. Turkey Hunting Area Descriptions

1. Area A

a. All of the following parishes are open:

- i. Beauregard;
- ii. Bienville;
- iii. Bossier;
- iv. Claiborne;

EXCEPTION: see federal lands hunting schedule for Kisatchie National Forest dates.

- v. East Baton Rouge;
- vi. East Feliciana;
- vii. Grant;

EXCEPTION: see federal lands hunting schedule for Kisatchie National Forest dates;

- viii. Jackson;
- ix. LaSalle;
- x. Lincoln;
- xi. Livingston;
- xii. Natchitoches;

EXCEPTION: see federal lands hunting schedule for Kisatchie National Forest dates.

- xiii. Sabine;
- xiv. St. Helena;
- xv. St. Tammany;
- xvi. Tangipahoa;
- xvii. Union;
- xviii. Vernon;

EXCEPTION: see federal lands hunting schedule for Kisatchie National Forest dates.

- xix. Washington;
- xx. Webster
- xxi. West Feliciana (including Raccourci Island);
- xxii. Winn.

EXCEPTION: see federal lands hunting schedule for Kisatchie National Forest dates.

b. Portions of the following parishes are also open:

- i. Allen—north of US 190 east of Kinder, west of US 165 south of Kinder;
- ii. Calcasieu—north of I-10;

- iii. Caldwell—west of Ouachita River southward to Catahoula Parish line;
- iv. Catahoula—south and west of the Ouachita River from the Caldwell Parish line southward to LA 8 at Harrisonburg, north and west of LA 8 from Harrisonburg to the LaSalle Parish line, also that portion lying east of LA 15;
- v. East Carroll—that portion east of the main channel of the Mississippi River;
- vi. Evangeline—north and west of LA 115, north of LA 106 west of LA 115 to US 167, west of US 167 south to LA 10, north of LA 10 west of US 167 to LA 13, west of LA 13 south of LA 10 to Mamou and north of LA 104 west of Mamou;
- vii. Jefferson Davis—north of US 190 from junction with LA 26 to Kinder, west of US 165 and north of I-10 west from junction of US 165;
- viii. Madison—that portion east of the main channel of the Mississippi River;
- ix. Morehouse—west of US 165 from the Arkansas line to the junction of LA 140 at Bonita, north and west of LA 140 to junction of LA 830-4 (Cooper Lake Road), west of LA 830-4 to US 165 at Bastrop, south of US 165 to junction of LA 3051 (Grabault Road) south of LA 3051 to junction of LA 138, west of LA 138 to junction of LA 134, north of LA 134 to the Ouachita Parish line;
- x. Ouachita—all west of the Ouachita River. That portion east of the Ouachita River lying north of US 80;
- xi. Rapides—all west of Red River and north of LA 28 east from Pineville, LA east to LaSalle Parish line;
- xii. Tensas—that portion east of the main channel of the Mississippi River.

EXCEPTION: see federal lands hunting schedule for Kisatchie National Forest dates.

2. Area B

- a. All of the following parishes are open:
 - i. Caddo;
 - ii. DeSoto;
 - iii. Red River.

3. Area C

- a. All of the following parishes are open:
 - i. Ascension;
 - ii. Concordia;
 - iii. Franklin;
 - iv. Iberville;
 - v. Pointe Coupee;
 - vi. West Baton Rouge.
- b. Portions of the following parishes are open:
 - i. Avoyelles—that portion bounded on the east by the Atchafalaya River, on the north by Red River to the Brouillette Community, on the west by LA 452 from Brouillette to LA 1, on the south by LA 1, eastward to Hamburg, thence by the west Atchafalaya Basin protection levee southward;
 - ii. Caldwell—all east of the Ouachita River;
 - iii. Catahoula—all of the parish except for that portion located in area A;
 - iv. Iberia—east of the west Atchafalaya Basin protection levee;
 - v. Madison—that portion lying east of US 65 from East Carroll Parish line to US 80 and south of US 80;

vi. Richland—west of LA 17 from Franklin Parish line to Ringle Road, south of Ringle Road to Ferguson Road, south of Ferguson Road to Little Road, south of Little Road to Big Creek, east of Big Creek to Franklin Parish line and that portion south of US 80 and east of LA 17;

vii. St. Landry—that portion bounded on the west by the west Atchafalaya Basin Protection Levee and on the east by the Atchafalaya River;

EXCEPTION: the Indian Bayou area; see federal lands hunting schedule for Indian Bayou area dates.

viii. Tensas—that portion west of the main channel of the Mississippi River;

ix. Upper St. Martin—all within the Atchafalaya Basin; in addition, that area bounded on the North by LA 352; on the West by LA 349, to LA 3039, to LA 347, to the Catahoula Hwy. (LA 96), to LA 679, to LA 345; and on the south by LA 3242;

EXCEPTION: Indian Bayou area, see federal lands hunting schedule for Indian Bayou dates.

4. Turkey season dates on wildlife management areas, national wildlife refuges, Kisatchie National Forest and U.S. Army Corps of Engineers land located within areas A, B, and C may vary from the season set for the parish in which they are located. Seasons for these lands are specified in LAC 76:XIX.115.

G. WMA Turkey Hunting Regulations

1. WMAs with youth turkey hunts are closed to all activities except turkey hunting by authorized youth hunt participants, shooting range use, and fishing on the day(s) of the youth hunt.

2. Rules Specific to Certain WMAs

a. Sandy Hollow. No turkey hunting within 100 yards of food plots identified by two yellow paint rings around the nearest tree.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 25:2263 (November 1999), amended LR 26:2634 (November 2000), LR 27:2270 (December 2001), LR 28:2375 (November 2002), LR 29:2512 (November 2003), LR 30:2874 (December 2004), LR 31:3167 (December 2005), LR 32:2272 (December 2006), LR 33:2469 (November 2007), LR 35:91 (January 2009), LR 35:2478 (November 2009), LR 36:2581 (November 2010), LR 37:3535 (December 2011), LR 38:2941 (November 2012), LR 40:96 (January 2014), LR 40:1554 (August 2014), LR 41:977 (May 2015), LR 42:1127 (July 2016), LR 43:1426 (July 2017), LR 44:1303 (July 2018), LR 45:964 (July 2019), LR 46:988 (July 2020), LR 47:934 (July 2021), LR 48:1897 (July 2022), LR 49:1266 (July 2023). LR 50:

§115. Turkey Hunting Areas, Seasons, and Bag Limits

A. Daily limit is one gobbler (male turkey). Season limit is two gobblers (male turkey). Turkeys taken on WMAs are part of the season bag limit. Only one turkey may be taken during spring WMA lottery hunts.

B. Turkey season will open on the first Saturday in April. The area A turkey season will be 30 consecutive days in length, the area B turkey season will be 23 consecutive days in length, and the area C turkey season will be 16 consecutive days in length. Wildlife management areas, national forests, national wildlife refuges, and U.S. Army Corps of Engineers land may vary from this framework. On

those years when the first Saturday in April falls the day before Easter, then the season will open the Friday before the first Saturday in April.

C. Statewide youth turkey and physically challenged season on private lands shall be the weekend prior to the start of the regular turkey season. On those years when the weekend prior to the start of regular turkey seasons falls on Easter weekend, then the youth and physically challenged season will open on Good Friday.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 25:2264 (November 1999), amended LR 26:2634 (November 2000), LR 27:2270 (December 2001), LR 28:2376 (November 2002), LR 29:2512 (November 2003), LR 30:2875 (December 2004), LR 31:3167 (December 2005), LR 32:2272 (December 2006), LR 33:2470 (November 2007), LR 35:90 (January 2009), LR 35:2481 (November 2009), LR 36:2583 (November 2010), LR 37:3541 (December 2011), LR 38:2944 (November 2012), LR 40:99 (January 2014), LR 40:1556 (August 2014), LR 41:980 (May 2015), LR 42:1129 (July 2016), LR 43:1426 (July 2017), LR 44:1306 (July 2018), LR 45:966 (July 2019), LR 46:990 (July 2020), LR 47:936 (July 2021), LR 48:1899 (July 2022), LR 49:1268 (July 2023), LR 50:

§117. Migratory Bird Seasons, Regulations, and Bag Limits

A. Seasons and Bag Limits

Species	Season Dates	Daily Bag Limit	Possession Limit
Mourning and White Winged Doves and fully-dressed Eurasian and Collared Doves	South Zone: Sept. 7-Sept. 21 Oct. 19-Nov. 30 Dec. 14-Jan. 14 North Zone: Sept. 7-Sept. 28 Oct. 5-Nov. 9 Dec. 21-Jan. 21	15 (in aggregate)	45 (in aggregate)
Woodcock	Dec. 18-Jan. 31	3	9
Teal (Blue-winged, Green-winged and Cinnamon)	Sept. 14-Sept. 29	6	18
King and Clapper Rails	Sept. 14-Sept. 29 Nov. 9-Jan. 1	15 (in aggregate)	45 (in aggregate)
Sora and Virginia Rails	Sept. 14-Sept. 29 Nov. 9-Jan. 1	25 (in aggregate)	75 (in aggregate)
Gallinules	Sept. 14-Sept. 29 Nov. 9-Jan. 1	15	45
Snipe	West Zone: Nov. 2-Dec. 8 Dec. 21-Feb. 28 East Zone: Nov. 2-Dec. 8 Dec. 21-Feb. 28	8	24
Ducks, Coots and Mergansers	West Zone: Nov. 2-Nov. 3 (youth and veterans only) Nov. 9-Dec. 8 Dec. 21-Jan. 5 Jan. 13-Jan. 26 East Zone: Nov. 9 (youth and veterans only) Nov. 16-Dec. 8 Dec. 21-Jan. 26 Feb. 1 (youth and veterans only)	Daily bag limit on ducks is 6 and may include no more than 4 mallards (no more than 2 females), 3 wood ducks, 2 canvasbacks, 2 redheads, 1 black duck and 1 pintail. Only 1 scaup may be taken for the first 15 days of the season with 2 per day allowed for the remainder. No mottled ducks may be taken for the first 15 days of the season with 1 per day allowed for the remainder. Daily bag limit on coots is 15. Mergansers-The daily bag limit for mergansers is 5, only 2 of which may be hooded mergansers, in addition to the daily bag limit for ducks.	Three times the daily bag limit.

Species	Season Dates	Daily Bag Limit	Possession Limit
Light Geese (Snow, Blue, and Ross') and White-Fronted Geese	East Zone: Nov. 2-Dec. 8 Dec. 21-Jan. 26 West Zone: Nov. 2-Dec. 8 Dec. 21-Jan. 5 Jan. 13-Feb. 2	Daily bag limit on Light Geese (snow, blue, and ross') is 20. Daily bag limit on White-Fronted Geese is 3.	No possession limit on Light Geese (snow, blue, and ross') Possession limit on White-Fronted Geese is 9.
Canada Geese	East Zone: Nov. 2-Dec. 8 Dec. 21-Jan. 26 West Zone: Nov. 2-Dec. 8 Dec. 21-Jan. 5 Jan. 13-Feb. 2	1	3

B. Conservation Order for Light Geese Seasons and Bag Limits

Species	Season Dates	Daily Bag Limit	Possession Limit
Light Geese (Snow, Blue, and Ross')	East Zone: Dec. 9-Dec. 20 Jan. 27-Mar. 2 West Zone: Dec. 9-Dec. 20 Jan. 6-Jan. 12 Feb. 3-Mar. 2	No daily bag limit.	No possession limit.

C. Extended Falconry Seasons and Bag Limits

Species	Season Dates	Daily Bag Limit
Mourning and White Winged Doves and fully-dressed Eurasian and Collared Doves	Sept. 14-Sept. 30	Falconry daily bag and possession limit for all permitted migratory game birds must not exceed 3 and 9 birds, respectively, singly or in aggregate, during the extended falconry seasons and regular hunting seasons.
Woodcock	Nov. 4-Jan. 31	
Rails and Gallinule	Nov. 2-Jan. 26	
Ducks	Nov. 2-Jan. 30	

D. Dove Hunting Regulations

1. Shooting hours: one-half hour before sunrise to sunset.

2. There is no bag limit on Eurasian collared-doves or Ringed Turtle-doves provided that a fully feathered wing and head remain attached to the carcass of the bird. Fully dressed Eurasian collared-doves and ringed turtle doves (those without a fully feathered wing and head naturally attached to the carcass) shall be included in the aggregate bag.

3. The following boundary divides the dove season zones: beginning at the Texas-Louisiana border on LA Hwy. 12; thence east along LA Hwy 12 to its intersection with U.S. Hwy 190; thence east along U.S. Hwy 190 to its intersection with I-12; thence east along I-12 to its intersection with I-10; then east along I-10 to the Mississippi state line.

E. Snipe Hunting Regulations. Shooting hours one-half hour before sunrise to sunset, except at the Spanish Lake recreation area in Iberia Parish where shooting hours, including the conservation end at 2 p.m.

F. Conservation Order for light geese. Only snow, blue, and Ross' geese may be taken under the terms of the conservation order. Electronic calls and unplugged shotguns

allowed. No daily bag or possession limit. Shooting hours one-half hour before sunrise until one-half hour after sunset.

G. Canada Goose Season Closure. The Canada goose season will be open statewide except for a portion of southwest Louisiana described as follows: beginning at the Texas State Line, proceeding east along LA Hwy. 82 to the Calcasieu Ship Channel, then north along the Calcasieu Ship Channel to its junction with the Intracoastal Canal, then east along the Intracoastal Canal to its juncture with LA Hwy. 82, then south along LA Hwy. 82 to its juncture with Parish Road 3147, then south and east along Parish Road 3147 to Freshwater Bayou Canal, then south to the Gulf of Mexico, then west along the shoreline of the Gulf of Mexico to the Texas State Line, then north to the point of beginning at LA Hwy. 82. Open waters of Lake Arthur and the Mermentau River, from the Hwy 14 bridge southward, will also be closed.

H. Statewide Youth Waterfowl and Veterans Season Regulations.

1. Only youths 17 years of age or younger may hunt. Youth must possess a hunter safety certification or proof of successful completion of a hunter safety course. Youths must be accompanied by one adult 18 years of age or older. If the accompanying adult is in possession of hunter safety certification, a valid hunting license or proof of successful completion of a hunter safety course, this requirement is waived for youth younger than 16 years of age. Youths may possess only one firearm while hunting. The supervising adult shall maintain visual and voice contact with the youth at all times.

2. Veterans refers to those persons who served in the active military, naval or air service who were discharged or released under conditions other than dishonorable, and members of the Armed Forces on active duty including members of the National Guard and Reserves on active duty (other than for training). Veterans and active duty military

personnel must possess a valid proof of service such as DD214 form, Active Military ID, Retired Military ID, Veterans Administration ID, or Veterans designation on their Driver's License as well as mandatory waterfowl license(s), HIP certification, and Federal duck stamp to participate on these hunt days.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 42:1130 (July 2016), amended LR 43:1427 (July 2017), LR 44:1306 (July 2018), LR 45:966 (July 2019), LR 46:991 (July 2020), LR 47:937 (July 2021), LR 48:1899 (July 2022), LR 49:1268 (July 2023), LR 50:

Family Impact Statement

In accordance with Act 1183 of 1999 Regular Session of the Louisiana Legislature, the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission hereby issues its Family Impact Statement in connection with the preceding Notice of Intent. This Notice of Intent will have no impact on the six criteria set out at R.S. 49:972(B).

Poverty Impact Statement

This proposed Rule will have no impact on poverty as described in R.S. 49:973.

Provider Impact Statement

This proposed Rule has no known impact on providers as described in HCR 170 of 2014.

Small Business Analysis

This proposed Rule has no known impact on small businesses as described in R.S. 49:965.2 through R.S. 49:965.8.

Public Comments

Interested persons may submit written comments relative to the proposed Rule until March 7, 2024 to Tommy Tuma, Wildlife Division, Department of Wildlife and Fisheries, P.O. Box 98000, Baton Rouge, LA 70898-9000 or via e-mail to ttuma@wlf.la.gov.

Andrew J. Blanchard
Chairman

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: **Hunting Regulations for the 2024-2026 Seasons**

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

The various proposed rule changes are not anticipated to have an impact on state or local governmental units.

The proposed rule changes do the following:

(1) Makes routine calendar adjustments for the 2024-2025 and 2025-2026 deer hunting seasons and the 2024-2025 seasons for teal, rails, and gallinules,

(2) Clarifies the opening and closing dates of deer hunting season in Area 5 and Area 9,

(3) Changes the references in Title 76 to three wildlife management areas (WMA) which were renamed following the recent alteration of the titles of the military installations whose names they shared. The former Fort Polk-Vernon is now called Fort Johnson-Vernon. The former Peason Ridge is now known as Fort Johnson-North and the former Camp Beauregard is now known as Esler Field,

(4) Prohibits the use of drones to recover wounded deer or bear,

(5) Clarifies language regarding the use of dogs to recover deer,

(6) Clarifies the description of the boundary of Deer Area 3,

(7) Simplifies the requirements for labels on deer stands left overnight on WMAs,

(8) Clarifies language describing small game hunting season on Alexander State Forest WMA.

(9) Closes turkey season on Bayou Macon WMA and the Boeuf WMA,

(10) Prohibits the use of motorized vessels in the Catahoula Basin on the Dewey Wills WMA between 2:00 p.m. and 4:00 p.m. during waterfowl season,

(11) Prohibits all nocturnal activities in the Catahoula Basin on the Dewey Wills WMA during waterfowl season,

(12) Closes the Point Farm Unit on the Pointe-aux-Chenes WMA to all users other than Youth Deer hunters during the Youth Deer Season,

(13) Prohibits firearms in the Limited Use Area on the Pointe-aux-Chenes WMA,

(14) Prohibits motorized vessels in the Wham Brake portion of the Russell Sage WMA during waterfowl season splits and 10 days prior to the opening of duck and teal seasons,

(15) Amends the process for waterfowl lotteries on the Sherburne WMA,

(16) Inserts regulations for U.S. Army Corps of Engineers areas (Bonnet Carré Spillway, the Indian Bayou Area, and the Old River Control and Lock Area) to facilitate the enforcement of federal regulations on these areas by Louisiana Department of Wildlife and Fisheries (LDWF) Law Enforcement Division agents, and

(17) Alters the timing of the 2024-2025 hunting seasons for doves, snipe, duck, coots, mergansers, light geese, and Canada geese, conservation orders seasons, and falconry seasons with no change in the number of days in these seasons.

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

The proposed rule change is expected to have no effect on revenue collections of the LDWF or other state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change is expected to have no effect on the costs or economic benefits to affected persons, small businesses, or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no estimated effect on competition and employment as a result of the proposed rule changes.

Bryan McClinton
Undersecretary
2401#025

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Recreational and Commercial Harvests; Prohibitions
(LAC 76:XV.101)

The Wildlife and Fisheries Commission does hereby give notice of its intent to amend LAC 76:XV.101. Recreational and Commercial Harvest Limits and Prohibitions relative to native and nonnative reptile and amphibian regulations,

including general considerations, collecting, methods of collection, restraint and handling, housing and maintenance, permitting, and licensee responsibilities.

The secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the commission to promulgate and effectuate this Notice of Intent, including but not limited to, the filing of the Fiscal and Economic Impact Statement, the filing of the Notice of Intent and compiling public comments and submissions for the commission's review and consideration. In the absence of any further action by the commission following an opportunity to consider all public comments regarding the proposed Rule, the secretary is authorized and directed to prepare and transmit a summary report to the legislative oversight committees and file the final Rule.

Title 76

WILDLIFE AND FISHERIES

Part XV. Reptiles and Amphibians

Chapter 1. Guidelines

§101. Recreational and Commercial Harvests;

Prohibitions

A. Purpose. These regulations are to govern the collection, commerce, captive maintenance, and research and management of native and certain exotic species of reptiles and amphibians. Consistent with the constitutional authority and legislative mandates, the Wildlife and Fisheries Commission and Department of Wildlife and Fisheries support the following guidelines, principles and regulations for collectors, buyers/dealers and any person handling native species of reptiles and amphibians.

B. General Considerations

1. The living conditions of animals held in captivity shall be appropriate for that species and contribute to their health and well-being. The housing, feeding, and nonmedical care of the animals will be directed by a person experienced in proper care, handling, and use of the species being maintained and follow guidelines according to the Association of Zoos and Aquariums (AZA) Animal Wellbeing Resources and the American Society of Ichthyologists and Herpetologists Guidelines for Use of Live Amphibians and Reptiles in Field and Laboratory Research.

2. It is unlawful to release, within the state, captive or wild native or nonnative reptiles and amphibians, from within or outside the state, unless approved and permitted by the department in accordance with R.S. 56:20.A. Exceptions may be granted for department-permitted Nuisance Wildlife Control Operators (NWCs).

3. Endangered, threatened, or restricted species shall not be removed from the wild, nor imported or exported, except in compliance with applicable regulations.

4. Persons engaged in herpetological research shall possess a Scientific Research and Collecting Permit prior to removal of native reptiles or amphibians from the wild. Removal of species that are tending nests in the wild is prohibited during the nesting season unless for scientific reasons and permitted by the department via a Scientific Research and Collecting Permit.

C. Collecting

1. Live-capture techniques shall be used to prevent or minimize damage to the animal.

2. Traps shall be checked, at minimum, once daily. Investigators must make every effort to prevent trap deaths

from exposure, drowning, cardiogenic shock, or capture myopathy.

3. Removal or handling of native reptiles and amphibians on State Wildlife Management Areas, Refuges, and Conservation Areas is prohibited without a WMA Access Permit, Self-Clearing Permit, and a Reptile/Amphibian WMA Use Permit from the Department of Wildlife and Fisheries pursuant to Paragraphs G.2 and J.2 herein. Collecting shall be conducted so as to leave habitat as undisturbed as possible. Removal of animals from any breeding or hibernation aggregation or collection of gravid females from any population shall be avoided unless for scientific reasons and permitted by the department via a Scientific Research and Collecting Permit.

D. Methods of Collection (R.S. 56:632.6)

1. The use of gasoline, chemicals, or other volatile substances to flush reptiles and amphibians from natural hiding places, nests, burrows, or dens is prohibited.

2. The destruction of natural habitats is prohibited. All logs, rocks, stumps, and other natural objects may be turned over or moved, but they must be replaced in their original position upon completion of the collector's inspection.

3. Any trap or other device designed to capture reptiles or amphibians, which remains in the field unattended between routine inspections as required herein, must bear a tag with the name, address, and license number of the collector. All such devices must be inspected at least once every 24 hours or they must be rendered unworkable and removed from the field during periods of non-use.

E. Restraint and Handling

1. General Principles. Captive animals shall be properly restrained and follow the American Society of Ichthyologists and Herpetologists Guidelines for Use of Live Amphibians and Reptiles in Field and Laboratory Research. The decision to use physical or chemical restraint of wild amphibians or reptiles shall be based upon knowledge of behavior of the animals, and availability of facilities. Collectors shall determine and use the least amount of restraint necessary to confine animals in a humane manner. Species shall not be confined with other species (other than food prey) that they may injure.

2. Animals shall be handled calmly and with minimum personnel necessary. Darkened conditions tend to alleviate stress and the animals and are recommended whenever appropriate. When handling, placing, or dropping large reptiles into a bag, the use of hooks, tongs, etc., is preferable to reduce stress to the animal and potential harm to the animal and handler during capture.

3. Euthanasia of reptiles or amphibians shall be performed humanely following the guidelines adopted by the American Veterinary Medical Association (AVMA), which shall ensure pain and distress to the animal is minimized to the extent possible.

F. Housing and Maintenance

1. Captive maintenance shall incorporate those aspects of natural habitat deemed important to the survival and well-being of the animal and follow guidelines according to AZA Animal Care Manuals and the American Society of Ichthyologists and Herpetologists Guidelines for Use of Live Amphibians and Reptiles in Field and Laboratory Research. Individuals partaking in the care of captive reptiles and amphibians shall become familiar with the life history needs

of the species in captivity and provide enclosure and holding conditions that create a humane environment. Captive conditions shall demonstrate the ability to prevent diseases or parasites. In the event that a captive animal exhibits signs of illness or injury, said animal shall be evaluated by a licensed veterinarian within 48 hours. A letter from the consulting veterinarian or veterinary practice may be requested by Department of Wildlife and Fisheries personnel at any time. Adequacy of maintenance, relative to the natural environment, shall be evaluated by monitoring a combination of factors such as changes in growth and weight, survival rates, breeding success, activity levels, general behavior, and appearance. Captive environments shall include necessary features to ensure all physical, social, and behavioral needs of the species are met, such as appropriate enclosure size and ventilation, natural, or appropriate, bedding materials, cover or hiding place, basking platforms, potable water and water baths. Potable water shall be accessible at all times and appropriate to meet daily requirements. Natural foods should be duplicated as closely as possible, as should natural light, moisture, and temperature conditions unless alterations of these are factors under investigation for scientific purposes and permitted by the department via a Scientific Research and Collecting Permit. Failure to comply will result in penalties in accordance with Subsection L of this Rule and may result in confiscation and forfeiture of subject animals.

a. Snakes—minimum enclosure size shall be relative to the length of the body and tail and shall be $\frac{3}{4}$ that length on the longest side, and $\frac{1}{3}$ that length on the shortest side and in height.

b. Turtles and tortoises—minimum enclosure size shall be based on the straight-line carapace (top shell) length, and shall be 5 times that length on the longest side, 3 times that length on the shortest side, and 2 times that length in height.

c. Lizards—minimum enclosure size shall be based relative to the length of the body and tail and shall be at least 1.5 times that length on the longest side, 1 times on the shortest side, and 1.2 times in height.

2. Frequency of cage cleaning shall be adequate to prevent unsanitary conditions or disease and minimize stress to the animal.

G. Turtle Rules and Regulations

1. Commercial Use of Native Turtles is Prohibited.

a. No person shall commercially take, possess, sell, purchase, trade, barter, exchange, import or export native turtles, their eggs, or any parts thereof, or attempt to commercially take, possess, sell, purchase, trade, barter, exchange, import or export native turtles, their eggs, or any parts thereof. Except that nothing herein shall prohibit the legal commercial sale and possession of native turtles by the Department of Agriculture and Forestry (LDAF) licensed turtle farmers as provided in R.S. 56:632 et seq., and R.S. 3:2358.1 et seq., which were legally acquired prior to the effective date of this prohibition or imported legally into this state and which have proper records documenting legal acquisition. Subsequent to the effective date of this Rule, approval from the Department of Wildlife and Fisheries via a Reptile/Amphibian Broodstock Collection Permit is required for LDAF licensed turtle farmers to acquire native turtles from the wild, for captive breeding purposes only. LDAF

turtle farms that are newly licensed subsequent to the effective date of this Rule shall not be eligible for a permit to collect native turtles from the wild. Alligator Snapping Turtles, Razor-backed Musk Turtles, box turtles, and any prohibited turtle species as listed in Paragraph G.4 herein will not be permitted for wild collection. LDAF turtle farms will be limited to three designated agents for collecting native turtles from the wild and all designated agents shall be listed on the Reptile/Amphibian Broodstock Collection Permit. Each designated agent shall possess a valid Reptile/Amphibian Collector's License, pursuant to R.S. 56:632.4, and a copy of the Reptile/Amphibian Broodstock Collection Permit while in possession of wild-caught turtles. Reptile/Amphibian Broodstock Collection Permits shall include parameters set forth by the department along with each designated agent's name, date of birth, driver license number, and Reptile/Amphibian Collector's License number. Reptile/Amphibian Broodstock Collection Permits and Reptile/Amphibian Collector's Licenses shall be acquired from the department's State Herpetologist or their designee. Permit and license holders will be required to comply with all reporting requirements set forth by the department. No LDAF licensed turtle farmer or their designated agent shall have had a Title 56 or Title 76, Class 3 or higher conviction within three years prior to application submittal.

2. Recreational Take and Possession Limit.

a. No person shall collect or possess more than 10 restricted turtles in any combination, as listed in Paragraph G.3 herein, with no individual species to exceed two per person at any time, except for the Alligator Snapping Turtle which shall be restricted to one per person per day and a possession limit of one unless approved and permitted by the Department of Wildlife and Fisheries for scientific, exhibition, or educational use. Persons engaged in collection and possession of native turtles for recreational purposes shall possess a basic recreational fishing license, including a Reptile/Amphibian WMA Use Permit, with mandatory reporting, for collection on Department of Wildlife and Fisheries owned or managed lands that shall be acquired from the department's State Herpetologist or their designee. AZA certified zoos and aquariums, universities, accredited research and nature centers, and other facilities as approved by the State Herpetologist or their designee, will be exempted from native turtle possession limits via a department-issued permit.

b. No person shall collect, possess, transport, or export prohibited turtle species, as listed in Paragraph G.4 herein, unless approved and permitted by the Department of Wildlife and Fisheries for scientific, exhibition, or educational use. Individuals exceeding the possession limit for restricted turtles or in possession of prohibited turtles shall have 120 days from the effective date of this rule to register those turtles with the department's State Herpetologist or their designee. The acquisition of additional turtles is prohibited until the number of restricted turtles in possession is below the limit set forth herein. No person with a temporary exemption to possess prohibited turtles shall acquire additional prohibited turtles, subsequent to the effective date of this Rule, or once said turtles have expired. Permits for registered prohibited turtles shall be renewed annually and permit holders shall renew their permit within 30 days of the expiration date. Facilities housing prohibited

turtles shall be open to inspection, as requested, prior to issuance of a permit and at other times deemed necessary to ensure permit compliance by Department of Wildlife and Fisheries personnel or other persons authorized by the department to perform such inspections. No person shall transfer possession of native turtles that exceed the possession limits set forth herein except to the Department of Wildlife and Fisheries or its designated agent. It is unlawful to collect, possess, transport, or export any turtles designated as endangered or threatened, pursuant to the Endangered Species Act of 1973.

i. Collection of eggs of any native turtle species is prohibited.

ii. Possession of more than two box turtles, regardless of species, is prohibited.

iii. No person shall possess restricted turtles taken with commercial gear in accordance with R.S. 56:305.

iv. Department-permitted wildlife rehabilitators may be exempted from native turtle possession limits and prohibitions set forth herein, via a department-issued permit.

v. In all instances, except with regard to turtle farmers licensed through LDAF while operating in accordance with their applicable licenses, it shall be unlawful to engage in captive breeding activities for native turtles or to release captive turtles, regardless of age or species, into the wild unless approved and permitted by the Department of Wildlife and Fisheries. Offspring from unauthorized captive breeding activities shall be surrendered to the department.

vi. Disruption, damage, or destruction to gopher tortoise burrows is prohibited.

3. Restricted Turtles

a. List of restricted turtles:

i. Snapping Turtle—*Chelydra serpentina*;

ii. Alligator Snapping Turtle—*Macrochelys temminckii*;

iii. Mississippi Mud Turtle—*Kinosternon subrubrum hippocrepsis*;

iv. Razor-backed Musk Turtle—*Sternotherus carinatus*;

v. Eastern Musk Turtle—*Sternotherus odoratus*;

vi. Southern Painted Turtle—*Chrysemys dorsalis*;

vii. Ouachita Map Turtle—*Graptemys ouachitensis*;

viii. Mississippi Map Turtle—*Graptemys pseudogeographica kohnii*;

ix. Sabine Map Turtle—*Graptemys sabinensis*;

x. Box Turtles—*Terrapene* sp.

xi. Eastern River Cooter—*Pseudemys concinna concinna*;

xii. Red-eared Slider—*Trachemys scripta elegans*;

xiii. Smooth Softshell—*Apalone mutica*;

xiv. Spiny Softshell—*Apalone spinifera*;

4. Prohibited Turtles

a. List of Prohibited Turtles

i. Stripe-necked Musk Turtle—*Sternotherus minor peltifer*;

ii. Eastern Chicken Turtle—*Deirochelys reticularia reticularia*;

iii. Western Chicken Turtle—*Deirochelys reticularia miaria*;

iv. Ringed Map Turtle—*Graptemys oculifera*; Federally Threatened;

v. Pearl River Map Turtle—*Graptemys pearlensis*;

vi. Mississippi Diamond-backed Terrapin—*Malaclemys terrapin pileata*;

vii. Gopher Tortoise—*Gopherus polyphemus*; Federally Threatened;

viii. Green Sea Turtle—*Chelonia mydas*; Federally Threatened;

ix. Loggerhead Sea Turtle—*Caretta caretta*; Federally Threatened;

x. Kemp's Ridley Sea Turtle—*Lepidochelys kempii*; Federally Endangered;

xi. Hawksbill Sea Turtle—*Eretmochelys imbricata*; Federally Endangered;

xii. Leatherback Sea Turtle—*Dermochelys coriacea*; Federally Endangered.

b. Transport and release of turtles from within or outside of the state is prohibited unless permitted by the department.

5. Nuisance Wildlife Control Operators (NWCO), as permitted through the department in accordance with the LAC 76:V.127 and the rules therein, shall be exempt from take and possession limits. NWCO permittees are only authorized to live trap and relocate, live trap and euthanize, or lethally trap reptiles and amphibians that are not protected by federal law. Animals that are not euthanized may not be released on department owned or managed land and may not be sold, bartered or exchanged. NWCO permittees shall not relocate or release Red-eared Sliders off site. Euthanasia of captured animals shall be performed humanely following AVMA guidelines, as referenced in Paragraph E.3 herein, which shall ensure pain and distress to the animal is minimized to the extent possible. Private landowners may harvest Red-eared Sliders considered a nuisance on private property owned by the landowner, given that said turtles are humanely euthanized in accordance with AVMA guidelines and shall not be transported or released off site.

6. Turtle Trap—any device constructed with horizontal funnel entrances not positioned in tandem, or opening on the upper surface, with or without attractants, to allow constant functional breathing of any air-breathing captured specimens, designed to attract and/or capture turtles in aquatic habitats.

a. Each trap or device shall be clearly marked as "TURTLE TRAP" and must bear a tag with the name, address, and license number of the collector.

b. Trap or device placement in the water column shall provide continuous breathing opportunities for the captured specimens by having openings in the upper surface to allow functional breathing of the captured specimens.

c. All fish and/or other nontarget species shall be released into the wild upon discovery or within 24 hours, whichever comes first.

H. ...

I. Checklist of native or established nonnative amphibians and reptiles of Louisiana as listed by Boundy J. and Carr J., 2017, *Amphibians and Reptiles of Louisiana*, LSU Press. Taxonomy following Crother, B.I. (ed.). 2017, *Scientific and Standard English Names of Amphibians and*

Reptiles of North America North of Mexico, with Comments Regarding Confidence in Our Understanding, pp. 1-102, SSAR Herpetological Circular 43 and Pyron, R.A. and Beamer, D.A. 2023, *Systematic Revision of the Spotted and Northern Dusky Salamanders (Plethodontidae: Desmognathus conanti and D. fuscus)*, with six new species from the eastern United States, *Zootaxa* Vol. 5311 (4): 451-504.

1. Salamanders
 - a. Family Ambystomatidae
 - i. Spotted Salamander—*Ambystoma maculatum*;
 - ii. Marbled Salamander—*Ambystoma opacum*;
 - iii. Mole Salamander—*Ambystoma talpoideum*;
 - iv. Small-mouthed Salamander—*Ambystoma texanum*;
 - v. Eastern Tiger Salamander—*Ambystoma tigrinum*;
 - b. Family Amphiumidae
 - i. Two-toed Amphiuma—*Amphiuma means*;
 - ii. Three-toed Amphiuma—*Amphiuma tridactylum*;
 - c. Family Plethodontidae
 - i. Spotty Dusky Salamander—*Desmognathus conanti*;
 - ii. Catahoula Spotted Dusky Salamander—*Desmognathus catahoula*;
 - iii. Valentine's Southern Dusky Salamander—*Desmognathus valentinei*;
 - iv. Southern Two-lined Salamander—*Eurycea cirrigera*;
 - v. Three-lined Salamander—*Eurycea guttolineata*;
 - vi. Western Dwarf Salamander—*Eurycea paludicola*;
 - vii. Southeastern Dwarf Salamander—*Eurycea quadridigitata*;
 - viii. Four-toed Salamander—*Hemidactylum scutatum*;
 - ix. Louisiana Slimy Salamander—*Plethodon kisatchie*;
 - x. Mississippi Slimy Salamander—*Plethodon mississippi*;
 - xi. Southern Red-backed Salamander—*Plethodon serratus*;
 - xii. Webster's Salamander—*Plethodon websteri*;
 - xiii. Gulf Coast Mud Salamander—*Pseudotriton montanus flavissimus*;
 - xiv. Southern Red Salamander—*Pseudotriton ruber vioscai*;
 - d. Family Proteidae
 - i. Gulf Coast Waterdog—*Necturus beyeri*;
 - ii. Red River Mudpuppy—*Necturus maculosus louisianensis*;
 - e. Family Salamandridae
 - i. Central Newt—*Notophthalmus viridescens louisianensis*;
 - f. Family Sirenidae
 - i. Western Lesser Siren—*Siren intermedia netting*

2. Toads and Frogs
 - a. Family Bufonidae
 - i. Dwarf American Toad—*Anaxyrus americanus charlesmithi*;
 - ii. Fowler's Toad—*Anaxyrus fowleri*;
 - iii. Oak Toad—*Anaxyrus quercicus*;
 - iv. Southern Toad—*Anaxyrus terrestris*;
 - v. Gulf Coast Toad—*Incilius nebulifer*;
 - b. Family Hylidae
 - i. Blanchard's Cricket Frog—*Acris blanchardi*;
 - ii. Eastern Cricket Frog—*Acris crepitans*;
 - iii. Southern Cricket Frog—*Acris gryllus*;
 - iv. Western Bird-voiced Treefrog—*Hyla avivoca*;
 - v. Cope's Gray Treefrog—*Hyla chrysoscelis*;
 - vi. Green Treefrog—*Hyla cinerea*;
 - vii. Pine Woods Treefrog—*Hyla femoralis*;
 - viii. Barking Treefrog—*Hyla gratiosa*;
 - ix. Squirrel Treefrog—*Hyla squirella*;
 - x. Gray Treefrog—*Hyla versicolor*;
 - xi. Cuban Treefrog—*Osteopilus septentrionalis*, established nonnative;
 - xii. Spring Peeper—*Pseudacris crucifer*;
 - xiii. Ornate Chorus Frog—*Pseudacris ornata*;
 - xiv. Strecker's Chorus Frog—*Pseudacris streckeri*;
 - xv. Cajun Chorus Frog—*Pseudacris triseriata feriarum*;
 - c. Family Eleutherodactylidae
 - i. Rio Grande Chirping Frog—*Eleutherodactylus cystignathoides campi*, established nonnative;
 - ii. Greenhouse Frog—*Eleutherodactylus planirostris*, established nonnative;
 - d. Family Microhylidae
 - i. Eastern Narrow-mouthed Frog—*Gastrophryne carolinensis*;
 - e. Family Scaphiopodidae
 - i. Eastern Spadefoot—*Scaphiopus holbrookii*;
 - ii. Hurter's Spadefoot—*Scaphiopus hurterii*;
 - f. Family Ranidae
 - i. Southern Crawfish Frog—*Lithobates areolatus areolatus*;
 - ii. American Bullfrog—*Lithobates catesbeianus*;
 - iii. Green Frog—*Lithobates clamitans*;
 - iv. Pig Frog—*Lithobates grylio*;
 - v. Pickerel Frog—*Lithobates palustris*;
 - vi. Dusky Gopher Frog—*Lithobates sevosus*;
 - vii. Coastal Plains Leopard Frog—*Lithobates sphenoccephalus utricularius*;
3. Turtles
 - a. Family Cheloniidae
 - i. Loggerhead Sea Turtle—*Caretta caretta*;
 - ii. Green Sea Turtle—*Chelonia mydas*;
 - iii. Atlantic Hawksbill Sea Turtle—*Eretmochelys imbricata imbricata*;
 - iv. Kemp's Ridley Sea Turtle—*Lepidochelys kempii*;
 - b. Family Chelydridae
 - i. Snapping Turtle—*Chelydra serpentina*;
 - ii. Alligator Snapping Turtle—*Macrochelys temminckii*;

c. Family Dermochelyidae
 i. Leatherback Sea Turtle—*Dermochelys coriacea*;
 d. Family Emydidae
 i. Southern Painted Turtle—*Chrysemys dorsalis*;
 ii. Western Chicken Turtle—*Deirochelys reticularia* miaria;
 iii. Eastern Chicken Turtle—*Deirochelys reticularia* reticularia;
 iv. Northern Map Turtle—*Graptemys geographica*;
 v. Ringed Map Turtle—*Graptemys oculifera*;
 vi. Pearl River Map Turtle—*Graptemys pearlensis*;
 vii. Mississippi Map Turtle—*Graptemys pseudogeographica kohnii*;
 viii. Ouachita Map Turtle—*Graptemys ouachitensis*;
 ix. Sabine Map Turtle—*Graptemys sabinensis*;
 x. Mississippi Diamond-backed Terrapin—*Malaclemys terrapin pileata*;
 xi. Eastern River Cooter—*Pseudemys concinna concinna*;
 xii. Gulf Coast Box Turtle—*Terrapene carolina major*;
 xiii. Three-toed Box Turtle—*Terrapene carolina triunguis*;
 xiv. Plains Box Turtle—*Terrapene ornata ornata*;
 xv. Red-eared Slider—*Trachemys scripta elegans*;
 e. Family Kinosternidae
 i. Mississippi Mud Turtle—*Kinosternon subrubrum hippocrepis*;
 ii. Razor-backed Musk Turtle—*Sternotherus carinatus*;
 iii. Stripe-necked Musk Turtle—*Sternotherus minor peltifer*;
 iv. Eastern Musk Turtle—*Sternotherus odoratus*;
 f. Family Testudinidae
 i. Gopher Tortoise—*Gopherus polyphemus*;
 g. Family Trionychidae
 i. Florida Softshell—*Apalone ferox*, established nonnative;
 ii. Gulf Coast Smooth Softshell—*Apalone mutica calvata*;
 iii. Midland Smooth Softshell—*Apalone mutica mutica*;
 iv. Gulf Coast Spiny Softshell—*Apalone spinifera aspera*;
 v. Pallid Spiny Softshell—*Apalone spinifera pallida*;
 vi. Eastern Spiny Softshell—*Apalone spinifera spinifera*;
 4. Lizards
 a. Family Anguidae
 i. Western Slender Glass Lizard—*Ophisaurus attenuatus attenuatus*;
 ii. Eastern Slender Glass Lizard—*Ophisaurus attenuatus*

longicaudus;
 iii. Eastern Glass Lizard—*Ophisaurus ventralis*;
 b. Family Dactyloidae
 i. Green Anole—*Anolis carolinensis*;
 ii. Brown Anole—*Anolis sagrei*, established nonnative;
 c. Family Gekkonidae
 i. Sri Lankan Spotted House Gecko—*Hemidactylus parvimaclulatus*, established nonnative;
 ii. Mediterranean Gecko—*Hemidactylus turcicus* established nonnative;
 d. Family Phrynosomatidae
 i. Prairie Lizard—*Sceloporus consobrinus*;
 e. Family Scincidae
 i. Southern Coal Skink—*Plestiodon anthracinus pluvialis*;
 ii. Common Five-lined Skink—*Plestiodon fasciatus*;
 iii. Southeastern Five-lined Skink—*Plestiodon inexpectatus*;
 iv. Broad-headed Skink—*Plestiodon laticeps*;
 v. Southern Prairie Skink—*Plestiodon septentrionalis obtusirostris*;
 vi. Little Brown Skink—*Scincella lateralis*;
 f. Family Teiidae
 i. Eastern Six-lined Racerunner—*Aspidozelis sexlineata sexlineata*;
 5. Snakes
 a. Family Colubridae
 i. Northern Scarletsnake—*Cemophora coccinea copei*;
 ii. Buttermilk Racer—*Coluber constrictor anthicus*;
 iii. Tan Racer—*Coluber constrictor etheridgei*;
 iv. Eastern Yellow-bellied Racer—*Coluber constrictor flaviventris*;
 v. Black-masked Racer—*Coluber constrictor latrunculus*;
 vi. Southern Black Racer—*Coluber constrictor priapus*;
 vii. Eastern Coachwhip—*Coluber flagellum flagellum*;
 viii. Prairie Kingsnake—*Lampropeltis calligaster*;
 ix. Scarlet Kingsnake—*Lampropeltis elapsoides*;
 x. Western Milksnake—*Lampropeltis gentilis*;
 xi. Speckled Kingsnake—*Lampropeltis holbrooki*;
 xii. Eastern Black Kingsnake—*Lampropeltis nigra*;
 xiii. Northern Mole Kingsnake—*Lampropeltis rhombomaculata*;
 xiv. Eastern Milksnake—*Lampropeltis triangulum*;
 xv. Northern Rough Greensnake—*Opheodrys aestivus aestivus*;
 xvi. Red Cornsnake—*Pantherophis guttatus*;
 xvii. Western Ratsnake—*Pantherophis obsoletus*;
 xviii. Slowinski's Cornsnake—*Pantherophis slowinskii*;
 xix. Gray Ratsnake—*Pantherophis spiloides*;
 xx. Black Pinesnake—*Pituophis melanoleucus lodingi*;
 xxi. Louisiana Pinesnake—*Pituophis ruthveni*;

xxii. Southeastern Crowned Snake—*Tantilla coronata*;

xxiii. Flat-headed Snake—*Tantilla gracilis*;

b. Family Crotalidae [Venomous]

i. Eastern Copperhead—*Agkistrodon contortrix*;

ii. Northern Cottonmouth—*Agkistrodon piscivorus*;

iii. Eastern Diamond-backed Rattlesnake—*Crotalus adamanteus*;

iv. Timber Rattlesnake—*Crotalus horridus*;

v. Western Pygmy Rattlesnake—*Sistrurus miliarius streckeri*;

c. Family Dipsadidae

i. Midwestern Wormsnake—*Carphophis amoenus helenae*;

ii. Western Wormsnake—*Carphophis vermis*;

iii. Mississippi Ring-necked Snake—*Diadophis punctatus stictogenys*;

iv. Western Mudsnake—*Farancia abacura reinwardtii*;

v. Common Rainbow Snake—*Farancia erythrogramma erythrogramma*;

vi. Eastern Hog-nosed Snake—*Heterodon platirhinos*;

vii. Pine Woods Littersnake—*Rhadinaea flavilata*;

d. Family Elapidae [Venomous]

i. Harlequin Coralsnake—*Micrurus fulvius*;

ii. Texas Gulf-Coast Coralsnake—*Micrurus tener tener*;

e. Family Natricidae

i. Rough Earthsnake—*Haldea striatula*;

ii. Delta Swampsnake—*Liodytes rigida deltae*;

iii. Gulf Swampsnake—*Liodytes rigida sinicola*;

iv. Gulf Saltmarsh Watersnake—*Nerodia clarkii clarkii*;

v. Mississippi Green Watersnake—*Nerodia cyclopion*;

vi. Plain-bellied Watersnake—*Nerodia erythrogaster*;

vii. Broad-banded Watersnake—*Nerodia fasciata confluens*;

viii. Northern Diamond-backed Watersnake—*Nerodia rhombifer rhombifer*;

ix. Midland Watersnake—*Nerodia sipedon pleuralis*;

x. Graham's Crayfish Snake—*Regina grahamii*;

xi. Red-bellied Snake—*Storeria occipitomaculata*;

xii. Orange-striped Ribbonsnake—*Thamnophis proximus proximus*;

xiii. Gulf Coast Ribbonsnake—*Thamnophis proximus orarius*;

xiv. Common Ribbonsnake—*Thamnophis saurita saurita*;

xv. Eastern Gartersnake—*Thamnophis sirtalis sirtalis*;

xvi. Western Smooth Earthsnake—*Virginia valeriae elegans*;

f. Family Typhlopidae

i. Brahminy Blindsnake—*Indotyphlops braminus*, established nonnative;

g. Family Alligatoridae

i. American Alligator—*Alligator mississippiensis*.

J. Native Reptile and Amphibian Regulations

1. The provisions in this Subsection apply to native reptile and amphibians except for the American Alligator in accordance with LAC 76:V.701 and native turtles in accordance with LAC 76:XV.101.G.2, and the rules set forth therein. The species listed in Paragraph J.4 herein are considered species of conservation concern and may not be killed or removed from the wild without a permit issued by the department. It shall be unlawful to collect, possess, transport, or export any reptiles or amphibians designated as endangered or threatened, pursuant to the Endangered Species Act of 1973.

a. The species listed in Paragraph J.4 herein may only be captured for research purposes deemed acceptable by the Department of Wildlife and Fisheries and immediately released alive without removal from the site as part of a scientific study, as permitted by the department via a Scientific Research and Collecting Permit.

2. License Requirements. A Reptile and Amphibian Collector's License is required to commercially collect and sell native reptiles and amphibians. A Reptile and Amphibian Wholesale/Retail Dealer's License is required for purchasing or acquiring native reptiles and amphibians, from within or outside the state, for sale or resale, or possessing native reptiles and amphibians for propagation for sale, in accordance with R.S. 56:632.5. Reptile/Amphibian Collector and Reptile/Amphibian Wholesale/Retail Dealer licenses shall be acquired from the department's State Herpetologist or their designee and must comply with associated reporting requirements set forth by the department. Persons engaged in collection and possession of native reptiles and amphibians for recreational purposes shall possess a basic recreational fishing license.

a. Commercial and recreational collection of native reptiles and amphibians on Department of Wildlife and Fisheries owned or managed lands requires a Reptile/Amphibian WMA Use permit, with mandatory reporting, acquired from the department's State Herpetologist or their designee. Commercial collection of native reptiles and amphibians on department owned or managed lands is only permitted for Louisiana residents.

b. Nuisance Wildlife Control Operators, as permitted through the department in accordance with the LAC 76:V.127 and the rules therein, shall be exempt from take and possession limits.

c. All persons selling native, captive-reared reptiles and amphibians, regardless of the number of generations removed from the wild, shall be required to possess a Reptile and Amphibian Wholesale/Retail Dealer's License, pursuant to R.S. 56:632.5.B.

d. Pursuant to R.S. 56:634, bullfrogs (*Lithobates catesbeianus*) and pig frogs (*Lithobates grylio*) may be taken year round except during the months of April and May; and no person shall take or possess bullfrogs that are less than five inches in length, nor take or possess pig frogs that are less than three inches in length. The length is measured from the tip of the muzzle to the posterior end of the body between the hind legs.

3. Organized events that wantonly or willfully waste native amphibians or reptiles are prohibited.

4. List of amphibians and reptiles that may not be killed or removed from the wild without a department-issued permit:

- a. Eastern Tiger Salamander—*Ambystoma tigrinum*;
- b. Four-toed Salamander—*Hemidactylium scutatum*;
- c. Valentine’s Southern Dusky Salamander—*Desmognathus valentinei*;
- d. Southeastern Dwarf Salamander—*Eurycea quadridigitata*;
- e. Southern Red-backed Salamander—*Plethodon serratus*;
- f. Webster’s Salamander—*Plethodon websteri*;
- g. Louisiana Slimy Salamander—*Plethodon kisatchie*;
- h. Mud Salamander—*Pseudotriton montanus flavissimus*;
- i. Red Salamander—*Pseudotriton ruber vioscai*;
- j. Strecker’s Chorus Frog—*Pseudacris streckeri*;
- k. Southern Crawfish Frog—*Lithobates areolatus areolatus*;
- l. Red River Mudpuppy—*Necturus louisianensis*;
- m. Southern Prairie Skink—*Plestiodon septentrionalis obtusirostris*;
- n. Western Wormsnake—*Carphophis vermis*;
- o. Common Rainbow Snake—*Farancia erythrogramma erythrogramma*;
- p. Eastern Hog-nosed Snake—*Heterodon platirhinos*;
- q. Northern Mole Kingsnake—*Lampropeltis rhombomaculata*;
- r. Pinewoods Littersnake—*Rhadinaea flavilata*;
- s. Southeastern Crowned Snake—*Tantilla coronata*;
- t. Harlequin Coralsnake—*Micrurus fulvius*;
- u. Eastern Diamond-backed Rattlesnake—*Crotalus adamanteus*.

5. No person shall import or transport into the state any species of reptile or amphibian, as listed as injurious wildlife under the U.S. Fish and Wildlife Service Lacey Act (18 U.S.C. 42), and all associated rules therein.

6. List of Threatened or Endangered Amphibians and Reptiles pursuant to the Federal Endangered Species Act (ESA) of 1973. The following species are listed as threatened or endangered in Louisiana (LAC 76:I.317) and may not be collected:

- a. Dusky Gopher Frog—*Lithobates sevosus*;
- b. Green Sea Turtle—*Chelonia mydas*;
- c. Hawksbill Sea Turtle—*Eretmochelys imbricata*;
- d. Kemp’s Ridley Sea Turtle—*Lepidochelys kempii*;
- e. Leatherback Sea Turtle—*Dermochelys coriacea*;
- f. Loggerhead Sea Turtle—*Caretta caretta*;
- g. Gopher Tortoise—*Gopherus polyphemus*;
- h. Ringed Map Turtle—*Graptemys oculifera*;
- i. Louisiana Pinesnake—*Pituophis ruthveni*;
- j. Black Pinesnake—*Pituophis melanoleucus lodingi*.

K. Nonnative Amphibians and Reptiles, and All Venomous Snakes

1. Restricted Snakes. The importation, private possession, selling, and/or purchasing of constrictor snakes in excess of eight feet, which is including but not limited to the following species: *Apodora papuana* (Papuan Python), *Liasis olivacea* (Olive Python), *Morelia spilota* (Carpet or Diamond Python), *Morelia kinghorni* (Scrub Python), *Morelia amethystina* (Amethystine Python), *Python natalensis* (Southern African Python), *Python sebae* (African Rock Python), *Python reticulatus* (Reticulated Python), any species of the genus *Boa* (Boa Constrictors), and any species of the genus *Eunectes* (Anacondas), and venomous snakes, as defined in Subparagraph K.1.a herein, (hereinafter “restricted snakes”) obtained in any manner, shall only be allowed via permit issued by the Department of Wildlife and Fisheries except for animals kept by certified zoos and aquariums, and other facilities as approved by the department including universities, and accredited research centers, nature centers, animal sanctuaries, and scientific organizations, and medical research facilities as defined in the Animal Welfare Act as found in the United States Code Title 7, Chapter 54, 2132(e). Large constrictor and venomous snake species listed within Subparagraph K.2.a herein, are prohibited from possession, importation, selling, and purchasing. A Restricted Snake Permit is required for possession of large constrictor snakes listed within Subparagraph K.2.c herein, regardless of size in length.

a. *Venomous Snakes*—any species under current taxonomic standing, recognized to belong to the Families Viperidae (Vipers), Crotalidae (Pit Vipers), Elapidae (elapids), and Hydrophiidae (sea snakes), except prohibited species listed in Subparagraph K.2.a herein.

b. Permit Requirements. Possession of restricted snakes is prohibited, except as authorized via a Restricted Snake Permit by the department. Restricted Snake Permits shall expire annually on the 31st day of December, and must be renewed within 30 days of the expiration date. Any individual who remains non-compliant after 30 days shall forfeit all restricted snakes to department personnel, who may dispose of the snakes per department policy.

i. Applicant must be at least 18 years old at the time of application.

ii. Any person requesting a permit to allow importation and/or private possession of venomous snakes shall demonstrate no less than one year of substantial, practical experience (to consist of no less than 500 hours) in the care, feeding, handling, and/or husbandry of the species for which the permit is sought, or other species within the same zoological family, which are substantially similar in size, characteristics, care, and nutritional requirements to the species for which the permit is sought.

iii. For the purpose of demonstrating compliance, applicants shall submit documentation of such required experience, including a detailed description of the experience acquired, the dates and time frames the experience was obtained and the specific location(s) where it was acquired, and references of no less than two individuals having personal knowledge of the stated experience. Additional documentation may include records of prior

permits for the keeping of venomous reptiles, employment records, or any other competent documentation of the required experience.

iv. Documented educational experience in zoology or other relevant biological sciences obtained at the college or technical school level or above may substitute for up to 250 hours of the required experience. The Department of Wildlife and Fisheries shall be responsible for judgment of the adequacy of the documentation.

v. Notification of relocation of facilities shall be made within 30 days of a move, and permittee shall be allowed to keep the animals in the same setup(s) until the inspection of the facility and/or room and cages within which the animals are to be kept at the new location can be undertaken by department personnel.

vi. In the event of an escape where a constrictor snake in excess of eight feet or a venomous snake escapes its cage and its secure containment room, and becomes outside the control of the permit holder and/or owner, notification shall immediately be made to the Department of Wildlife and Fisheries 24-hour hotline number.

vii. Secure escape proof containers shall be required when transporting restricted snakes.

viii. Restricted snakes shall be kept in secure, escape proof enclosures with doors that lock. Said enclosures shall be kept in a secure, escape proof room or outbuilding that is securely locked to prevent escape or unauthorized intrusion and when restricted snakes are being fed, the cages are being cleaned, or otherwise worked by the person trained and experienced in proper care, handling, and use of the species being maintained. Enclosures constructed below ground level shall be equipped with barriers to prevent visitors from falling into such enclosures. The possession of Restricted Snakes in any manner not in accordance with this Section is prohibited.

ix. Facilities that house constrictor snakes in excess of eight feet or venomous snakes in private possession shall be open to inspection prior to issuance of a permit and at other times deemed necessary to ensure permit compliance by Department of Wildlife and Fisheries personnel or other persons authorized by the department to perform such inspections.

c. License Requirements. A Reptile and Amphibian Wholesale/ Retail Dealer's License is required for purchasing or acquiring Restricted Snakes, as defined under Paragraph K.1 herein, from within or outside the state, for sale or resale, or possessing Restricted Snakes for propagation for sale in accordance with R.S. 56:632.5.

2. Prohibited and Restricted Nonnative Reptiles and Amphibians.

a. The following nonnative reptile and amphibian species are prohibited from importation, possession, sale, attempting to sell, transfer, release, and reproduction in the state due to the potential risk of establishment in the wild and detrimental hazard to native wildlife and public health and safety. Individuals in possession of the species listed in Subparagraph K.2.a herein shall have 120 days from the effective date of this Rule to register those animals with the department and acquire a permit.

i. All crocodylians;

ii. All species in the Genera *Salvator* and *Tupinambis*, including the Argentine Black and White Tegu (*Salvator merianae*);

iii. Nile Monitor (*Varanus niloticus*);

iv. Savannah Monitor (*Varanus exanthematicus*);

v. Green Iguana (*Iguana iguana*);

vi. Brown Anole (*Anolis sagrei*);

vii. Burmese Python (*Python bivittatus*);

viii. All Genera in the Family Atractaspididae (stiletto snakes);

ix. All species in the Genera *Dispholidus* (boomslangs), *Thelotornis* (twig snakes), and *Rhabdophis* (keelback snakes) of the Family Colubridae;

x. All species in the Genera *Naja*, *Ophiophagus*, *Pseudohaje*, *Aspidelaps*, and *Walterinnesia* (cobras); *Dendroaspis* (mambas), *Oxyuranus* (taipans), and *Bungarus* (kraits) of the Family Elapidae;

xi. Cuban Treefrog (*Osteopilus septentrionalis*);

xii. Cane Toad (*Rhinella marina*);

xiii. African Clawed Frog (*Xenopus laevis*).

b. Permits for registered prohibited nonnative reptile and amphibian species shall be renewed every two years and permit holders shall renew their permit within 30 days of the expiration date. Facilities housing prohibited nonnative reptile and amphibians shall be open to inspection by Department of Wildlife and Fisheries personnel, as requested, prior to issuance of a permit and at other times deemed necessary to ensure permit compliance by department personnel or other persons authorized by the department to perform such inspections. No person with a temporary exemption to possess prohibited nonnative reptile or amphibian species shall acquire more prohibited nonnative reptile or amphibian species and will not be reissued a permit, once said animals have expired. No person shall transfer possession of prohibited nonnative reptile and amphibian species except to the Department of Wildlife and Fisheries or its designated agent. Prohibited animals, as defined in Subparagraph K.2.a herein, which are permitted under a temporary exemption, may not be used for breeding purposes. Persons or businesses in possession of prohibited nonnative reptiles or amphibians for commercial sale shall have 120 days from the effective date of this Rule to sell said inventory or surrender said inventory to the department. Prohibited nonnative reptiles or amphibians may not be in possession for commercial use after 120 days of the effective date of this Rule. With exception to the grace period provided in Subparagraph K.2.a herein, possession of prohibited reptile and amphibian species shall only be allowed for scientific research, educational exhibition, and control or eradication purposes via a department-issued permit. In the event of an escape of a prohibited nonnative reptile or amphibian species, department personnel shall be notified immediately via the Department of Wildlife and Fisheries 24-hour hotline number.

c. The following restricted nonnative species may be in possession only via permit to be approved and monitored by the department. Facilities that house restricted nonnative species shall be open to inspection prior to issuance of a permit and at other times deemed necessary to ensure compliance with the permit by department personnel or other persons authorized by the department to perform

such inspections. Individuals in possession of the species listed in Subparagraph K.2.c herein shall have 120 days from the effective date of this rule to register those animals with the department and acquire a permit. In the event of an escape of a restricted nonnative reptile or amphibian species, department personnel shall be notified immediately via the Department of Wildlife and Fisheries 24-hour hotline number.

- i. Boa constrictor (*Boa constrictor*);
- ii. Reticulated Python (*Python reticulatus*);
- iii. North African Python (*Python sebae*);
- iv. South African Python (*Python natalensis*);
- v. All species in the Genus *Eunectes* (Anacondas);
- vi. Asian Water Monitor (*Varanus salvator*);
- vii. Brown Tree Snake (*Boiga irregularis*);
- viii. Brown Basilisk (*Basiliscus vittatus*);
- ix. Gray's American Spiny-tailed Iguana (*Ctenosaura similis*);
- x. Northern Curly-tailed Lizard (*Leiocephalus carinatus armouri*);
- xi. Peter's Rock Agama (*Agama picticauda*).

d. The Department may issue a permit for possession of prohibited or restricted nonnative reptile and amphibian species for approved scientific or research purposes.

3. No person shall possess, display or exhibit restricted snakes, as listed in Paragraph K.1 and Subparagraph K.1.a, or restricted nonnative species, as listed in Subparagraph K.2.c, in public spaces except as permitted by the department.

4. No person shall import or transport into the state any nonnative species of reptile or amphibian listed as injurious wildlife under the U.S. Fish and Wildlife Service Lacey Act (18 U.S.C. 42), and all associated rules therein, except as permitted by the department.

L. Violations to the provisions of this Rule shall be subject to a Class 2 violation with penalties as provided for in R.S. 56:32, with the exception of violations regarding reporting requirements, which are subject to a Class 3 violation with penalties as provided for in R.S. 56:33. Nonnative amphibians and reptiles that are illegally possessed shall be surrendered to the Department of Wildlife and Fisheries and euthanized per department policy. The Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission acknowledge the risks associated with captive rearing of nonnative reptiles and amphibians and the potential impacts to Louisiana's native reptile and amphibian resources. Therefore, in the event of a release or escape of a captive nonnative reptile or amphibian, the department may assess all expenses incurred from the capture, transport, housing, veterinary care, or other applicable expenses, associated with the escaped animal to the owner.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(10), (13), (15) and (25), R.S. 56:23, and R.S. 56:632.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 20:1135 (October 1994), amended LR 30:2495 (November 2004), LR 31:2569 (October 2005), LR 39:1834 (July 2013), LR 42:1692 (October 2016), LR 50:

Family Impact Statement

In accordance with Act 1183 of 1999, the Department of Wildlife and Fisheries/Wildlife and Fisheries Commission

hereby issue its Family Impact Statement in connection with the preceding Notice of Intent. This Notice of Intent will have no impact on the six criteria set out at R.S. 49:972(B).

Poverty Impact Statement

The proposed rulemaking will have no impact on poverty as described in R.S. 49:973.

Small Business Analysis

This proposed Rule has no known impact on small businesses as described in R.S. 49:965.2 through R.S. 49:965.8.

Provider Impact Statement

This proposed Rule has no known impact on providers as described in HCR 170 of 2014.

Public Comments

Interested persons may submit comments relative to the proposed Rule to Keri Lejeune, LDWF State Herpetologist, Department of Wildlife and Fisheries, 200 Dulles Drive, Lafayette, LA 70506, or via email to klejeune@wlf.la.gov prior to Wednesday, March, 6, 2024.

Andrew J. Blanchard
Chairman

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Recreational and Commercial Harvests; Prohibitions

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

The proposed rule change will have no expenditure impact on state or local governmental units.

The proposed rule change establishes regulations for collecting, handling, maintaining, and restraining reptiles and amphibians in Louisiana. The change includes the following:

- (1) Prohibits the commercial take of native turtles
- (2) Requires turtle farms with Louisiana Department of Agriculture and Forestry (LDAF) licenses to possess a Reptile/Amphibian Broodstock Collection Permit to obtain turtles from the wild for breeding purposes only
- (3) Classifies 19 recognized species and subspecies of turtles as restricted turtles and 12 recognized species and subspecies of turtles as prohibited turtles
- (4) Limits collection and possession of restricted turtles to 10 animals without exceeding two specimens of any species at any time, except for alligator snapping turtles, which shall be limited to one turtle per person per day and one in possession at any time
- (5) Prohibits the collection, possession, transportation, and export of prohibited turtles without the approval of the Louisiana Department of Wildlife and Fisheries (LDWF)
- (6) Prohibits the collection of native turtles' eggs
- (7) Limits the possession of box turtles to two at any time
- (8) Exempts Nuisance Wildlife Control Operators (NWCO) with the required LDWF permits from native turtle take and possession limits and adds restrictions for relocating and releasing red-eared sliders offsite
- (9) Prohibits damage to gopher tortoise burrows
- (10) Requires persons collecting native reptiles and amphibians for research purposes to possess a Scientific Research and Collection Permit issued by the LDWF
- (11) Requires mandatory reporting for persons possessing Reptile/Amphibian Collector Licenses and Reptile/Amphibian Wholesale/Retail Dealer's Licenses
- (12) Requires persons collecting native reptiles and amphibians on LDWF-owned or -managed lands to possess a

Reptile/Amphibian WMA Use Permit with mandatory reporting requirements

(13) Prohibits organized events that wantonly or willfully waste native reptiles or amphibians

(14) Adds 13 species of amphibians and reptiles that may not be killed or removed from the wild unless permitted by the LDWF

(15) Prohibits the importation or transportation of any species of reptiles or amphibians listed as injurious wildlife under the U.S. Fish and Wildlife Service Lacey Act

(16) Reduces the maximum length from 12 feet to eight feet of constrictor snakes that require a permit to be possessed, sold, or purchased and adds five types of constrictor snakes to the list of constrictor snakes that require permits

(17) Requires Reptile/Amphibian Wholesale/Retail Dealers Licenses for persons purchasing or acquiring restricted snakes from within or outside the state for sale or resale or propagation for sale

(18) Prohibits importation, possession, or sale of 13 types of nonnative amphibians and reptiles and provides a 120-day grace period for registering specimens of prohibited animals with the LDWF and selling or surrendering inventory of prohibited specimens

(19) Requires a permit for the possession of 11 types of nonnative snakes and lizards to be monitored by the LDWF and provides a 120-day grace period for persons in possession of specimens of nonnative snakes and lizards to register with the LDWF

(20) Sets standards for permits for nonnative species of reptiles and amphibians

(21) Requires notification to LDWF for escape of nonnative amphibians and reptiles

(22) Defines violations of this rule as Class 2 violations and assesses all expenses associated with escaped nonnative reptiles and amphibians to the responsibility of the owner

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

The proposed rule change is anticipated to have no effect on revenue collections of the LDWF or other government agencies. Reptile/Amphibian Broodstock Collection Permits, Scientific Research and Collection Permits, Reptile/Amphibian WMA Use Permits, and Restricted Snake Permits are available at no cost.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change may increase regulatory compliance costs for persons and businesses that collect, raise, or sell reptiles and amphibians.

The proposed rule changes prohibiting the commercial harvests of native turtles and the importation and possession of certain nonnative reptiles and amphibians is anticipated to have a negative effect on persons and businesses engaged in these activities. Because there is little information about these activities and their practitioners, the anticipated losses in revenue cannot be assessed with available data.

The proposed prohibition on organized events that wantonly or willfully waste native reptiles or amphibians is anticipated to curtail one event in Northeast Louisiana, the Lake Providence Snake Rodeo that is known to engage in such activities.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change is anticipated to have no impact on competition and employment.

Bryan McClinton
Undersecretary
2401#026

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

Administrative Code Update

CUMULATIVE: JAN-DEC 2023

LAC Title	Part #.Section #	Action	Location: Month Page #	LAC Title	Part #.Section #	Action	Location: Month Page #
4	I.401,403,405	Amended	Dec. 2114	28	LXXIX.907	Adopted	Jan. 035
	V.1501,1502,1503,1504,1505,1506,1507,1508	Amended	June 1012		LXXIX.1311,2120	Adopted	Feb. 245
	V.1509,1510	Amended	June 1012		LXXIX.1311,2120	Repromulgated	May 851
					LXXIX.2109,2111,2317,2323	Amended	Apr. 642
7	XXI.101,103,751	Amended	Feb. 236		LXXIX.2111	Amended	May 861
	XXI.701,752	Adopted	Feb. 236		LXXIX.2317,2323	Amended	Aug. 1374
	XXI.1705	Amended	Feb. 234		XCVII.505	Amended	Jan. 041
	XXI.1727,1729,1731,1733,1735,1737	Adopted	Feb. 234		CI.305,703,725	Amended	July 1210
	XXIII.1103	Amended	Apr. 641		CXIII.903,1701,2305	Amended	Feb. 243
	XXV.101,107,109,117,119,123,141,147	Amended	Dec. 2074		CXV.325,337,517,901,1303,2305,2307,2319	Amended	Feb. 245
	XXV.165,167	Amended	Dec. 2074		CXV.325,337,517,901,915,1303,2305,2307	Repromulgated	May 851
	XXVII.135	Amended	Dec. 2073		CXV.332	Adopted	Jan. 033
	XLIX.101,301,303,305,501,503,505,507,509	Repealed	Dec. 2079		CXV.333,337,1103	Amended	Jan. 032
	XLIX.511,512,513,515,517,519,521,523,525	Repealed	Dec. 2079		CXV.717,2321	Amended	Dec. 2091
	XLIX.527,701,901,903,905,907,909,911,1101	Repealed	Dec. 2079		CXV.719	Amended	Feb. 244
	XLIX.1103,1301,1303,1501,1505,1507,1701	Repealed	Dec. 2079		CXV.905	Amended	Apr. 647
	XLIX.1703,1705,1707,1709,1711,1713,1715	Repealed	Dec. 2079		CXV.1104	Adopted	Jan. 032
	XLIX.1901,1903,1905,1907,1909,1911,2101	Repealed	Dec. 2079		CXV.2318,2319,2345,2353	Amended	Apr. 642
	XLIX.2301,2303,2501,2701,2703,2705,2901	Repealed	Dec. 2079		CXV.2318	Amended	May 861
	XLIX.2903,2905,2907,3101	Repealed	Dec. 2079		CXV.2319,3305,3503	Repromulgated	May 851
10	XV.1901,1905,1913,1917,1923,1927,1931	Amended	Feb. 259		CXV.2322	Adopted	Dec. 2091
	XV.1903,1907,1909,1919,1921,1925	Repealed	Feb. 259		CXV.2345,2353	Amended	Aug. 1374
	XV.1929,1933,1935,1937	Repromulgated	Feb. 259		CXV.3305	Amended	Feb. 245
13	I.1101,1103,1105,1107,1109,1111,1117,1121	Amended	Jan. 025		CXV.3501	Adopted	Jan. 035
	I.1101,1103,1105,1107,1109,1111,1117,1118	Repromulgated	Feb. 338		CXV.3503	Adopted	Feb. 245
	I.1118,1120	Adopted	Jan. 025		CXV.3601,3603,3605,3607,3609	Adopted	Apr. 647
	I.1119	Repromulgated	Jan. 025		CXV.3703	Amended	Apr. 647
	I.1119,1120,1121,1123	Repromulgated	Feb. 338		CXXXIX.303,507,511,513,515,527,531,535	Amended	Jan. 036
	I.1123	Amended	Jan. 025		CXXXIX.1341	Amended	Jan. 040
	I.3307	Amended	Dec. 2091		CXXXI.301,303,305	Repromulgated	Dec. 2094
	I.4901,4903,4905,4907,4909,4911,4913	Adopted	May 849		CXXXI.528	Adopted	Feb. 255
	I.5101,5103,5105,5107,5109,5111,5113	Adopted	June 1032		CXXXI.553	Amended	Aug. 1375
17	I.103,107	Amended	June 1141		CXXXI.715	Amended	May 863
	I.103,107	Repromulgated	Aug. 1447		CXXXI.1301	Amended	Oct. 1717
	I.107,115	Amended	June 1129		CXXXIX.2721	Adopted	Apr. 647
	I.117	Adopted	June 1129		CXXXIX.4305	Amended	Feb. 245
19	III.2501,2503,2505,2507	Adopted	June 1029		CXXXIX.4305	Repromulgated	May 851
22	I.201,203,205	Amended	Mar. 495		CXLVII.105,301	Amended	Apr. 649
	I.313	Amended	Mar. 502		CXLVII.305	Amended	Feb. 245
	I.313	Amended	Oct. 1747		CXLVII.305	Repromulgated	May 851
	I.316	Amended	June 1110		CLIX.101,103,301,303,305,501,503,507,509	Amended	Oct. 1698
	III.4509,5501	Amended	May 921		CLXI.103,1901	Amended	July 1207
	III.4761	Amended	Apr. 654		CLXI.103,305,311,709,907,1103,1307,1503	Amended	Oct. 1710
	III.5701,5703	Amended	Dec. 2118		CLXI.1509,1511,1717,1711,1719,1721,1723	Amended	Oct. 1710
	XI.307,504,510,705	Amended	Feb. 256		CLXI.1515,1725	Amended	May 862
	XIII.301,303,503	Amended	May 922		CLXI.1725,1807,1811,1815,1907,1911,1913	Amended	Oct. 1710
28	I.305,1103	Amended	Feb. 241		CLXI.1804	Adopted	Oct. 1710
	IV.509,703,705,803,805,2103	Amended	Jan. 045	32	CLXI.1915,1919,1921	Amended	Oct. 1710
	IV.2103	Amended	July 1211		CLXV.103,309,311,313	Amended	July 1207
	IV.2401,2403,2405,2407,2409,2411,2413	Adopted	Jan. 045		CLXVII.103,503,509,511,513,519	Amended	Oct. 1715
	VI.311	Amended	Jan. 058		III.107	Amended	Aug. 1376
	VI.311,315,507	Amended	Sept. 1551		V.205,305,505	Amended	Aug. 1376
	XI.301,307,601,709,3901,3903,4001,5107	Amended	Jan. 042	33	I.7001,7003,7005,7007,7009,7011,7013,7015	Adopted	Dec. 2099
	XI.301,307,601,709,3901,3903,4001,5107	Amended	Apr. 644		III.223	Amended	May 863
	XI.405	Amended	Jan. 031		III.3101	Adopted	Aug. 1375
	XI.405	Amended	Oct. 1698		V.4999	Amended	Jan. 058
	XI.3503	Amended	Feb. 242		V.30105,30117,30258,30260,30402,30420	Amended	June 1089
	XI.5701	Amended	Jan. 042		V.30125,30167,30193,30266,30302,30306	Amended	May 902
	XI.6401,6403,6405	Adopted	Jan. 042		V.30122,30417,30418,30419	Adopted	June 1089
	XI.6401,6403,6405	Amended	Apr. 644		V.30260,30418,30420	Repromulgated	July 1224
	XI.6803	Amended	May 861		V.30452,	Amended	June 1089
	XXXV.103	Amended	Feb. 245		VII.711	Amended	Dec. 2103
	XXXV.103	Repromulgated	May 851		IX.1109,1113,1123	Amended	Sept. 1552
	XXXIX.700	Amended	Feb. 245		XI.1401,1403,1405,1407,1409,1411,1413	Adopted	Dec. 2104
	XXXIX.700	Repromulgated	May 851		XI.1415,1417	Adopted	Dec. 2104
	XXXIX.705	Amended	Feb. 244		XV.503,542,544,545,551,577,732,762,763	Amended	Jan. 060
	XLV.743,745	Amended	Jan. 041		XV.1508,1519,1599,1609,1613,1623,1739	Amended	Jan. 060
	XLV.743,745	Amended	Feb. 245		XV.2022	Amended	Jan. 060
	XLV.743,745	Repromulgated	May 851	34	III.107	Amended	Aug. 1376
	XLV.745	Amended	Feb. 255		V.205,305,505	Amended	Aug. 1376
	LXXIX.119,901	Amended	Jan. 035		III.131	Amended	Feb. 258
				35	III.5705,5706,5745,5764	Amended	May 866
					III.5740,5742,5756,5758,5760,5762,5771,5772	Amended	May 866
					III.5773,5775,5777,5779,5781,5783,5785,5787	Amended	May 866
					III.5789,5791,5793	Amended	May 866

LAC Title	Part #.Section #	Action	Location: Month	Page #	LAC Title	Part #.Section #	Action	Location: Month	Page #					
37	V.6335,7907	Amended	July	1213	46	XXXIII.103,306,706,710	Amended	Jan.	065					
	XV.12342	Adopted	May	870		XXXIII.122,301,1509,1709	Amended	Aug.	1382					
	XV.12345	Amended	May	870		LIII.508,906	Adopted	Jan.	066					
	VIII.14301,14303,14305,14307,14309,14311	Repealed	Jan.	070		LIII.709,907	Amended	Sept.	1558					
	VIII.14313,14315,14317	Repealed	Jan.	070		LIII.1103,3003,3005	Amended	Sept.	1556					
	XIII.128	Adopted	Mar.	488		LIII.1135	Amended	Sept.	1557					
	XIII.129	Amended	Mar.	488		LIII.2301,2303,2305,2307,2309,2311,2317	Amended	Apr.	679					
	XIII.1101,1103,1105,1107,1109,1111,1113	Amended	Feb.	267		LIII.2319	Amended	Apr.	679					
	XIII.1109	Repromulgated	Mar.	490		LIII.2440,2449,2453,2459	Repealed	Oct.	1719					
	XIII.1115,1117,1121,1131,1135	Amended	Feb.	267		LIII.2441,2443,2445,2447,2451,2455,2457	Amended	Oct.	1719					
	XIII.3105,3113,3115,3119,3121,3123,3125	Amended	Mar.	490		LIII.2511,2519	Amended	Oct.	1722					
	XIII.3127,3141,3145	Amended	Mar.	490		LIII.2523	Amended	Jan.	067					
	XIII.6209	Amended	May	898		LIII.2535	Amended	Jan.	066					
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	43	XI.101,3501,3907,4309	Amended	Jan.		072	LXIII.4201	Amended	Apr.	657				
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	VII.32965,32967,32969	Amended	Apr.	687		I.6111,6115	Adopted	Dec.	2088
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	XXI.8107	Amended	June	1068	76	I.301	Amended	July	1270
	XXI.8307,8317,9501	Amended	Mar.	486		I.303,317,323,325,329,335,407,501	Repealed	Mar.	511
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	XXI.8501	Amended	Oct.	1726		I.331,333	Amended	Mar.	511
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	XXVII.505,517	Amended	May	877		VII.307	Amended	Mar.	514
	XXVII.531	Adopted	May	877		VII.308	Adopted	Jan.	076
	XXIX.107	Amended	Dec.	2106		VII.327	Amended	Apr.	703
	XXIX.949	Amended	Aug.	1395		VII.329	Amended	Dec.	2118
						VII.341	Amended	Nov.	1939
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Potpourri

POTPOURRI

Office of the Governor Board of Examiners of Certified Shorthand Reporters

Board Interpretation of Code of Civil Procedure Article 1434

In accordance with the provisions of the Administrative Procedures Act, R.S. 49:953(A), the Louisiana Board of Examiners of Certified Shorthand Reporters (CSR Board) proposes to adopt an interpretation of Louisiana Code of Civil Procedure article 1434 (Article 1434) as applied to court reporters receiving assignments from firms that have agreements with insurance companies that are not parties to legal proceedings at issue. The CSR Board proposes to provide the interpretation through a “Frequently Asked Question” or “FAQ.” The underlying purposes of the CSR Board’s proposed action are to clarify the application of Article 1434 to a particular situation confronting court reporters and to comply with the provisions of the agreement settling the claims asserted in litigation entitled *Veritext Corp. v. Bonin, et al.*, Civil Action No. 16-13903, in the United States District Court for the Eastern District of Louisiana, Sec. B(2), consolidated with *Esquire Deposition Solutions v. Bonin, et al.*, Civil Action No. 17-9877, in the United States District Court for the Eastern District of Louisiana, Sec. B(2). The CSR Board has authority to take this action interpreting Article 1434 because the CSR Board is authorized to (1) enforce, *inter alia*, matters concerning court reporters’ relations with the public, including prohibited contractual relationships between reporters and party litigants, La. R.S. 37:2553; (2) revoke or suspend licenses (i.e., certificates) for a court reporter’s violation of professional duties and state law and for falsely certifying compliance with Article 1434, R.S. 37:2557; (3) fine court reporters for violating R.S. 37:2557 or other laws regulating the practice of court reporting, R.S. 37:2560; and (4) establish rules and regulations for Article 1434-related safe harbor affidavits, La. R.S. 37:2556(D).

FAQ Regarding Assignments from Firms

That Have Agreements with Insurance Companies

Q: May a court reporter accept assignments from a court reporting firm that has an agreement with an insurance company to provide court reporting services in a lawsuit in which the insurance company has not been named as a party?

A: Yes, because this question explicitly states that the insurance company is *not a party litigant* in the lawsuit.

The key consideration for court reporters under Code of Civil Procedure article 1434 (see below, emphasis added) is whether a party litigant has a prohibited contractual relationship with the court reporter (either directly or indirectly, such as through a court reporting firm):

Art. 1434. Person before whom deposition taken

A.(1) A deposition shall be taken before an officer authorized to administer oaths, who is not an employee or

attorney of any of the parties or otherwise interested in the outcome of the case.

(2) For purposes of this Article, an employee includes a person who has a contractual relationship with a party litigant to provide shorthand reporting or other court reporting services and also includes a person employed part or full time under contract or otherwise by a person who has a contractual relationship with a party litigant to provide shorthand reporting or other court reporting services. A party litigant does not include federal, state, or local governments, and the subdivisions thereof, or parties in proper person.

B. "Officer" as used in this Article means a certified shorthand or general reporter currently holding a valid certificate issued by the Board of Examiners of Certified Shorthand Reporters pursuant to the provisions of R.S. 37:2551 et seq., and an official court reporter, and a deputy official court reporter, as defined in R.S. 37:2555(B)(1) and (2).

If an insurance company is not a party in the lawsuit, then the reporter may accept the assignment from a court reporting firm.

In Louisiana, a Direct Action Statute (R.S. 22:1269) allows a plaintiff to proceed directly against both an insurance company and its insured. If the insurance company has been sued, a court reporter may not receive an assignment from a court reporting firm that has an agreement with the insurance company to provide court reporting services in the lawsuit; the insurance company is then a “party litigant” in the lawsuit, which creates a prohibited contractual relationship under Article 1434.

Before accepting an assignment, therefore, each court reporter must determine whether the assignment comes from a court reporting firm that has a prohibited contractual relationship with an insurance company named as a party in the lawsuit. To assist court reporters, Louisiana law provides a “safe harbor” procedure by which court reporters can determine whether or not the court reporting firm has a prohibited contractual relationship with a party litigant. See R.S. 37:2557(D) and CSR Rule 1303(B). Court reporters can request certification from a “court reporting firm that the firm has no prohibited contractual relationship, direct or indirect, under Code of Civil Procedure article 1434 with a party litigant in the matter for which the reporter was retained to provide services.” A court reporter who obtains and promptly files such a certification with the CSR Board will not be considered an “employee” and will not be in violation of Code of Civil Procedure art. 1434. If a reporter requests a safe harbor certification and the court reporting firm refuses or fails to provide the requested certification, the court reporter must immediately notify the CSR Board in writing. More information about the safe harbor procedure can be found on the CSR Board website via the link to “New Rules and Forms Effective on July 1, 2016.”

Judge Kimya M. Holmes
Chair

2401#011

POTPOURRI

**Department of Insurance
Office of the Commissioner**

Public Hearing—Plan of Reorganization submitted by Louisiana Health Service and Indemnity Company d/b/a Blue Cross and Blue Shield of Louisiana

The Louisiana Department of Insurance hereby gives notice of a public hearing to be held on February 14 and February 15, 2024, regarding the conversion of Louisiana Health Service and Indemnity Company d/b/a Blue Cross and Blue Shield of Louisiana from a mutual insurance company to a stock insurance company pursuant to La. R.S. 22:236.4(C). The public hearing is being held for the purpose of hearing evidence to determine if the Plan of Reorganization submitted by Louisiana Health Service and Indemnity Company d/b/a Blue Cross and Blue Shield of Louisiana:

1. properly protects the interests of the policyholders as such and as members;
2. serves the best interests of policyholders and members; and
3. is fair and equitable to policyholders and members as required by La. R.S. 22:236.4.

The public hearing shall be conducted in accordance with La. R.S. 22:236.4, Rule 1 of the Louisiana Department of Insurance, and the Administrative Procedures Act.

Public Hearing

The public hearing will be held by the Louisiana Department of Insurance on February 14 and February 15, 2024, at 10:00 a.m. in the Poydras Hearing Room, Poydras Building, 1702 North Third Street, Baton Rouge, Louisiana. If you are interested in participating in the public hearing, you have the option to make comments or provide evidence. You can do this by submitting your comments or evidence in writing to David Caldwell, Louisiana Department of Insurance, P.O. Box 94214, Baton Rouge, LA 70804-9214, by close of business, February 5, 2024, by 4:30 p.m. Comments or evidence received by February 5, 2024, will be posted on the Louisiana Department of Insurance website at <https://www.ldi.la.gov/public-hearing-and-rulemaking-notice>. The provided link directs to the public hearing notices page of the Louisiana Department of

Insurance website. This page contains announcements and information regarding upcoming public hearings conducted by the Louisiana Department of Insurance. Users can access documents, notices, and other relevant information related to these proceedings. It is recommended to visit the website directly for the most up-to-date information from the Louisiana Department of Insurance on this public hearing. Interested persons may appear at the public hearing to provide comments or evidence as well.

James J. Donelon
Commissioner

2401#011

POTPOURRI

**Department of Natural Resources
Office of Conservation**

Orphaned Oilfield Sites

Office of Conservation records indicate that the Oilfield Sites listed in the table below have met the requirements as set forth by Section 91 of Act 404, R.S. 30:80 et seq., and as such are being declared Orphaned Oilfield Sites.

Operator	Field	District	Well Name	Well Number	Serial Number
C. J. Brown	Caddo Pine Island	S	Muslow	B-9	20313 (30)
Lioil Oil Company	Wildcat-No La Shreveport Dist Field	S	Exxon	001	146704 (30)
Star Falcon Oil Co.	Caddo Pine Island	s	Herndon	001	26455
Tholl Oil Company	Caddo Pine Island	S	Logan	11-B	38306 (30)
Tholl Oil Company	Caddo Pine Island	S	Logan	B-14	46127 (30)
Tholl Oil Company	Caddo Pine Island	S	Logan	B-15	47630 (30)
Tholl Oil Company	Caddo Pine Island	S	Crye	B-7	54782 (30)

Monique M. Edwards
Commissioner

2401#033

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