

December, 1976

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Executive Orders

✓ EXECUTIVE ORDER EWE-76-15

WHEREAS, the State of Louisiana has a primary and continuing moral and humane responsibility to safeguard and protect the rights and interests of children who have been abused, neglected, or threatened with physical and mental harm; and

WHEREAS, the prevention of such abuse, neglect and harm as well as the protection of the rights of such children requires an effective professional plan and program of identification, treatment, and prevention of child abuse, neglect, and mistreatment; and

WHEREAS, any such program should be separate from day care, foster care, counseling, and homemaker services; and

WHEREAS, the delivery of protective and preventive services in child neglect and child abuse cases is now loosely administered by a number of different agencies; and

WHEREAS, a State plan for services in child abuse, child neglect, and child mistreatment cases is necessary if Louisiana is to insure that the rights and interests of such children and of their parents are fully safeguarded and protected; and

WHEREAS, Louisiana law mandates a system of reporting and investigation of complaints regarding the abuse and neglect of children; and

WHEREAS, the Louisiana Department of Health and Human Resources is the agency responsible for investigating complaints of child abuse and neglect and should plan and make recommendations with respect to the handling of child abuse, child neglect, and child mistreatment cases;

NOW, THEREFORE, I, EDWIN EDWARDS, Governor of Louisiana, by the power and authority vested in me by the Constitution and laws of Louisiana, do hereby request and direct the Louisiana Department of Health and Human Resources, through its Advisory Board, to make a comprehensive study of all facets of the problems attending child abuse, child neglect, and child mistreatment, and, as part of such study, to review current legislation, policies, programs and services;

BE IT FURTHER ORDERED that the said Louisi-

ana Department of Health and Human Resources shall prepare, for consideration and appropriate action by the Governor and the Legislature, a plan for the handling of such cases and that such plan shall include recommendations concerning fiscal, personnel, and research requirements necessary for implementation of the plan;

BE IT FURTHER ORDERED, that all organizations, agencies, departments, boards, and commissions of this State shall extend full cooperation to the Department of Health and Human Resources and its Advisory Board in the preparation and development of this plan.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal, at the Capitol, in the City of Baton Rouge, on this 8th day of December, A.D., 1976.

EDWIN EDWARDS

Governor of Louisiana

EXECUTIVE ORDER EWE-76-16

WHEREAS, the purpose of this order is to implement a course of action dedicated to reducing the number of State employees at every level and in every agency where possible without reducing State services or creating hardships; accordingly,

1. Except as hereinafter authorized, no vacancy occurring for any reason whatsoever after December 1, 1976, is to be filled without my express approval pursuant to provisions set forth in this order.
2. The following conditions, emergencies, and officials are exempted from the provisions of Paragraph 1 herein:
 - A. Any and all Statewide elected officials, provided, however, that this order shall apply to the Office of the Governor; the legislative and judicial branches of government; constitutionally created boards dealing with education; or any other board, agency, or commission which is not under the direct authority of the Governor or one of the Secretaries appointed by the Governor. As Governor, I cannot and will not order such action, but I urge all officials of government to accept the spirit and intent of this order in the public interest.

- B. The Department of Corrections, the Department of Health and Human Resources and any other agencies only insofar as it is necessary to fill vacancies or increase personnel in order to accommodate any court orders.
- C. A position which must be filled following the occurrence of a vacancy in order to prevent emergencies or serious disruptions of service. Secretaries shall be required to justify in writing such action to the Governor when taken under the provisions of this section within seventy-two hours.
- D. Transfers, promotions, and reallocations within a department and between departments which will not in any way increase the aggregate number of employees within the department after the action has occurred.
- E. The foregoing exceptions relate only to the possibility of filling vacancies when they occur. In no event are any new positions to be created or filled without express approval of the Governor.
3. Each Secretary shall be required to file a report with the Governor on April 1, 1977, and quarterly thereafter which will reflect a full accounting of personnel changes within the agency for the period covered by the report. The first report shall cover the period from December 1, 1976, through March 31, 1977. This report and each report thereafter shall specify employment figures at the beginning of the period and at the end of the period and shall indicate how many vacancies have been filled and have not been filled pursuant to this order.
4. Secretaries are urged to publicly and by every means possible notify and advise State employees that this is not an effort to dismiss personnel or force early retirements. Everyone now employed and performing a creditable, necessary function may expect to be retained. The purpose of this order is to avoid filling vacancies when they occur, unless clearly required in the public interest.
5. The Department of Civil Service, and its Director in particular, has expressed a willingness to work with the Executive Department in achieving the aims and purposes of this executive order, and secretaries are urged to counsel with
- and seek the advice and counsel of the Director while implementing this order. Copies of quarterly reports of the Secretaries shall be filed with the Director of Civil Service, who will monitor the program.
6. Written requests by the Secretaries for permission to fill vacancies or to create or fill new positions shall be directed to the Governor and shall include justifications for filling the vacancies. In order to facilitate decisions on the written requests of the Secretaries, the Governor's Chief Executive Assistant, Dan Borne', is designated to act on behalf of the Governor on such written requests.
7. Secretaries are enjoined from obtaining Civil Service lists to fill vacancies until approval has been obtained by the Governor, or the proposed action is covered by one of the exceptions listed herein. A request for a Civil Service list by a Secretary shall be prima facie evidence that such approval does exist, either from the Governor or by the Secretary as specified in the exceptions to this order.
8. Personnel actions of department and/or agency heads who do not report to Secretaries but who report to the Office of the Governor are covered by the provisions of this executive order.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this 9th day of December, A.D., 1976.

EDWIN EDWARDS

 Governor of Louisiana

Emergency Rules

DECLARATION OF EMERGENCY

Indigent Defender Board

The Louisiana Indigent Defender Board has exercised the provisions of R.S. 49:953B to adopt the following fees and guidelines to be observed by the various district indigent defender boards, as required by Act 653 of the Regular Session of 1976. They became effective on the day of adoption, November 29, 1976.

Hourly Rate: Thirty-five dollars per hour in court; twenty-five dollars per hour out of court.

The base payment for all cases shall be fifty dollars for misdemeanors, one hundred dollars for felonies. The base payment shall be made in all cases. Services covered by the base payment shall include the initial interview and the court appearance for arraignment.

Any other investigative, preparatory work, and court appearances shall be at the hourly rate, except that no more than one thousand dollars shall be paid for any felony case, and no more than five hundred dollars shall be paid for any misdemeanor case.

District boards may approve exceptions to these ceilings provided funds are available to the district board and the exception would not impair the Board's ability to make future payments in accordance with this schedule.

Each appointed counsel, except full-time indigent defenders and salaried part-time defenders, shall submit a detailed billing showing time spent and activity to the appropriate district indigent defender board.

The district indigent defender board shall review, approve, reject, or adjust the billings so that payments made for defense of indigents shall comply with the above schedule.

The Louisiana Indigent Defender Board authorized its chairman to grant temporary exemptions and exceptions to any district unable to immediately comply with the fixed schedule. Any temporary grant shall not exceed the time fixed for the next meeting of the Board and all temporary exemptions and exceptions shall then terminate, unless extended by the Board.

Robert G. Pugh, Chairman
Louisiana Indigent
Defender Board

DECLARATION OF EMERGENCY

Racing Commission

The Louisiana State Racing Commission adopted and made effective on November 18, 1976, the following emergency rules:

LAC 11-6:45 Claiming Rule

S. 45.1 In claiming races any horse is subject to being claimed for its entered price by any racing interest recognized by the Commission, by any licensed horse owner, or his authorized agent, but only for the account of the person making the claim, or for whom the claim was made by the agent (provided however, that no person shall claim his own horse or a horse in which he has an interest or cause his horse to be claimed directly or indirectly for his own account). Also, a claim may be made by any person who has established his qualifications to claim by filing an application for license as a horse owner and has been granted a certificate authorizing the claim by the stewards at the meeting where a horse is to be claimed. A claim certificate shall not be issued until all conditions and qualifications for a horse owner's license have been met or completed. A claim certificate thus issued will be voided if no claim is made within thirty days of issuance, and the owner's license will be withdrawn.

S. 45.2 The licensed prospective claimant must have obtained the services of a licensed trainer and may be required to provide additional evidence of his qualifications as a horse owner when such evidence is requested by the stewards of the meeting.

S. 45.3 A claimed horse shall not enter in starter, optional, or claiming races for thirty days after being claimed in a race in which the determining eligibility price is less than twenty-five percent more than the price at which the horse was claimed. The day claimed shall not count, but the following calendar day shall be the first day and the horse shall be entitled to enter whenever necessary so the horse may start on the thirty-first day following the claim for any claiming price. This provision shall not apply to starter handicaps in which the weight to be carried is assigned by the handicapper. A similar rule in other states will be recognized and enforced.

S. 45.4 The claiming price of each horse in a claiming race shall be the entered claiming price, plus tax.

S. 45.5 If a horse is claimed it shall not be sold or transferred to anyone wholly or in part, except in a selling or claiming race, for a period of thirty days from date of claim, nor shall it, unless reclaimed, remain in the same stable or under the control or management of its former owner or trainer for a like period, nor shall it race in any other state until after the close of the meeting at which it was claimed, unless special permis-

sion is obtained from the Commission. However, a horse claimed at a track in Louisiana must remain at the track where it was claimed for a period of sixty calendar days or until the current meeting at which it was claimed is terminated. The following calendar day shall be the first day and the horse shall be entitled to enter at another track in the state whenever necessary so the horse may start on the sixty-first day following the claim.

S. 45.6 All claims for the entire race card shall be signed, sealed, time stamped, and deposited in a locked box provided for that purpose in a designated place, at least fifteen minutes prior to post time for the first race. The claim box shall be opened by the stewards and all claims remain in their possession. The claim envelopes shall not be opened by the stewards earlier than ten minutes prior to post time for the designated claiming race. Notification will be made by the stewards to the proper officials of any claim or claims, if any. No money shall accompany the claim. Each person desiring to make a claim, unless they have such amount to their credit with the horsemen's bookkeeper, must first deposit with the horsemen's bookkeeper the whole amount of his claim in cash, for which a receipt will be given. If more than one person shall enter a claim for the same horse, the disposition of the horse shall be decided by lot by one of the stewards or his deputy, and the person so determined to have the right of the claim shall become the owner of the horse whether it be alive or dead, sound or unsound, or injured during the race or after it. Any horse, other than the winner, that has been claimed, shall be taken to the paddock after the race has been run, for delivery to the claimant unless sent to the retention barn for delivery to the claimant after the specimen has been collected.

S. 45.7 Title to a claimed horse shall be vested in the successful claimant at the time the horse becomes a starter. The successful claimant shall then become the owner of the horse whether he be alive or dead, sound or unsound, or injured leaving the starting gate, during the race, or after. However, the successful claimant may request on the claim blank at the time he makes his claim that the horse be tested for the presence of equine infectious anemia via a Coggins test. Should this test prove positive, it shall be cause for a horse to be returned to his previous owner and barred from racing in the State of Louisiana. The expense of the Coggins test and the maintenance of the horse during the period required for the test, shall be absorbed by the successful claimant. If such a test is requested, the claimed horse will be sent to the retention barn of the Louisiana State Racing Commission where the State Veterinarian will draw a blood sample, which sample shall be sent to a laboratory approved by the Louisiana Livestock Sanitary Board for the conduct of such test.

S. 45.8 No person shall claim more than one horse in a race.

S. 45.9 Each horse shall run for the account of the person in whose name it starts.

S. 45.10 When a claim has been lodged it is irrevocable, and it is at the risk of the claimant.

S. 45.11 Where a claimed horse has had a posterior digital (heel nerve) neurotomy performed prior to the claim, the claimant shall have forty-eight hours from the moment that the horse becomes a starter to protest the claim.

S. 45.12 If the stewards should be of the opinion that any person is claiming a horse for the benefit of another, they may require him to make an affidavit that he is not doing so.

S. 45.13 No horse shall be delivered except on a written order from the racing secretary.

S. 45.14 Any person refusing to deliver a claimed horse shall be suspended and his case referred to the Commission. The claimed horse is disqualified until it is delivered to the successful claimant.

S. 45.15 In claiming races, engagements follow the horse.

S. 45.16 Any person who shall attempt to prevent another person from claiming any horse in a claiming race, or any owners running a horse in claiming races who may make any agreement for the protection of claiming of each other's horses, may be fined or suspended by the stewards or ruled off by the Commission.

S. 45.17 Any person or persons who shall enter, or allow to be entered, in a claiming race a horse against which any claim is held, either as mortgage, bill of sale, or lien of any kind, shall be ruled off, unless when or before entering the horse the written consent of the holder of the claim shall be filed with the racing secretary where the horse is entered.

S. 45.18 The stewards shall be the sole judge of the validity of a claim.

S. 45.19 All claims shall be on blanks and in envelopes furnished by the association and approved by the Commission. Both blanks and envelopes must be filled out completely and be letter perfect, otherwise the claim will be void. The horse's name must be identical to the way it is printed in the official racing program of the association, otherwise the claim will be void.

S. 45.20 When a trainer is training for more than one owner, only one claim from that stable will be allowed for any one race. Only one claim from owners having the same trainer will be allowed for any one horse.

S. 45.21 Delivery of a claimed winning horse to the claimant or his representative shall be made in the Commission retention barn after specimens (blood, urine, and/or saliva) have been obtained. This rule shall also apply to claimed horses selected for extra tests ordered by the Commission, stewards, or racing officials.

S. 45.22 Notwithstanding any designation of sex or age appearing on the racing program or in any racing

publication, the claimant of a horse shall be solely responsible for determining the age or sex of the horse claimed.

* * * *

LAC 11-6:54 Permitted Medication

S. 54.1 The use of phenylbutazone (Butazoludin), Arquel, and/or Lasix is permitted upon a race horse within a licensed racing enclosure or an auxiliary (off-track) stable area, subject to compliance with the following:

A. Only a veterinarian may prescribe, dispense, and administer phenylbutazone, Arquel and/or Lasix, except a trainer may administer phenylbutazone or Arquel if it is an ingestible or is topically applied.

B. Lasix may be administered the day of the race upon approval of the State Veterinarian or the veterinarian attending the horse.

C. Daily reports of the administration of Lasix must be given to the State Veterinarian by 12:00 noon. They must be signed by the attending veterinarian and cosigned by the State Veterinarian, and must contain the following:

- (1) Date of the race.
- (2) Number of the race in which the horse is to run.
- (3) Name of the horse and its tattoo identification number.
- (4) Name of permissive medication or medications administered.
- (5) Hour and date that all permitted medication was administered to the horse.

D. Prior to or at the time of its entry in a race at each race meeting, a trainer shall report to the State Veterinarian each horse under his care by name, including the tattoo identification number, which shall run on phenylbutazone or Arquel. Once a horse is reported to be on a phenylbutazone or Arquel program, it shall be deemed to be continued on the program unless removed in accordance with the provisions of Section 54.1F.

E. Whenever bleeder medication, Arquel, or phenylbutazone is to be administered to a horse entered for racing, that information will be posted for public information in the Daily Racing Form, and the Daily Racing Program.

F. Any horse on a phenylbutazone or Arquel program that races well and "lights the board" must be treated each time he races. A horse that races poorly, or is pronounced cured, or is not responding to phenylbutazone or Arquel therapy, may be taken off the treatment upon the recommendation of the treating veterinarian, subject to the approval of the State Veterinarian or, where a trainer administered the phenylbutazone or Arquel upon the recommendation of any veterinarian, subject to the approval of the State Veterinarian. Once a horse is taken off a phenylbutazone

or Arquel program, it shall not be placed back on phenylbutazone or Arquel for thirty days.

G. To insure that the use of phenylbutazone and Arquel is consistent and the reporting is accurate, the Commission reserves the right to pre-race blood tests or post-race urine tests, or both, whenever it is deemed necessary.

H. Notwithstanding anything herein contained to the contrary, phenylbutazone or Arquel shall not be prescribed, dispensed, or administered to a two-year-old horse.

S. 54.2 As used in this rule, "veterinarian" shall mean a person who is licensed to practice veterinary medicine in Louisiana, and who is in good standing and is licensed by the Commission.

S. 54.3 Any person found to have violated the provisions of this rule may be punishable by fine, and/or suspension, and/or revocation of license.

Albert M. Stall, Chairman
Louisiana State Racing
Commission

DECLARATION OF EMERGENCY

Board of Supervisors of Southern University

At its meeting on December 11, 1976, the Board of Supervisors of Southern University adopted the following rule, effective immediately:

**Schedule of Registration Fees for Undergraduate
Graduate and Law Students
Southern University System**

Louisiana Resident Fees

Effective Spring Semester, 1977. (The activity fee and the building use fee are not included.)

	Baton Rouge	New Orleans	Shreveport
0 Hours	\$ 45.00	\$ 45.00	\$ 25.00
1- 3 Hours	75.00	75.00	65.00
4- 6 Hours	128.00	117.00	105.00
7-11 Hours	150.00	150.00	105.00
12 and above (full time)	150.00	150.00	105.00
Graduate (full time)	160.00		
Law School	150.00		

Effective Summer 1977: Based on a nine-week

session, registration fees will be one-half of those charged in the preceding term.

Out-of-State Resident Fees

	On Campus	Off Campus
Arkansas	\$135.00	\$150.00
Mississippi	270.00	300.00
Texas	180.00	200.00
Other States	283.50	315.00
Graduate	90.00	100.00
Law	324.00	360.00

This emergency rule is necessary in order to implement the tuition change prior to registration for the Spring semester which begins January 4, 1976. This action was taken in accordance with the emergency provision of the Administrative Procedures Act and under the authority of Article VIII, Section 6, of the 1974 Louisiana Constitution.

Jessie N. Stone, Jr., Secretary
Board of Supervisors of Southern
University

Rules

RULES

**Office of the Governor
Division of Administration
Purchasing Section**

Section 1, Page IV, No. 16 of the Purchasing Rules and Regulations have been amended to read as follows:

- 16. One Copy Required. One copy of bid proposal and request for quotation and contract proposal is mailed out unless otherwise specified. Only one copy of bid proposal, quotation, and contract proposal on prescribed forms will be required.

Charles E. Roemer, II
Commissioner of Administration

RULES

Department of Civil Service

Chapter 12

12.3 Procedure in Adverse Actions for Cause, Except Suspensions.

- (a) In every case of removal, demotion, or reduction in pay for cause of a permanent employee, the appointing authority of his authorized agent shall furnish to the employee as the time such action is taken, or prior thereto, a statement in writing giving detailed reasons for such action. The appointing authority shall furnish the Director a copy of such statement within fifteen calendar days of the date the employee is notified.
- (b) A written statement to which reference is made in the preceding paragraph shall be deemed furnished to the employee:
 1. Upon actual receipt by, or manual delivery to, the employee or to any resident of suitable age and discretion of the employee's domicile, or
 2. On the seventh day subsequent to the day on which an appointing authority establishes that it was deposited in the United States mail, with proper postage affixed, and addressed to the employee at his last known address as furnished to the appointing authority at the time of employment, or as changed by the employee in writing.

* * * *

Chapter 13

13.12 Delay for Making Appeal

- (a) No appeal shall be effective unless a written notice complying with the requirements of Rule 13.11 is either (i) received in the office of the Director of the State Department of Civil Service at Baton Rouge, Louisiana, or (ii) is addressed to the Director of the State Department of Civil Service at Baton Rouge, Louisiana, with proper postage affixed, and is dated by the United States Post Office:
 1. Within thirty calendar days after the date on which appellant received written notice of the action on which the appeal is based,

when written notice before or after the action is required by these rules; or

- 2. Within thirty calendar days after the date when appellant learned or was aware that the action complained of had occurred when no written notice is required by these rules or, if required, was given tardily or not at all.

* * * *

13.21 Subpoena of Witnesses; Production of Documents.

* * * *

- (b) Any party desiring the issuance of a subpoena for any witness at any hearing must file the request in the office of the Director of the Department of Civil Service in writing at least ten days before the date fixed for the hearing. The requestor must give the name and address of the witness to whom the subpoena is to be directed together with a brief statement of what he intends to prove by such witness.

* * * *

- (d) Any party desiring the production of books, papers, photographs, or other items at any hearing must file the request in the office of the Director of the Department of Civil Service in writing at least ten days before the date fixed for the hearing. Such application must describe the items to be produced in sufficient detail for identification, must give the full name and address of the person required to make such production, and must state briefly what is intended to be proved by such books, papers, photographs, or other items. The materiality of their production to the issues must be sworn to by the appellant or his counsel.

* * * *

Chapter 16

16.14 Subpoena of Witnesses; Production of Documents.

* * * *

- (b) Any respondent desiring the issuance of a subpoena for any witness at an investigation by public hearing must apply for it in writing. The

application must be filed in the office of the Director of the Department of Civil Service at least ten days before the date fixed for the hearing and must give the name and address of the witness to whom the subpoena is to be directed together with a brief statement of what he intends to prove by such witness.

* * * *

- (d) Any respondent desiring the production of books, papers, photographs, or other items at any investigation by public hearing must apply for an appropriate order in writing. The application must be filed in the office of the Director of the Department of Civil Service at least ten days before the date fixed for the hearing. Such application must describe the books and papers to be produced in sufficient detail for identification, must give the full name and address of the person required to make such production, must state briefly what is intended to be proved by such books, papers, photographs, or other items; and the materiality of their production to the issues must be sworn to by the respondent or his counsel.

George Hamner, Director
Department of Civil Service

RULES

Board of Trustees for Colleges and Universities

In the published Policies and Procedures Manual of the Board of Trustees for State Colleges and Universities, amendments have been made as follows:

Part V, General Administrative Policies and Procedures, specifically Section 5.4 B(2), General Conditions, Paragraph 3, shall read as follows:

- 3. All local ordinances, except proximity, regarding the sale of beer shall be observed.

* * * *

Part VI, Financial and Leave Policies and Procedures, and specifically Section 6.6B shall read as follows:

B. Activity, Registration and Tuition Fees

- 1. Schedule of Registration Fees for Undergraduate and Graduate Students

Louisiana Resident Fees

Hours	Effective Next Term*	Effective Fall 1977*
1- 3	\$ 60	\$ 70
4	70	80
5	80	90
6	90	100
7	100	110
8	110	120
9	120	130
10	130	140
11	140	150
12 and above (full-time)	145	160

*Includes a \$10 activity fee, but does not include a \$10 building use fee.

Effective Summer 1977: Based on a nine-week session, registration fees will be one-half of those charged in the preceding term.

Out-of-State Resident Fees

Full-time--In addition to Louisiana resident fees: \$315/semester.

Part-time--In addition to Louisiana resident fees: \$26.25 per credit hour.

Note: Total fees paid may vary from institution to institution because of additional administrative, or student self-assessed fees, and room and board charges.

2. Off-Campus Fees

- a. Fees for extension courses and other off-campus offerings (except contractual arrangements) shall be assessed in the same manner as for on-campus offerings. (B.1)
- b. Fees for courses offered under contractual arrangement may not be for a lesser consideration than B.2.a.

3. Late Registration Fee--an additional fee of fifteen dollars will be charged any student registering after the close of the regular registration period.

4. Refund Policy--each university shall develop a refund policy for registration fees appropriate to the individual campus.

* * * *

PART VII, Faculty and Staff Personnel Policies and Procedures, and specifically:

Section 7.13C--Salaries of faculty for summer work in 1978 shall be at a minimum rate of 2/9 of a 9-month salary for a 9-week session. At the option of the institution implementation of the minimum rate may be over a two-year period. Exception may be made to this rate of pay provided that the faculty, by a majority vote, agrees to accept an alternate plan.

Section 7.16, Emeritus Titles, shall be added and read as follows:

7.16 Emeritus Titles--The title Professor Emeritus shall, upon recommendation by the President, be conferred upon all persons who upon retirement have attained the title of Professor and who have been in the service of the college or university for a period of at least ten years. The said title may also be conferred at the discretion of the Board of Trustees for State Colleges and Universities upon a person who upon retirement has attained the title of Professor even though his period of service is less than ten years, if it is determined that he has made outstanding contributions to a college or university in either the field of scholarship or public service.

Any person who has held the position of academic dean, director, or department head for a period of ten years may be retired with the title of Dean, Director, or Department Head Emeritus. Where applicable to other positions within a college or university, an emeritus title may be conferred upon the recommendation of the President in appropriate cases.

Bill Junkin
Executive Director

RULES

Board of Elementary and Secondary Education

(a) Rule 3.01.70 u(2)

Amendment to Louisiana Standards for State Certification of School Personnel, (Bulletin 746, revised, 1971) Part IX, Ancillary Personnel)

Requirements for a Special Certificate for School Food Service Supervisors and/or Directors

- 1. Parish School Food Service Supervisor's Certificate.
The applicant must present the following qualifications:

- (a) A Master's degree in Home Economics, Institutional Management, Nutrition, Business Administration, Food Technology or other food service fields from a regionally accredited institution of higher education.
- (b) A minimum of three years of successful experience in home economics education, school food service management, or other quantity food management. At least two years of this experience must have been served within a five-year period immediately preceding employment as parish school food service supervisor.
- (c) A minimum of three semester hours in a supervised practicum in school food service management of other quantity food service management.
- (d) A minimum of eighteen semester hours, of this six semester hours must be in Human Nutrition. The remaining twelve semester hours must be presented in course credit in at least four of the following subject matter areas:
 - Quantity food purchasing
 - Quantity food service organization and management
 - Quantity cookery
 - Quantity food service equipment and layout
 - Accounting

2. Provisional School Food Service Supervisor's Certificate.

A special provisional certificate may be issued to an individual employed as acting school food service supervisor. This certificate will be valid for one year and renewable each year thereafter upon presentation of six semester hours of applicable credit toward completion of all requirements for permanent certification as a school food service supervisor. Special provisional certificates shall be issued only to persons with a baccalaureate degree in Home Economics, Institutional Management, Nutrition, Business Administration, Food Technology, or other food service fields from a regularly accredited institution of higher education. This certificate does not authorize the holder to perform any services in the school system of Louisiana other than acting parish school food service supervisor.

Payment from school food service funds shall be made only for school food service directors, supervisors, or acting supervisors who meet all of the foregoing certification requirements, or

those who meet the requirements for a special provisional certificate. Audit exceptions will be made in those school systems which are not in compliance. This becomes mandatory on January 1, 1977.

* * * *

(b) Rule 4.02.02

Standards for Approval of Special Schools

(The Department of the State Register, in accordance with R.S. 49:954.1C, has exercised its privilege to omit from the Louisiana Register the text of the Standards for Approval of Special Schools. The public may inspect these rules at the Board's office, Room 104, Education Building, 646 North Fourth Street, Baton Rouge, Louisiana.)

Earl Ingram, Director
Board of Elementary and
Secondary Education

RULES

**Commission on Fire Fighting Personnel
Standards and Education**

**Requirements for Becoming Commission
Certified**

Fire Officer I

Chapter I—Administration

1-1 Scope: These requirements identify the professional levels of competence required for certification as fire department officers at various levels.

1-2 Purpose: The purpose of these requirements is to specify, in terms of performance objectives, the minimum requirements of professional competence required for service as a certified fire officer.

It is not the intent of this standard to restrict any jurisdiction from exceeding these minimum requirements.

1-3 General

1-3.1 All of the requirements for any level of fire officer shall be performed in accordance with recognized practices and procedures or as defined by an accepted authority.

1-3.2 It is not required for the objectives to be mastered in the order they appear. The training program in charge shall establish the instructional priority and the program content to prepare individuals to meet the performance objectives as listed.

1-3.3 The Fire Fighter III shall meet all the objectives for Fire Officer I before being certified at the Fire Officer I level.

1-4 Definitions

1-4.1 Fire Officer I. The fire officer, at the first level of command, who has demonstrated the knowledge and the ability to perform the minimum objectives specified herein for that level.

1-4.2 Fire Department. The organization that provides fire rescue, and fire suppression services, and may provide fire prevention services to governmental or nongovernmental agencies.

1-4.3 With Competence. Possessing knowledge, skills, and judgment needed to perform indicated objectives satisfactorily.

1-4.4 Demonstrate. To show by actual use, illustration, simulation, or explanation.

1-4.5 Identify. To physically select, indicate, or explain verbally or in writing, using standard terms recognized by the fire service.

1-4.6 Objective. Observable or measurable demonstration of a skill, knowledge, or both.

1-4.7 Qualification. Having satisfactorily completed the requirements of the objectives.

1-4.8 Describe. To explain verbally or in writing, using standard terms recognized by the fire service.

1-4.9 Understanding. The process of gaining or developing the meaning of various types of materials or knowledge.

1-4.10 Commission. Commission on Fire Fighting Personnel Standards and Education.

Chapter 2—Fire Officer I

2-1 General.

2-1.1 The Fire Officer I shall meet all the objectives of Fire Fighter III as required by the Commission.

2-1.2 The Fire Officer I shall meet all the objectives for Instructor I as required by the Commission.

2-2 Leadership. (-See Appendix)

2-2.1 The Fire Officer I shall describe the advantages, disadvantages, and effects of various recognized styles of leadership.

2-2.2 The Fire Officer I, given a summary of the functions of a leader, shall: (a) Describe the officer's responsibility in promoting cooperation, (b) Describe how group cooperation may be obtained.

2-2.3 The Fire Officer I shall identify the three types of verbal orders and demonstrate their use in each of the following situations: (a) During emergency situations, (b) In the station, (c) During training sessions.

2-2.4 The Fire Officer I, given a list of policies which may be used by a department, shall: (a) Describe how the various policies effect the officer. (b) Describe the officer's role in interpreting the policies. (c) Describe why accuracy, clarity, and impartiality are important in interpreting policy. (d) Describe how to implement the policies in the leadership role.

2-2.5 The Fire Officer I, given the personnel rules of the department, shall describe how to deal fairly, firmly, and equally with subordinates.

*2-3 Community Relations. The Fire Officer I shall describe how each of the following factors affect the behavior of groups within the community in relation to the fire department: (a) economic conditions, (b) religion, (c) race and ethnic groups, (d) community organizations, (e) family structure.

*2-4 Fire Prevention

*2-4.1 The Fire Officer I shall explain the procedures for conducting a fire inspection program within the authority having jurisdiction for the following types of occupancies: (a) public assembly, (b) educational, residential and nonresidential, (c) institutional, (d) residential, (e) storage and offices, (f) basic industry, (g) manufacturing, (h) storage, (i) special properties.

*2-4.2 The Fire Officer I shall explain the procedures to record and evaluate the information gathered from fire inspection reports for the following types occupancies: (a) public assembly, (b) educational, residential and nonresidential, (c) institutional, (d) residential, (e) storage and offices, (f) basic industry, (g) manufacturing, (h) storage, (i) special properties.

*2-4.3 The Fire Officer I shall identify the procedure to conduct and evaluate fire and exit drills for the following occupancies in accordance with regulations within the authority having jurisdiction: (a) public assembly, (b) educational, residential and nonresidential, (c) institutional, (d) residential, (e) storage and offices, (f) basic industry, (g) manufacturing, (h) storage, (i) special properties.

2-4.4 The Fire Officer I shall describe the components and procedures for the development and implementation of a public fire prevention education program.

*2-5 Fire Suppression.

2-5.1 The Fire Officer I shall identify the components of the fire suppression organization in the authority having jurisdiction.

2-5.2 The Fire Officer I shall define the authority

and responsibility of each component of the fire suppression organization in the authority having jurisdiction.

2-5.3 The Fire Officer I shall describe the lines of authority within the department.

2-5.4 The Fire Officer I shall describe generally duties and responsibilities of each rank category in both line and staff functions.

2-5.5 The Fire Officer I shall describe the chain of command of the fire-ground organization in the authority having jurisdiction.

*2-6 Fire Protection Organizations and Systems.

2-6.1 The Fire Officer I shall demonstrate a knowledge of the public and private national organizations which support the fire protection services, and describe generally the functions of each.

2-6.2 The Fire Officer I shall demonstrate a knowledge of the public and private state organizations which support the fire protection services, and describe generally the functions of each.

2-6.3 The Fire Officer I shall demonstrate a knowledge of the public and private local organizations which support the fire protection services, and describe generally the functions of each.

2-6.4 The Fire Officer I shall demonstrate the procedures for the inspection of stationary fire pumps according to the authority having jurisdiction.

2-6.5 The Fire Officer I shall demonstrate the procedures for the inspection of standpipe systems according to the authority having jurisdiction.

2-6.6 The Fire Officer I shall identify the special extinguishing systems within the authority having jurisdiction and demonstrate the procedures for the inspection of the systems.

*2-6.7 The Fire Officer I shall identify and describe the operating principles of special fixed extinguishing systems, fire detection systems, and special communications systems as found in the area of the authority having jurisdiction.

*2-7 Fire Hazards and Causes.

2-7.1 The Fire Officer I shall describe the fire hazard characteristics of the following materials: (a) Class A materials, (b) Class B materials, (c) Class C materials, (d) Class D materials.

2-7.2 The Fire Officer I shall identify the leading causes of fire as established by NFPA.

2-7.3 The Fire Officer I shall identify the leading causes of fire spread as established by NFPA.

*2-7.4 The Fire Officer I shall identify the common hazards which might be encountered in the following occupancies: (a) public assembly, (b) educational, residential and nonresidential, (c) institutional, (d) residen-

tial, (e) stores and offices, (f) basic industry, (g) manufacturing, (h) storage, (i) special properties.

*2-7.5 The Fire Officer I shall identify the special hazards which might be encountered in the following occupancies: (a) public assembly, (b) educational, residential and nonresidential, (c) institutional, (d) residential, (e) stores and offices, (f) basic industry, (g) manufacturing, (h) storage, (i) special properties.

2-7.6 The Fire Officer I, given an actual or simulated fire inspection report of facilities and areas where flammable liquids are stored, handled, and transported, shall for each given situation: (a) evaluate the reports and identify the hazards that exist, and (b) list recommendations to correct the hazards identified.

2-7.7 The Fire Officer I, given an actual or simulated fire inspection report of facilities and areas where flammable gases are stored, handled, and transported, shall for each situation given: (a) evaluate the reports and identify the hazards that exist, and (b) list recommendations to correct the hazards identified.

2-7.8 The Fire Officer I, given an actual or simulated fire inspection report of facilities and areas where hazardous materials are stored, handled, and transported, shall for each situation given: (a) evaluate the reports and identify the hazards that exist, and (b) list recommendations to correct the hazards identified.

2-7.9 The Fire Officer I shall identify and explain the local, national and international symbols used to designate hazardous materials, and identify the precautions that fire fighters are expected to observe and follow.

2-7.10 The Fire Officer I shall demonstrate knowledge of the color coding required for the various compressed gas cylinders as defined by the American Gas Association.

*2-8 Building Construction.

2-8.1 The Fire Officer I shall identify and define symbols and maps used by the authority having jurisdiction.

2-8.2 The Fire Officer I, given actual or simulated buildings for any of the following occupancies, shall identify the construction features which might contribute to the spread of fire, heat, and smoke throughout the building or from one building to another: (a) public assembly, (b) educational, residential and nonresidential, (c) institutional, (d) residential, (e) stores and offices, (f) basic industry, (g) manufacturing, (h) storage, (i) special properties.

2-8.3 The Fire Officer I shall demonstrate knowledge of the characteristics of basic building materials and their behavior under fire conditions.

*2-9 Codes and Ordinances.

2-9.1 The Fire Officer I shall be able to demonstrate knowledge of the fire prevention codes, building codes and ordinances applicable to fire safety in the authority having jurisdiction.

2-9.2 The Fire Officer I shall demonstrate knowledge of nationally recognized fire prevention codes and building codes.

***2-10 Fire Fighting Strategy and Tactics.**

2-10.1 The Fire Officer I shall identify and describe the factors of size-up which must be considered to determine procedures for control of an emergency situation.

2-10.2 The Fire Officer I, given a simulated fire-ground situation requiring rescue and a list of available resources, shall demonstrate the utilization and coordination of manpower and equipment to complete the rescue operation.

2-10.3 The Fire Officer I, given a simulated fire problem which would require the application of recognized principles of overhaul, shall describe or demonstrate the overhaul procedures necessary.

2-10.4 The Fire Officer I, given a simulated structural fire condition requiring salvage operations, shall describe the salvage operation procedures and techniques necessary.

2-10.5 The Fire Officer I, given a simulated fire-ground situation, shall describe how basic organizational principles would be applied.

2-10.6 The Fire Officer I, given a simulated interior fire situation, shall: (a) describe how fire may extend within the building, and (b) describe how to control the spread of fire within the building.

2-10.7 The Fire Officer I, given a simulated exterior fire situation, shall: (a) evaluate the situation, and (b) describe how to control the spread of fire to keep it from extending to adjacent buildings.

2-10.8 The Fire Officer I shall identify the three types of ventilation procedures and demonstrate the use of each.

2-10.9 The Fire Officer I, given equipment and personnel, shall demonstrate the attack procedures required to control, confine, and extinguish a fire in each of the following simulated situations: (a) structures, (b) flammable liquids, (c) flammable gases, (d) hazardous materials.

2-10.10 The Fire Officer I, given a simulated fireground situation requiring multiple company operations, shall analyze the situation and determine the resources required for control and demonstrate the assignment and placement of the resources.

2-10.11 The Fire Officer I, given an actual or simulated target hazard and all pertinent information, shall develop a prefire plan, which will include the utilization of manpower, equipment and extinguishing agents.

***2-11 Chemistry.**

2-11.1 The Fire Officer I shall define the following terms and demonstrate how each relates to emergency situations: (a) vapor pressure, (b) vapor density, (c) ignition temperature, (d) flash point, (e) flammable limits, (f) specific gravity, (g) boiling point, (h) reactivity, (i) alkalines, (j) acids, (k) oxidizers.

2-11.2 The Fire Officer I shall explain the following as defined by an accepted authority; atom, molecule, ions, atomic and molecular weights, chemical changes, chemical equilibrium, and acids and bases.

***2-12 Safety Practices.**

2-12.1 The Fire Officer I shall identify the most common causes of personal injury to the fire fighter.

2-12.2 Given specific hazards, the Fire Officer I shall develop an accident prevention program applicable to the officer's duty assignment.

2-12.3 Given actual or simulated accident and injury reports, the Fire Officer I shall evaluate the reports and describe appropriate prevention measures.

2-12.4 The Fire Officer I, given rules, regulations, directives, policies and laws regarding safety practices: (a) shall demonstrate procedures required to enforce the safety regulations, and (b) shall demonstrate how to maintain complete and accurate records.

***2-13 Fire Investigation.**

2-13.1 The Fire Officer I, given actual or simulated photographs, diagrams, and/or sketches, shall: (a) determine the area of origin, the point of origin, the cause of the fire, and (b) analyze the value of the structure and contents, the replacement costs and the business loss costs.

2-13.2 The Fire Officer I, given actual or simulated photographs, sketches and/or diagrams where arson is suspected, shall: (a) describe how personnel would be directed to identify and preserve evidence, (b) describe how personnel would properly collect, remove and preserve evidence, and (c) describe the procedures for preliminary interviewing of witnesses and identification of suspects at the fire scene.

2-13.3 The Fire Officer I shall identify the factors to be considered upon arrival on the fire scene which may indicate an incendiary fire.

2-13.4 The Fire Officer I, given an actual or simulated incendiary fire: (a) shall describe the procedures used in identifying incendiary fires, and (b) shall describe the procedures used in locating evidence to indicate arson intent.

2-13.5 The Fire Officer I, given a summary of the methods most generally used by persons setting fires, shall describe how the methods used by arsonists can be detected.

2-13.6 The Fire Officer I, given a summary of the motives for illegally setting fires, shall describe how the motives can be used by an investigator to determine a likely suspect.

2-13.7 The Fire Officer I shall identify which local, regional, and/or State agency may assist in fire investigations.

2-13.8 The Fire Officer I, given a summary of the record system maintained on fire investigations, shall describe how the record system is used and maintained.

Appendix

A-2-2 Leadership—Intent: The Fire Officer I shall understand the basic processes of management and how the officer applies the principles of leadership to fulfill the supervisory function.

A-2-3 Community Relations—Intent: The Fire Officer I shall have an understanding of the forces within the community which affects the group behavior in relation to the fire service. NFPA No. 901.

A-2-4 Fire Prevention—Intent: The Fire Officer I shall understand the fundamental principles, methods, techniques, and procedures of fire prevention administration.

A-2-4.1 NFPA No. 901.

A-2-4.2 NFPA No. 901.

A-2-4.3 NFPA No. 901.

A-2-5 Fire Suppression—Intent: The Officer I shall understand the authority and responsibility of the fire suppression organization.

A-2-6 Fire Protection—Intent: The Fire Officer I shall have knowledge of the public and private fire protection organizations and an understanding of fire protection systems.

A-2-7 Fire Hazards and Causes—Intent: The Fire Officer I shall understand potential hazards, causes, and behavior of fire.

A-2-7.4 NFPA No. 901.

A-2-7.5 NFPA No. 901.

A-2-8 Building Construction—Intent: The Fire Officer I shall have knowledge of the various types of building construction and understand how they relate to the fire protection organizations.

A-2-9 Codes and Ordinances—Intent: The Fire Officer I shall have knowledge of codes and ordinances and understand their effect on the fire protection organization.

A-2-10 Fire Fighting Strategy and Tactics—Intent: The Fire Officer I shall have knowledge of how to utilize manpower and equipment for controlling, confining, and extinguishing fires.

A-2-11 Chemistry—Intent: The Fire Officer I shall understand the principles of chemistry as they relate to fire protection. A transcript of a college-level chemistry course, or the results of a CLEP test, or an equivalent method of testing is acceptable.

A-2-12 Safety Practices—Intent: The Fire Officer I shall understand basic safety principles and how they apply to the fire protection organization.

A-2-12 Fire Investigation—Intent: The Fire Officer I, given an actual or simulated situation, shall have a basic knowledge of fire cause determination.

* * * *

Fire Instructor I and II

Chapter I—Administration

1-1 Scope: These requirements identify the professional levels of competence required of certified fire service instructors.

1-2 Purpose: The purpose of these requirements is to provide minimum qualifications for Fire Service Instructors.

It is not the intent to restrict any jurisdiction from exceeding these minimum requirements.

This shall cover the entrance requirements, and the requirements for two subsequent levels of progression, i.e., Fire Service Instructor I and Fire Service Instructor II.

1-3 General

1-3.1 All of the performance requirements for any level of fire service instructor shall meet the following criteria: They shall be performed with competence. Each objective shall be met in its entirety.

1-3.2 It is not required for the objectives to be mastered in the order they appear in each of the levels of progression. The Commission-approved training program shall establish the instructional priority, and the training program content to prepare individuals to meet the performance objectives as identified herein.

1-3.3 Performance of objectives for qualifications covered herein shall be evaluated and verified by instructors representing the agency approved to teach the course.

1-3.4 When accepted, after fulfilling the entrance requirements, the individual may be called a fire service instructor candidate. The fire service instructor shall meet all the objectives for Fire Service Instructor I before being certified at that level, and before applying for qualification at the next higher level.

1-3.5 The Fire Service Instructor I shall meet all the objectives for Fire Service Instructor II before being certified at that level, and before applying for qualification at the next higher level.

1-3.6 These requirements do not identify the level of skill and knowledge of the fire service instructor in

the subject matter to be taught. Each training agency should select instructors who have appropriate subject matter skill, knowledge and ability.

1-4 Definitions

1-4.1 Instructor Candidate. The person who has made application to become a fire service instructor and has fulfilled the entrance requirements but has not met the objectives for Instructor I.

*1-4.2 Instructor I: Teaching Level. A fire service instructor who has demonstrated the knowledge of and the ability to perform the objectives specified for that level.

*1-4.3 Instructor II: Developmental Level. A fire service instructor who, in addition to meeting the Instructor I qualifications, has demonstrated the knowledge of and the ability to perform the objectives specified for that level.

1-4.4 With Competence. Possessing knowledge, skills, and judgment needed to perform indicated objective satisfactorily.

1-4.5 Demonstrate. To show by actual use. This may be supplemented by, or when actual use is not feasible, replaced by, simulation, explanation, illustration, or by a combination of these.

1-4.6 Identify. To physically select, indicate, or explain verbally or in writing, using standard terms recognized by the fire service.

1-4.7 Objective. A goal that is achieved through the attainment of a skill, knowledge, or both, which can be observed or measured.

1-4.8 Qualified. Having satisfactorily completed the requirements of the objectives.

1-4.9 Describe. To explain verbally or in writing, using standard terms recognized by the fire service.

1-4.10 Commission. Commission on Fire Fighting Personnel Standards and Education.

Chapter II—Entrance Requirements

*2-1 General. The Fire Service Instructor candidate for Instructor I shall be a qualified Fire Fighter III or equivalent, as well as a Fire Apparatus Driver Operator or equivalent, as defined by the Commission. He must have five years or more fire fighting experience in a fire department.

2-2 Physical Requirements. Instructors at each level of progression shall possess the physical ability to perform all tasks associated with his instruction assignment.

Chapter II-A—Required Course Hours

2-A-1 The course approved for teaching Instructor I requirements shall be twenty hours in length.

2-A-2 The course approved for teaching Instructor II requirements, if taught as a separate course from Instructor I, shall be thirty hours in length.

2-A-3 The course approved for teaching Instructor I and II requirements combined shall be forty hours in length.

Chapter III—Instructor I

3-1 General.

3-1.1 The objectives of this chapter are based on the ability of the instructor to demonstrate knowledge and skills in the following general subject areas: (a) the instructor's roles and responsibilities, (b) developing effective study habits, (c) communication, (d) concepts of learning, (e) human relations in the teaching-learning environment, (f) methods of teaching, (g) the use of instructional materials, (h) organizing the learning environment, (i) the lesson plan, (j) the teaching technique, (k) testing and evaluation, (l) performance evaluation, (m) records and reports.

3-1.2 The instructor shall describe the following terms and relate the concepts of these terms to fire service instructional activities: (a) application, (b) assignment sheet, (c) course objectives, (d) course outline, (e) developmental approach, (f) evaluation, (g) feedback, (h) four-step method, (i) grading system, (j) information sheet, (k) informational approach, (l) informational question, (m) instructor order, (n) instructor, (o) job, (p) job sheet, (q) key points, (r) lecture, (s) lesson plan, (t) level of instruction, (u) materials needed, (v) methods, (w) minimum acceptable standard, (x) motivation, (y) occupational analysis, (z) operation, (aa) performance levels, (bb) presentation, (cc) progress chart, (dd) session guide, (ee) student, (ff) student performance objectives, (gg) suggested demonstration, (hh) suggestive questions, (ii) technical lesson plan, (jj) utilization sheet, (kk) visual aids.

3-2 The Instructor's Roles and Responsibilities.

3-2.1 The instructor shall describe the organization in which employed, specifically locating the position of instructor within the table of organization, identifying superiors and describing the instructor's role within the organization.

3-2.2 The instructor shall demonstrate rate knowledge of the diverse responsibilities of a Fire Service Instructor by listing those responsibilities of the following areas as specified by the authority having jurisdiction: (a) the fire service, (b) the administration (the authority having jurisdiction), and (c) the trainee.

3-2.3 The instructor shall describe local Equal Opportunity and Affirmative Action programs as they relate to Fire Service Instructor and shall demonstrate

ability to incorporate into instructional efforts the provisions of those plans.

3-3 Study Habits. The instructor shall demonstrate ability to take notes during an instructional activity in such a manner that they will service as: (a) a basis for review, (b) a source for hard-to-find facts, (c) a device for learning, and (d) a repository of materials not provided in printed form.

3-4 Communication.

3-4.1 The instructor shall demonstrate ability to speak extemporaneously, from notes, and from a prepared lesson outline in an easily understood, conversational manner that has the following characteristics: (a) a pleasing, forceful, and clear voice that is effectively pitched and well-modulated; (b) speech that is reasonably free from language errors, with efforts directed towards correct pronunciation and enunciation; (c) no personal mannerisms that materially detract from the teaching effort.

3-4.2 The instructor shall describe how to listen to a speaker in order to gain the most information from the presentation.

3-5 Concepts of Learning.

3-5.1 The instructor shall explain how the following factors influence the teaching-learning process: (a) the instructor's experience, attitude, knowledge, personal philosophy, teaching ability; (b) the student's personality, attitude, experience, adaptability, education, needs; (c) the instructional material's type, quality, validity; (d) the physical environment (classroom or drill ground).

3-5.2 The instructor shall describe some of the basic laws that govern the learning process. For example: (a) the law of readiness, (b) the law of effect, (c) the law of exercise.

3-5.3 The instructor shall demonstrate knowledge of the learning process by explaining the following statements:

- (a) There is considerable value in involving more than one of the physical senses in the teaching effort.
- (b) There is value in teaching only useful information and skills.
- (c) It is important for an instructor to keep students fully informed of their progress.
- (d) Fatigue and other factors influence a person's ability to learn.
- (e) Motivation plays an extremely important role in learning.

3-6 Human Factors in the Teaching-Learning Environment.

3-6.1 Given a list of characteristics, the instructor shall identify and describe those that typify a: (a) superior instructor, (b) poor instructor.

3-6.2 Given characteristic patterns of behavior, the instructor shall demonstrate ability to manage the following students who disrupt or distract a fire service training class:

- (a) A person who learns quickly with maximum retention and who can perform manipulative skills correctly after a brief training period,
- (b) A person who is generally unable to keep up with the class; he retains little, and is usually unable to perform manipulative skills,
- (c) A person who is constantly inattentive and disinterested,
- (d) A person who engages in horseplay and other activities that distract the attention of the other class members,
- (e) A person who asks irrelevant questions to the detriment of class order,
- (f) A person who is shy, or actually fearful when required to answer questions or perform manipulative skills.

3-7 Methods of Teaching.

The instructor shall describe each of the following methods of teaching, explaining when each method should be used and describing the relative value of each method to a fire service instructional activity: (a) the demonstration method, (b) the illustration method, (c) the lecture method, (d) the discussion method, (e) the conference method.

3-8 Instructional Materials.

3-8.1 The instructor shall demonstrate ability to properly position, make ready, and operate the audio-visual equipment, teaching aids and demonstration devices generally employed in training programs conducted by the authority having jurisdiction, including the following: (a) audio-visual equipment: overhead projector, slide projector, film strip projector, motion picture film projector, portable projection screen, tape recorder, synchronized slide/tape projector, phonograph record player, closed circuit videotape system; (b) projectable instructional materials: transparencies, slides, film strips, motion picture film, videotape; (c) nonprojectable instructional materials: chalkboard, duplicated materials, diagrams, charts, flannel board, photographs, blueprints, models, mock-ups.

3-8.2 Given a list of instructional materials that may be used in teaching a particular skill or particular body of knowledge, the instructor shall be able to list them in order of increasing effectiveness, from the aid which is least effective to the aid which is most effective.

3-8.3 The instructor shall describe the procedure

for acquiring instructional materials specified in the lesson plan as being necessary to the instructional activity.

3-9 Organizing the Learning Environment.

3-9.1 The instructor shall demonstrate the procedure for creating an optimum learning environment by organizing a classroom or other indoor facility with regard to: (a) freedom from distraction, (b) adequate lighting, (c) noise control, (d) heating, cooling, and ventilation, (e) seating, (f) use of audio-visual equipment and teaching aids (g) use of existing classroom facilities such as the chalkboard and bulletin board.

3-9.2 The instructor shall demonstrate the procedure for creating an optimum learning environment by organizing a drillground or other outdoor facility with regard to: (a) audible and visual distractions, (b) note-taking limitations, (c) visual aid limitations, (d) ability for learners to see and hear all of the instructional effort, (e) inclement weather.

3-9.3 The instructor shall describe procedures for securing a classroom or drillground facility following an instructional activity, assuring that the facility is left clean and in good order, and that equipment, supplies and materials have been returned or safely stored.

3-10 The Lesson Plan

3-10.1 The instructor shall describe the procedure for acquiring an approved lesson plan.

3-10.2 The instructor shall demonstrate comprehension of an approved lesson plan by identifying and explaining the following components of the plan: (a) job title or topic, (b) level of instruction, (c) student performance objectives, (d) materials needed, (e) references, (f) motivational step, (g) presentation step, (h) application step, (i) lesson summary, (j) evaluation step, (k) assignment.

3-11 The Teaching Technique

3-11.1 The instructor, given the assignment to teach a fire service subject to fire service personnel, shall demonstrate ability to effect changes in student behavior by utilizing a prepared lesson plan and a technique that employs at least the following four steps: (a) preparation (motivation), (b) presentation, (c) application (d) testing.

3-11.2 Given the following unanticipated situations, the instructor shall describe how the teaching technique may be adjusted to insure minimum time loss, continuity of presentation, and improved trainee interest: (a) interruption of the class by an alarm, an unscheduled work detail, etc., (b) visitors, (c) a significant drop in attendance, (d) lack of student interest in a particular

subject, (e) failure of a guest lecturer to appear as scheduled, (f) failure of an expected visual aid or demonstration device to arrive, (g) failure of audio-visual equipment during the teaching effort, (h) failure of students to perform as planned, (i) inclement weather.

3-12 Testing and Evaluation.

The instructor shall demonstrate the ability to administer and grade oral, written, and manipulative performance tests that may be required for student and lesson evaluation to meet accepted standards developed for minimum levels of performance in all fire service categories, i.e., fire fighter, officer, inspector, instructor, etc., as identified by the Commission.

3-13 Performance Evaluation.

3-13.1 The instructor shall demonstrate the procedure for evaluating self-performance during an instructional activity, using a check list or other approved form.

3-13.2 The instructor shall demonstrate ability to determine from test grades and other evaluative procedures the probable causes for failure of students to meet certain performance objectives, such as lesson plan deficiency, lack of instructional materials, deficient testing procedures, invalid tests, problems with class discipline, and substandard instructor or student performance; the instructor shall describe the procedure for submitting a report on deficiencies to higher authority.

3-13.3 The instructor shall demonstrate procedures for reducing student failure rates by the following methods: (a) Counseling a student to produce attitudinal changes that will bring about improved performance. (b) Tutoring a student to improve technical knowledge. (c) Providing individual instruction so that a student can perform required manipulative skills.

3-14 Training Records and Reports.

The instructor shall identify training record and report forms employed in instructional activities, such as student registration forms, attendance reports, facility utilization reports, instructor time cards, grade summaries, evaluation forms, etc.; the instructor shall also demonstrate the procedure for completing such forms and describe the policy for submitting the records and reports to higher authority.

Chapter IV—Instructor II

4-1 General. The objectives of this chapter are based on the ability of the instructor to demonstrate knowledge and skills in the following general subject areas: (a) basic library sciences, (b) analyzing fire service occupations, (c) writing lesson objectives (student per-

formance objectives), (d) principles of technical writing, (e) preparation of basic instructional materials, (f) techniques of testing and evaluation, (g) public relations and community education, (h) basic psychology.

4-2 References. The instructor shall identify sources where reference materials required for the development of a fire service lesson plan may be obtained.

*4-3 Occupational Analysis. The instructor shall demonstrate ability to analyze a typical fire service occupation by dividing the occupation into the following elements: (a) block, (b) unit, (c) task, (d) job, (e) key points, (f) operations.

4-4 Lesson Objectives. The instructor shall demonstrate ability to develop measurable, attainable behavioral objectives (student performance objectives) that have three major components: (a) what performance is expected, (b) how the performance is to be accomplished, (c) to what standard the performance is to be accomplished.

4-5 Lesson Plan Development. Given a fire service subject for which no prepared lesson plan exists, the instructor shall demonstrate the ability to analyze the subject, determine the appropriate objectives for the subject, and develop a comprehensive lesson plan which meets the objectives for that subject and includes the following components: (a) job title or topic, (b) level of instruction, (c) student performance objectives, (d) materials needed, (e) references, (f) motivational step (preparation), (g) presentation step, (h) application step, (i) lesson summary, (j) evaluation step, (k) assignment.

4-6 Instructional Materials Development. The instructor shall prepare instructional materials having analyzed the need for such materials and determined which are appropriate. (a) Projectable instructional materials: overhead transparencies, slides, and film strips. (b) Nonprojectable instructional materials: diagrams, charts, flannel board components, photographs, blueprints, models, and mock-ups. (c) Printed materials: text segments, student worksheets, and information sheets.

4-7 Evaluation.

4-7.1 Given lesson plans for which there are no prepared means for evaluating student knowledge or performance, the instructor shall demonstrate the ability to develop a written examination, an oral examination, and a manipulative performance test, all of which meet the following requirements: (a) validity, (b) reliability, (c) comprehensiveness, (d) discrimination, (e) with understandable directions, (f) free from ambiguities in administration and grading.

*4-7.2 The instructor shall demonstrate knowledge of Equal Employment Opportunity Commission Guidelines for employee selection and testing.

4-8 Training Records and Reports.

4-8.1 Demonstrate the ability to prepare training reports and records required by the authority having jurisdiction.

4-8.2 Demonstrate the ability to develop suitable training records and report documents in the absence of established reporting forms or procedures.

4-9 Personnel Management. The instructor shall demonstrate knowledge of basic personnel management practices as they apply to the instructor's responsibility for supervising subordinates, including, but not limited to, personnel rating procedures.

Appendix

A-1-4.2 Given a lesson plan and supporting aids, the Instructor I conducts individual lessons on assigned topics.

A-1-4.3 Given course objectives, the Instructor II develops lesson plans and supporting aids packages for the Instructor I, and may conduct lessons or courses.

A-4-3 Explanation of Terms.

Block—A division of the occupational analysis consisting of a group of related tasks with some one factor in common.

Unit—A division of a block consisting of an organized grouping of tasks within that block.

Task—A job or combination of jobs requiring the teaching and learning of sensorimotor skills and technical information to meet occupational requirements.

Job—An organized segment of instruction designed to develop sensorimotor skills or technical knowledge.

Key points—Factors that condition or influence operations; also, information that must be known to perform the operations in a job.

Operation—One step in performing a job. Operations are listed in the order in which they are done.

A-4-7.2 Title 29 Labor, Chapter XIV, Equal Employment Opportunity Commission, Part 1607, Guidelines on Employee Selection Procedures.

Jimmy Chapman, Executive Director
Commission on Fire Fighting Personnel
Standards and Education

RULES

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

The Louisiana Department of Health and Human Resources, Office of Health Services and Environmental Quality, has adopted the following amendments to the rules and regulations for chemical test for intoxication pertaining to breath, blood and urine analysis methods and techniques pursuant to R.S. 32:663. These amendments supplement the original rules which were published in the Louisiana Register, Volume 1, Number 12 on December 20, 1975. These amendments become effective January 1, 1977.

I. Amend Section 4.B. as published on page 563, column 2 of Volume 1, Number 12, December 20, 1975, Louisiana Register by adding the following subsections:

7. Breath specimens collected for analysis should be substantially in equilibrium with pulmonary arterial blood, with respect to alcohol. That is, it should be essentially alveolar in composition.

8. Procedures for breath control analysis for the indirect determination of the blood alcohol concentration should include the following controls in conjunction with the testing of each subject:

A. Continuous observation of the subject for at least fifteen minutes prior to collection of the breath specimen, during which period the subject must not have ingested alcohol, regurgitated or vomited.

B. A system blank analysis.

9. Results of analyses of breath for alcohol shall be expressed in terms of percent W/V (grams per deciliter) that is, grams of alcohol per 100 milliliters of blood, rounded downward to the second decimal place; for example 0.237 g/dl found should be reported as 0.23 g/dl or 0.23 percent.

10. The quantity of breath analyzed for its alcohol content shall be established only by direct volumetric measurement, or by collection and analysis of a fixed breath volume at constant known temperature.

II. Amend Section 10.A.1., page 565, column 1, by

deleting the words "(See Exhibit L)" and inserting the words "(See for example Exhibit L);" and amend Section 10.A.2., page 565, column 1, by deleting the words "(See Exhibit M)" and inserting the words "(See for example Exhibit M)." Amend Section 10.B. by deleting the words "(See Exhibit N)" and inserting the words "(See for example Exhibit N)," page 565, column 2.

III. Amend Section 10, page 565, column 2, by adding paragraph D. following paragraph C. to read as follows:

D. 1. Procedures shall include the following controls in conjunction with each batch of samples analyzed:

A. A system blank analysis.

B. Analysis of a suitable reference or control blood sample of known alcohol content within the range of 0.01 to 0.30 g/dl; the result of which analysis must coincide with the known blood alcohol value of the reference specimen within ± 0.01 g/dl if validity is to be assigned to the results for the batch analyzed.

2. Replicate analyses shall be performed in order to minimize the possibility of undetected errors.

3. Results shall be expressed in terms of percent W/V (grams per deciliter) that is, grams of alcohol per 100 milliliters of blood, rounded downward to the second decimal place; for example 0.237 g/dl found shall be reported as 0.23 g/dl or 0.23 percent.

4. Analytical procedures for determining alcohol in blood shall meet the following performance requirements:

A. The accuracy and sensitivity of the procedure shall be such as consistently to attain results within ± 0.01 g/dl of the known value over the range of 0.00 to 0.30 g/dl in analyses of appropriate reference materials of known ethyl alcohol concentration.

B. The precision of the procedure shall be such as consistently to attain a standard deviation not greater than ± 0.003 g/dl in replicate analyses.

C. The blank values yielded by the procedure in analyses of alcohol-free blood specimens consistently shall be not greater than 0.01 g/dl.

D. The specificity of the procedure shall be adequate and appropriate for the analysis of biological specimens for the determination of the blood alcohol concentration in traffic law enforcement and highway crash investigations:

(1) Procedures for the analysis of biological specimens from living subjects shall respond only to ethyl alcohol and the other lower aliphatic alcohols and should not be susceptible to significant unrecognized interference by other substances.

(2) Procedures for the analysis of post-mortem biological specimens shall

respond only to ethyl alcohol and shall not be susceptible to significant unrecognized interference by other substances.

IV. Amend Section 11, page 565, column 2, by deleting the figure "4900" and inserting the figure "4990" in lieu thereof.

V. Amend the rules by adding a new Section 12 to read as follows:

12. Because of various problems in the interpretation of the results of analysis of urine for alcohol which cannot be readily overcome in law enforcement practice, urine analysis to determine equivalent alcohol concentration in blood is discouraged. Chemical tests of blood or breath are preferred.

VI. Amend the rules by deleting Exhibit A on pages 565 and 566 of December 20, 1975, Louisiana Register and inserting the following revised Exhibit A:

PHOTO-ELECTRIC INTOXIMETER CHECK LIST

Subject Tested _____ Drivers License No. _____
Date of Birth _____ Race _____ Sex _____ Ampul Lot No. _____
Operator _____ Date _____ Time* _____
Witness _____ Certification Tag No. _____
Arresting Agency _____ Testing Agency _____
Machine Location _____ Machine No. _____

FIRST SECTION: CALIBRATION CHECK

1. Both power switches on . Galvanometer mechanically zeroed .
2. Standard ampul of 0.000 g% value removed from case, wiped clean, shaken and placed in sample well. Scale set at zero. Button depressed and needle brought to center by means of KNOB K4. .
3. Standard ampul of _____ g% value removed from case, wiped clean, shaken and placed in sample well. Standard ampul read: _____ g%.

SECOND SECTION: PREPARATION OF INSTRUMENT

- 4. Temperature in green area (105-110° F or 40.5-43.3° C)
- 5. Sampling assembly mounted on vent and valve to Position I
- 6. With scale set at 0.000 g% and REFERENCE ampul in sample well, button was depressed and needle brought to center by means of KNOB K4 .
- 7. Stock ampul gauged, opened, wiped clean and placed in sample well.
- 8. Stock ampul read: _____g% (zero correction; note plus or minus limits: + .010 to -.010)
- 9. New and clean bubbler tube attached and inserted into ampul. New and clean mouthpiece attached to sampling assembly.

THIRD SECTION: SYSTEMS BLANK

- 10. Valve to POSITION IV ; rod down
- 11. Ampul read (bubbler partly withdrawn): _____g% (Final correction). (Note plus or minus limits: +.010 to -.020)

FOURTH SECTION: SAMPLE COLLECTION

- 12. Shifted sampling assembly to take sample, bubbler tube reinserted, valve to POSITION III .
- 13. Subject under observation 20 minutes and nothing taken by mouth .
- 14. Breath sample was obtained according to operating instructions and the accepted sample met the following requirements: A deflated waste bag was used . Sequence: waste bag filled ; indicator rod rose steadily ; rod fully up when valve was turned to POSITION IV . (record time in space above, end of line 3*).

FIFTH SECTION: ALCOHOL DETERMINATION

- 15. Rod down . Bubbler tube removed and discarded .
- 16. At this point the instrument was flushed by turning valve to POSITION I to fill the cylinder ; then to POSITION II to discharge cylinder through sampling assembly ; then back to POSITION I to fill cylinder ; then to POSITION IV to flush delivery tube .
- 17. First reading of ampul: _____g%.
- 18. Scale zero checked with REFERENCE ampul (same as Item 6) . If it has changed, reset with KNOB K4. Re-read the test ampul 3-5 minutes after Item 15. Second reading of ampul _____g%.
- 19. Power switches off and sampling assembly stored . Ampul discarded .

RESULTS:

_____ g%

Second reading of ampul (Item 18): _____ g%
Final correction (Item 11): _____ g%
BLOOD ALCOHOL CONCENTRATION: _____ g%

DPSSP 4616 (6/76)

William H. Stewart, M.D., Secretary
Department of Health and
Human Resources

RULES

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

**Amendments to Chapter V of the
State Sanitary Code**

(Editor's Note: The Secretary, Department of Health and Human Resources, has adopted the following amendments to Chapter V of the State Sanitary Code to become effective January 1, 1977.)

5.A.4 Milk. Milk is hereby defined to be the lacteal secretion obtained by the complete milking of one or more healthy cows, excluding that obtained within fifteen days before and five days after calving, or such longer periods as may be necessary to render the milk practically colostrum free, which contains not less than 8.25 percent of milk solids-not-fat and not less than 3.25 percent of milk fat, provided that the finished product packaged in its final container and intended for human consumption shall contain not less than 3.5 percent of milk fat.

* * * *

5.A.14 Low Fat Milk. Low fat milk is milk from which a sufficient portion of milk fat has been removed to reduce its milk fat content to not less than 0.5 percent or not more than 2 percent.

* * * *

5.A.18 Sterilized Milk. Sterilized milk is hereby defined to be whole fluid milk which has been heated to such a temperature as to render it free of living organisms. Said product may or may not require refrigeration in order to maintain its original quality. Said product shall contain not less than 8.25 percent of milk solids-not-fat and not less than 3.5 percent of milk fat.

* * * *

5.A.23.2 Reene is a filled milk containing at least 3.5 percent of edible fat or oil, other than milk fat, and which also contains not less than 8.25 percent of milk solids-not-fat. It shall contain at least 400 U.S.P. units of Vitamin D and 1,500 I.U. of Vitamin A per quart. Harmless stabilizers and/or emulsifiers may be added.

5.A.23.3 Lo-reene is filled milk containing not less than 0.5 percent nor more than 2 percent of edible fat or oil, other than milk fat, and which also contains not less than 8.25 percent of milk solids-not-fat. It shall contain at least 400 U.S.P. units of Vitamin D and 1,500 I.U. of Vitamin A per quart. Harmless stabilizers and/or emulsifiers may be added.

5.A.23.4 Hi-lyte is a filled milk made in semblance of, and resembles in taste, milk or a milk product. It shall contain at least 3.5 percent edible fat or oil, other than milk fat, not less than 8.25 percent of solids-not-fat (composed of any derivative of milk, including any caseinate product, and solids-not-fat from sources other than milk). It shall contain at least 400 U.S.P. units of Vitamin D and 1,500 I.U. of Vitamin A per quart. Harmless stabilizers and/or emulsifiers may be added.

5.A.23.5 Lo-lyte is a filled milk made in semblance of, and resembles in taste, milk or a milk product. It shall contain not less than 0.5 percent nor more than 2 percent of edible fat or oil, other than milk fat, not less than 8.25 percent of solids-not-fat (composed of any derivative of milk, including any caseinate product, and solids-not-fat from sources other than milk). It shall contain at least 400 U.S.P. units of Vitamin D and 1,500 I.U. of Vitamin A per quart. Harmless stabilizers and/or emulsifiers may be added.

* * * *

5.A.23.7 Vegatine is an imitation milk made in semblance of, and resembles in taste, milk or a milk product. It contains no milk fat nor milk solids. It shall contain at least 3.25 percent edible fat or oil, other than milk fat, and shall also contain solids-not-fat from sources other than milk. It shall contain at least 400 U.S.P. units of Vitamin D and 1,500 I.U. of Vitamin A per quart. Harmless stabilizers and/or emulsifiers may be added.

5.A.23.8 Lo-veg is an imitation milk made in semblance of, and resembles in taste, milk or a milk product. It contains no milk fat nor milk solids. It shall contain less than 0.5 percent nor more than 2 percent of edible fat or oil, other than milk fat, and shall also contain not less than 8.25 percent of solids-not-fat from sources other than milk. It shall contain at least 400 U.S.P. units of Vitamin D and 1,500 I.U. of Vitamin A per quart. Harmless stabilizers and/or emulsifiers may be added.

5.A.23.9 Yogurt is a cultured product made from whole milk which may be cultured by a combination of several strains of bacteria, but primarily with lacto-

bacillus bulgaricus and *streptococcus thermophilus*. It shall have a butterfat content of not less than 3.5 percent. Yogurt with added fruits and/or other approved optional ingredients may have a butterfat content reduced in proportion to the fruits and/or optional ingredients added, provided that it shall not be less than 2 percent. All yogurts, other than plain, shall contain not less than 8 percent by weight of fruits or berries and in the case of citrus fruits not less than 2 percent by weight. The use of artificial flavors as the sole flavoring agent is prohibited.

* * * *

5.D.1 Labeling. All bottles, bottle caps, cans, packages, cartons or other containers enclosing milk or any milk product defined in these regulations shall be plainly labeled or marked in accordance with the requirements of the Fair Packaging and Labeling Act.

* * * *

5.G.10 Grade A Raw Milk for Pasteurization. Grade A raw milk for pasteurization is raw milk produced on dairy farms conforming with all the articles of sanitation in these regulations and the bacterial plate count or the direct microscopic clump count of which as delivered from the farm, does not exceed 100,000 per milliliter, as determined in accordance with Articles 5.A.33 and 5.G.1 through 5.G.6. At no time prior to pasteurization shall the bacterial count exceed 300,000 per milliliter.

Grade A Raw Milk for Pasteurization

Temperature. Cooled to 45°F or below and maintained thereat until processed.
 Bacterial limits Individual producer milk not to exceed 100,000 per milliliter prior to commingling with other producer milk. Not exceeding 300,000 per milliliter as commingled milk prior to pasteurization.
 Antibiotics. No detectable antibiotic residues.

* * * *

5.G.13 Grade A Pasteurized Milk. Grade A pasteurized milk is Grade A raw milk for pasteurization which has been pasteurized, cooled and placed in the final container in a milk plant conforming with all of the articles of sanitation in these regulations, which in all cases shows efficient pasteurization as evidenced by satisfactory phosphatase test and which at no time after

pasteurization and until delivery has a bacterial plant count exceeding 20,000 per milliliter or a coliform count exceeding 10 per milliliter in more than one of the last four samples.

Grade A Pasteurized Milk and Milk Products

Temperature. Cooled to 45°F or below and maintained thereat.
 Bacterial limits Milk and milk products 20,000 per milliliter.
 Coliform limits Not exceeding 10 per milliliter.
 Phosphatase Less than 1 ug per milliliter by Charer Rapid Method (or equivalent by other means).

* * * *

5.H.9 Sale of Warm Milk. It shall be unlawful for any hotel, soda fountain, restaurant, grocery or similar establishment to sell or serve any milk or milk products which have not been maintained, while in its possession, at a temperature of 45°F or less.

William H. Stewart, M.D., Secretary
 Department of Health and
 Human Resources

RULES

Plumbing Board

(Editor's Note: The following rule was adopted by the State Plumbing Board of Louisiana on November 18, 1976, to become effective January 1, 1977.)

A statute of limitation of four years on nonrenewals of Louisiana State journeyman plumber licenses has been set by the Board, effective January 1, 1977. This means that effective January 1, 1977, if a journeyman plumber fails to renew his license for four or more consecutive years, he shall be required, upon making reapplication, to be reexamined according to the rules and regulations of the Board before a new license can be issued.

Lee Roy Gypin, President
 State Plumbing Board

RULES

Racing Commission LAC 11-6:1 Definitions

(Editor's Note: The Rules of the Louisiana Racing Commission have been completely reorganized and revised. Also, they have been renumbered according to the system which will be used in the Louisiana Administrative Code. When completed, the Code will permit a uniform citation method for all administrative regulations. Each of the principal departments of State government will be assigned a title number. The title number of the Department of Commerce, of which the Racing Commission is a part, is 11. Each rule-making unit within a principal department will have its own numerical identifier. The number assigned to the Racing Commission is 6. Similarly, each rule adopted by the Commission has a number. Thus, a citation of LAC 11-6:30 will direct you to the Commission's rule on pari-mutuel wagering. To go a step further, LAC 11-6:30.22 will tell you what happens to your bet if the lights go out in the middle of a night race. This system of using a title number, followed by a hyphen and a second number to identify the rule-making agency, followed by a colon and a third number to mark the general subject matter of the rule, followed by a period and a fourth number to indicate a particular subject will be applied to the rules of every Executive Branch department as work on the Louisiana Administrative Code progresses.)

S. 1.1 The following words and phrases, irrespective of literal meaning as defined in recognized dictionaries, have assumed special meanings and connotations as used in racing, and in the context of these rules shall be construed as having the following special meanings:

S. 1.2 Accredited Louisiana Bred: A Thoroughbred, Quarter Horse, or Appaloosa Horse foaled in Louisiana in conformity with the respective breed or breeders association and recognized by the Commission.

S. 1.3 Added Money: Cash, exclusive of trophy or other award, added by the association to stakes fees paid by subscribers to form the total purse for a stakes race.

S. 1.4 Age: The number of years since a horse was foaled, reckoned as if such horse were foaled on January 1 of the year in which such horse was foaled.

S. 1.5 Arrears: All sums due by a licensee as reflected by his account with the horsemen's bookkeeper, including subscriptions, jockeys' fees, forfeitures, and any default incident to these rules.

S. 1.6 Association: Any person, or persons, or legal

entity, required to be licensed under the Louisiana State Racing Commission to conduct a race meeting, and when used herein, the association conducting a race meeting where such rules is applicable.

S. 1.7 Authorized Agent: Any person currently licensed as an agent for a licensed owner principal by virtue of notarized appointment of agency lodged with the Commission.

S. 1.8 Betting interest: A single horse, or more than one horse joined in the "mutuel field," on which a single pari-mutuel wager may be placed.

S. 1.9 Bleeder: Any horse known to have bled from its nostrils during a workout or race.

S. 1.10 Breeder: Rules as set forth by the Jockey Club of New York, American Quarter Horse Association, or Appaloosa Horse Club, Inc.

S. 1.11 Claiming Race: Any race in which every horse running therein may be transferred in conformity with these rules.

S. 1.12 Closing: Time published by the association after which entries or nominations for a race will not be accepted.

S. 1.13 Commission: The Louisiana State Racing Commission. "Commissioner" is a member of the Commission.

S. 1.14 Day: Any twenty-four hour period beginning at 12:01 a.m. and ending at midnight. "Racing day" is a day on which races are conducted. "Calendar days" are those consecutive days counted irrespective of number of racing days.

S. 1.15 Declaration: Withdrawal of a horse entered in a race prior to time of closing of entries therefor in conformance with these rules.

S. 1.16 Disciplinary Action: Action taken by the stewards or the Commission for a rule violation which can include suspension, revocation, voidance of a license, or ejection or exclusion from association grounds, or assessment of a forfeiture, or reprimand, or any combination thereof.

S. 1.17 Disqualification: An order of the stewards or Commission revising the order of finish of a race.

S. 1.18 Entry: The act of nominating a horse for a race in conformance with these rules. See "mutuel entry."

S. 1.19 Equipment: Accouterments other than ordinary saddle, girth, pad, saddle cloth, and bridle carried by a horse, and includes whip, blinkers, tongue strap, muzzle, hood noseband, bit, shadow roll, martingale, breast plate, bandages, boots, and racing plates or shoes.

S. 1.20 Exhibition Race: A race between horses of diverse ownership for which a purse is offered by the association, but on which no pari-mutuel wagering is permitted.

S. 1.21 Field, or Mutuel Field: A single betting interest involving more than one horse formed when the number of horses starting in a race exceeds the numbering capacity of the totalizator. The highest numbered horse

within the numbering capacity of the totalizator and all horses of a higher number are grouped in the mutuel field.

S. 1.22 Forfeit: Money due by a licensee because of an error, fault, neglect of duty, breach of contract, or alternative order of the stewards or Commission.

S. 1.23 Handbook or Foreign Book: Bets taken illegally outside the pari-mutuel system.

S. 1.24 Handicap Race: A race in which the weights to be carried by the horses therein are assigned by the association handicapper with the intent of equalizing the chances of winning for all horses entered. A "free handicap" is a handicap for which no nominating fee is required to be weighted, but an entrance or starting fee may be required for starting therein.

S. 1.25 Horse: Any Thoroughbred, Quarter Horse, or Appaloosa horse registered as such and when used in these rules to designate any Thoroughbred, Quarter Horse, or Appaloosa irrespective of age or sex designation.

S. 1.26 Ineligible: A horse or person not qualified under these rules or conditions of a race to participate in a specified racing activity.

S. 1.27 Jockey: A rider currently licensed to ride in races as a jockey, or apprentice jockey, or a provisional jockey permitted by the stewards to ride in two races prior to being issued a license.

S. 1.28 Lessee: A licensed owner whose interest in a horse is by virtue of a written lease.

S. 1.29 Lessor: Owner of a horse that is leased.

S. 1.30 Licensee: Any person or association that has been duly issued a currently valid license to conduct or participate in racing in this state.

S. 1.31 Maiden: A horse which has never won a race on the flat at a recognized meeting in any country. A maiden which was disqualified after finishing first remains a maiden. Race conditions referring to maidens shall be interpreted as meaning maidens at the time of starting.

S. 1.32 Match Race: A race between two horses, for which no other horses are eligible.

S. 1.33 Meeting (Race Meeting): The entire period of consecutive days granted by the Commission to a licensed association for the conduct of racing.

S. 1.34 Month: A calendar month.

S. 1.35 Mutuel Entry: A single betting interest involving two or more horses entered in the same race and joined for pari-mutuel purposes because of common ties as to ownership or training so that a wager on one horse joined in a mutuel entry is a wager on all horses joined in the same mutuel entry.

S. 1.36 Mutuel Field: See "field."

S. 1.37 Nominator: The person in whose name a horse is entered for a race.

S. 1.38 Optional Claiming Race: A race that is restricted to horses entered to be claimed for a stated price and to

those which have started previously for that claiming price or less. In the case of horses entered to be claimed in such a race, the race shall be considered, for the purpose of these rules, a claiming race. In the case of horses not entered to be claimed, the race shall be considered an allowance race.

S. 1.39 Overnight Race: A race for which entries close seventy-two hours or less before the time set for the first race of the day on which such race is to be run.

S. 1.40 Owner: Any person who has, in whole or in part, any right, title, or interest in a horse, or any lessee of a horse, who has been duly issued a valid owner's license for a horse.

S. 1.41 Permittee: Any person, partnership, corporation, or business entity which receives a license, permit, or privilege from the Commission to engage in a business, occupation, or profession on the grounds of an association licensed to conduct a race meeting in Louisiana.

S. 1.42 Place: When used in the context of a single position in the order of finish in a race, "place" means second; when used in the context of pari-mutuel wagering, a place wager is one involving a payoff on a betting interest which finished first or second in a race; when used in the context of multiple positions in the order of finish in a race, "place or placing" means finishing first, second or third. See "unplaced."

S. 1.43 Post: The starting point of a race.

S. 1.44 Post Position: The relative place assigned to each horse, numbered from the inner rail across the track at the starting line, from which each horse is to start a race.

S. 1.45 Post Time: The advertised moment scheduled for the arrival of all horses as the starting point for a race.

S. 1.46 Prize: The combined total of any cash, premium, trophy, and object of value awarded to the owners of horses according to finish in a race.

S. 1.47 Purse: The gross cash portion of the prize for which a race is run.

S. 1.48 Purse Race: Any race for which entries close less than seventy-two hours prior to its running, and for which owners of horses entered are not required by its conditions to contribute money toward its purse.

S. 1.49 Race: A running contest between Thoroughbred, Quarter Horses, or Appaloosa horses, ridden by jockeys, over a prescribed course free of obstacles or jumps, at a recognized meeting, during regular racing hours, for a prize.

S. 1.50 Racing Official: One of the officials of a race meeting as follows: stewards, placing judges, patrol judges, clerk of scales, starter, handicapper, timer, paddock judge, the racing secretary.

S. 1.51 Racing Permit: A license granted by the Louisiana State Racing Commission to a qualified person or persons, associations or corporations, to conduct the

business of horse racing in the State of Louisiana with pari-mutuel wagering thereon.

S. 1.52 Recognized Meeting: Any meeting with regularly scheduled races for Thoroughbreds, Quarter Horses, or Appaloosa horses on the flat, licensed by and conducted under rules promulgated by a governmental regulatory body, to include foreign countries which are regulated by a racing authority which has reciprocal relations with the Jockey Club of New York, American Quarter Horse Association, or the Appaloosa Horse Club, Inc., and whose race records can be provided an association by the Jockey Club of New York, the American Quarter Horse Association, or the Appaloosa Horse Club, Inc.

S. 1.53 Registration Certificate: A document issued by the Jockey Club of New York, the American Quarter Horse Association in Amarillo, Texas, or the Appaloosa Horse Club, Inc. in Moscow, Idaho, certifying as to the name, age, color, sex, pedigree, and breeder of a horse as registered by number with the Jockey Club of New York, the American Quarter Horse Association, or the Appaloosa Horse Club, Inc. It shall be deemed to refer also to the document known as a "racing permit" issued by the Jockey Club of New York, the American Quarter Horse Association or the Appaloosa Horse Club, Inc. in lieu of a registration certificate when a horse is recognized as a Thoroughbred, Quarter Horse, or Appaloosa for breeding purposes insofar as registering its progeny with the Jockey Club of New York, the American Quarter Horse Association, or the Appaloosa Horse Club, Inc.

S. 1.54 Ruled Off: Expulsion, exclusion or banishment from a racing premises.

S. 1.55 Rules: When used in the plural, shall be deemed to mean all current rules promulgated by the Commission. When used in the singular, shall be deemed to be confined to the numbered rule, and subparagraphs thereof, wherein such mention is made.

S. 1.56 Rulings: All determinations, decisions, or orders of the stewards or of the Commission duly issued in writing and posted.

S. 1.57 Scratch: Withdrawal of a horse entered for a race after time of closing of entries therefor in conformance with these rules.

S. 1.58 Scratch Time: Time set by the racing secretary as the deadline for a horseman to indicate his intent to scratch out of a race.

S. 1.59 Secretary (Racing): The person duly appointed, approved and serving as such, and/or handicapper, for a race meeting.

S. 1.60 Specimen: Sample of blood, urine, saliva, or other excretion of bodily fluids taken or drawn from a horse for chemical testing.

S. 1.61 Stable: One or more horses under the jurisdiction of a single trainer.

S. 1.62 Stakes: All fees paid by subscribers to an added

money or stakes race for nominating, eligibility, entrance, or starting, as may be required by the conditions of such race, such fees to be included in the purse.

S. 1.63 Stakes Race: A race which closes more than seventy-two hours in advance of its running and for which subscribers contribute money towards its purse.

S. 1.64 Stewards: Duly appointed racing officials with powers and duties serving at a current meeting in this state.

S. 1.65 Starter: A horse in a race when the starting gate doors open in front of it at the moment the starter dispatches the horses for a race.

S. 1.66 Subscription: Nomination or entry of a horse in a stakes race.

S. 1.67 Supplemental Purse: Any amount of money above the amount of the purse offered by an association shall be considered supplemental purse money.

S. 1.68 Thoroughbred, Quarter Horse, and Appaloosa Horse Racing: The conduct of running contests between horses, each of which is registered with the Jockey Club of New York, the American Quarter Horse Association in Amarillo, Texas, or the Appaloosa Horse Club, Inc. in Moscow, Idaho, and certified as having a Thoroughbred, Quarter Horse, or Appaloosa pedigree, and each of which is ridden by a jockey, such conduct being licensed by a governmental regulatory body.

S. 1.69 Trial: A race, or series of races, run in preparation for, preliminary to, or as an elimination for a future stakes, derby, or handicap.

S. 1.70 Unplaced: Not among the first three horses finishing a race.

S. 1.71 Walkover: A race in which the only starter, or all starters, represent single ownership.

S. 1.72 Weigh In: Presentation of a jockey to the clerk of scales for weighing after a race.

S. 1.73 Weigh Out: Presentation of a jockey to the clerk of scales for weighing prior to a race.

S. 1.74 Weight for Age: A standard assignment of pounds to be carried by horses in races at specified distances during specified months of the year, scaled according to age of the horse as set out in R.S. 4:156.

S. 1.75 Workout: A training exercise of a horse on the training track or main track of an association during which such horse is timed for speed over a specified distance.

S. 1.76 Year: Twelve consecutive months beginning with January and ending with December.

LAC 11-6:2 General Rules

S. 2.1 All owners and trainers of horses and their stable employees are subject to the laws of Louisiana and the rules promulgated by its Commission immediately upon acceptance and occupancy of stabling accommodation from, or approved by, an association. Owners, trainers, and stable employees shall accept the decision of the

stewards on any and all questions to which their authority extends, subject to their right of appeal to the Commission.

S. 2.2 No person shall use improper, profane, or indecent language to a racing official. No person shall in any manner, or at any time, disturb the peace or make himself obnoxious on the grounds of an association. No person shall make a handbook or a foreign book on the grounds of an association. No person shall solicit for, or bet with, a handbook or a foreign book on the grounds of an association. No person shall be allowed in the stewards' stand unless previous permission is obtained from the stewards. If any owner, trainer, jockey, stable employee, or other personnel solicits bets from the public by correspondence or other methods, they shall be ruled off.

S. 2.3 When a person is ruled off a course or suspended, every horse owned in whole or in part by him, or under his care or supervision, shall be ineligible to be entered to start unless transferred by a bona fide lease to a person in good standing and approved by the stewards.

S. 2.4 Complaints against a racing official, other than a steward, shall be made to the stewards in writing and be signed by the complainant. Complaints against a steward shall be made in writing to the Commission and be signed by the complainant.

S. 2.5 All persons exercising or schooling horses are compelled to wear protective helmets recommended by the stewards and approved by the Commission. This shall apply to association out-riders and pony riders in post parade. Anyone failing to comply with this requirement may be fined or suspended.

S. 2.6 Any horseman, or licensed personnel, or their agents causing, creating, or lending to the incitement of a strike, or who, through compulsion, discourage any horseman from entering horses in regularly scheduled races in order to create a malfunction in the scheduling of a race program, or to harass or embarrass the Commission, track management or any agency connected with racing shall be called before the Commission to show cause why their license should not be revoked.

S. 2.7 No dog, licensed or unlicensed, shall be permitted to run or be at large upon any race grounds of an association licensed by this Commission. Each owner or keeper of a dog shall have such dog securely confined within his premises or enclosure, or secured by a chain therein, at all times, except that a dog may be allowed outside of such enclosure if under a secure leash and accompanied by his owner or keeper. Any owner or keeper found guilty of violating this rule shall be fined not less than twenty-five dollars, first offense; fifty dollars, second offense; and may be ruled off the track for any subsequent offense. In cases where the rules of the association prohibit dogs, the rule will be strictly enforced.

S. 3.1 All rules set forth by the Livestock Sanitary Board of the State of Louisiana will be strictly enforced.

S. 3.2 No horse will be allowed at the track, or entered, or permitted to start unless a current, valid health certificate covering the horse is on file with the racing secretary.

S. 3.3 A health certificate is valid when it is made by an accredited veterinarian licensed by the State authority which governs licensing veterinarians in the state where the examination and certificate were made. It is current if it is dated not more than ten days prior to the date the horse described on the certificate arrives at a licensed Louisiana race track for the first time in a calendar year. The certificate shall include the temperature of the horse at the time he was examined.

S. 3.4 The association putting on a meet is responsible for compliance with this section.

S. 3.5 When a meet is in progress or imminent, the association veterinarian shall post in a conspicuous place rules guaranteeing approved, systematic, and effective measures to control flies, mosquitoes, and other insects at all times.

S. 3.6 The association veterinarian shall insure that horses are stabled in individual box stalls with separate feeding and watering facilities, and that the stables and immediate surrounding area are maintained in approved sanitary condition at all times, and that satisfactory drainage is provided, and that manure and other refuse is promptly and properly removed. This also applies to off-track facilities.

S. 3.7 Veterinarians practicing veterinary medicine on a race track where a race meeting is in progress, or imminent, shall use one-time, disposable type needles and shall dispose of them in a approved manner.

S. 3.8 No one other than a licensed veterinarian may have a needle or syringe of any kind, type or description on his person or in his custody, control or possession, or in the custody, control or possession of any of his employees.

S. 3.9 Paddocks, starting gates and other equipment subjected to contact by different animals must be kept in a clean condition and free of dangerous surfaces. This is the responsibility of the association.

S. 3.10 Sterile equipment must be used for collecting material for saliva tests. All types of instruments used on horses, including surgical tattooing, dental, and similar items, must be properly cleaned and sterilized by boiling for fifteen minutes, or autoclaving fifteen minutes at fifteen pounds pressure before use on any animal.

S. 3.11 The association shall provide isolation facilities where horses ordered isolated by the State Veterinarian must be kept. Approved sanitary measures shall be instituted in cooperation with the Louisiana Livestock Sanitary Board.

LAC 11-6:4 Racing Officials

S. 4.1 Persons appointed by an association to serve as racing officials during a race meeting must first be approved by the Commission. All proposed persons not previously approved by the Commission as an official in the capacity for which he is nominated, shall pass a written examination on the rules and laws of racing before being finally approved and licensed. The test shall be administered under the direction of the Commission. Racing officials shall serve only as long as approved by the Commission, and shall be under the supervision of the stewards. For purposes of these rules, racing officials shall include those persons serving as steward, racing secretary, assistant racing secretary, clerk of scales, paddock judge, starter, patrol judge, placing judge, timer, identifier, and association veterinarian.

S. 4.2 No person while serving as a racing official shall own an interest in a horse racing at the meet where he is employed, or a jockey contract, or the association under his supervision. Nor shall he cause to be bought or sold, for himself or another, any Thoroughbred, Quarter Horse, or Appaloosa under his supervision. Nor shall he wager on any race under his supervision. He shall not write or solicit horse insurance or have any monetary interest in any business which seeks the patronage of horsemen or racing associations as such. For the purposes of the above, the following racing department employees shall also be deemed racing officials: assistant starter, jockey room custodian, jockey room employees, valets, outriders.

S. 4.3 Racing officials serving in the capacity of stewards, placing and/or patrol judges, clerk of scales, starter, and horse identifier shall take and satisfactorily pass an optical examination within one year prior to the race meeting at which they serve, such examination evidencing corrected twenty-twenty vision and ability to distinguish colors correctly.

S. 4.4 Any racing official who desires to leave his employment during the race meeting must first obtain permission from the Commission. In the event a vacancy occurs among racing officials other than stewards, the association shall promptly appoint a successor, subject to approval of the Commission. In the event the association does not appoint a successor in time to permit the orderly conduct of racing, then the stewards shall immediately appoint a temporary successor.

LAC 11-6:5 Stewards

S. 5.1 No person shall qualify for Commission appointment or approval as a steward unless:

S. 5.1.1 He has served as a steward, or racing secretary, or assistant racing secretary, or starter, or placing judge, or patrol judge, or paddock judge, or clerk of scales. However, the Commission may use its discretion if

deemed necessary in the appointment or approval of a steward.

S. 5.1.2 He has satisfactorily passed an optical examination evidencing corrected twenty-twenty vision and an ability to distinguish colors correctly within one year prior to approval as a steward.

S. 5.2 There shall be three stewards for each race meeting, one of whom shall be appointed by the Commission and two of whom shall be nominated by the association for approval by the Commission. Names of an association's nominees for steward shall be submitted at the time of application for its association license, if possible. In all cases, the names must be submitted no later than thirty days before commencement of a race meeting and be accompanied by biographical data setting out the experience and qualifications of the nominees. The association shall submit successive nominees until two persons are approved by the Commission as qualified to serve as stewards. No steward shall serve until approved by the Commission, which shall not withhold its approval except for just cause.

S. 5.3 Stewards shall serve from the seventh day before the first racing day until one minute before midnight on the day after the last racing day of the race meeting for which they are appointed. Provided, in the event a dispute or controversy arises during a race meeting which is not settled at the conclusion of the race meeting, then the power of the stewards shall be extended for the period necessary to resolve the matter, or until the matter is referred or appealed to the Commission.

S. 5.4 Stewards shall be responsible to the Commission and may be replaced by the Commission at any time for failure to perform their duties to the satisfaction of the Commission.

S. 5.5 If one or more stewards are absent, the ones present shall appoint a deputy or deputies to act temporarily for those absent. Should all three be absent the racing secretary shall appoint three deputies.

S. 5.6 The stewards shall have and exercise the powers of supervision, control, and regulation of racing at each licensed race meeting on behalf of the Commission. By way of illustration and without limitation thereof, the powers of the stewards shall include:

A. Authority over all horses and all persons, licensed or unlicensed, on association grounds during a race meeting as to all matters relating to racing.

B. Authority to resolve all questions, disputes, protests, complaints, or objections concerning racing which arise during a race meeting.

C. Authority to suspend the license of a participant in racing, or eject or exclude from association grounds, or any part thereof, licensed or unlicensed persons upon reasonable belief that a violation of these rules has occurred, or is about to occur.

D. The power to interpret and enforce the rules of racing and determine all questions pertaining to a racing matter not specifically covered by these rules in conformity with justice and the customs of the turf, subject to the authority and orders of the Commission.

E. Authority to issue decisions or rulings pertaining to racing which shall supercede orders of the officers, directors, and officials of an association and which shall, if the stewards deem proper, vary any arrangement for the conduct of a race meeting, to include without limitation thereof, postponing a race, cancelling a race, or ruling a race run as "no contest."

F. The power to request and receive assistance from racing officials, members of the track security police, State or local police, in the investigation of possible rule infractions.

G. Authority to conduct hearings on all questions, disputes, protests, complaints, or objections concerning racing matters.

S. 5.7 In the event a regularly named rider, trainer, or racing official, other than a steward, is unable for any reason to perform, the stewards may select a substitute therefor. Upon suspicion of fraud or misconduct, the stewards may excuse a horse or replace any rider, trainer, or racing official other than a steward.

S. 5.8 In addition their general powers, the stewards shall have certain specific duties and responsibilities, to wit:

A. They shall take cognizance of all misconduct or rule infractions irrespective of whether or not complained of, and cause investigations to be made of all instances of possible rule infractions. They shall take such action as they deem necessary to prevent a rule infraction.

B. At least one steward shall be on association grounds from scratch time, or if not a racing day, when entries are first taken, until entries are closed. At least one steward shall be present for the regular showing of racing films or video tapes. All three stewards shall be on association grounds for a continuous period beginning two hours before post time for the first race until conclusion of the last race.

C. At least one steward, or a designated representative of the stewards, shall be present in the paddock at least twenty minutes before each race and until the horses leave for the starting gate, to observe the conduct of all persons in and around the paddock and to inspect, with the paddock judge and association, and/or State Veterinarian, all horses for fitness.

D. The stewards shall inspect all applications for licenses to participate in racing, and administer, or cause to be administered by technically qualified persons, standard examinations to all first-time applicants for a trainer's license and jockey agent's license. They shall make recommendations to the Commission as to the

qualifications of all applicants for licenses to participate in racing.

E. They shall review all licenses, registration certificates, and all contracts, papers, and other documents pertaining to the sale or ownership of a horse, payment of purse money, jockey and apprentice jockey contracts, appointments of agents, adoptions of racing colors or stable name, and determine the eligibility and appropriateness thereof for participation in racing.

F. They shall call for proof of eligibility of a horse or person to participate in a race if such is in question, and in absence of sufficient proof to establish eligibility, they may rule such horse or person ineligible.

G. The stewards shall review stall applications and advise the association of undesirable persons, if any, among owners and trainers applying for stalls and provide the association with information pertaining to such undesirable persons.

H. They shall supervise the taking of entries, receive all declarations and scratches, and determine all questions arising from and pertaining thereto. The stewards may in their discretion refuse the entry of any horse by any person, or refuse to permit a declaration or scratch, or may limit entries in any way.

I. They shall cause the "inquiry" sign to be posted on the infield odds board immediately after the horses have crossed the finish line in a race if any doubt is held by any steward or patrol judge as to the fairness of the running of the race. They shall cause the "objection" sign to be posted on the infield odds board upon the lodging of an objection. And they shall cause the "official" sign to be posted on the infield odds board after determining the official order of finish for purposes of the pari-mutuel payoff.

J. The stewards shall review the patrol films or video tapes of each day's races before commencement of the successive day's races and draw up a list of riders, including all apprentice jockeys who the stewards feel should review such films for instructional purposes, and cause the list to be posted in the jockeys' room.

K. They shall maintain a daily log, reporting all their actions on all controversies which arise during the day. The reports shall show the name of the track, date, weather, track condition, claims, rulings issued, and any other circumstances or condition regarded as unusual. Such reports shall be signed by all three stewards and filed within twenty-four hours at the Commission's general office.

L. They shall make periodic inspections of the barn area and check track security, and make occasional informal visits to the jockey's room and observe and check security at the weighing out. Such inspections and observations made shall be noted in the steward's report.

M. The stewards shall maintain a minute book which shall contain a detailed written record of all

questions, disputes, protests, complaints, or objections brought to their attention. The minute book shall also include reports of all investigations undertaken by the stewards, summaries of all related interviews conducted, and the rulings which resulted. If a ruling is not unanimous, the dissenting steward shall record reasons for his dissent. The steward's minute book shall be available to the Commission for inspection at all times.

S. 5.9 Within seven days after the conclusion of a race meeting, the State Steward shall submit to the Commission a written report setting out the condition of the meeting and association grounds, and any recommendations for the improvement thereof which he may deem appropriate.

LAC 11-6:6 Racing Secretary

S. 6.1 The racing secretary shall discharge all duties, expressed or implied, required by the rules of racing and he shall report to the stewards all violations of the rules or regulations of the meeting.

S. 6.2 The racing secretary shall be responsible for the programming of races during the race meeting, compiling and publishing condition books, assigning weights for handicap races, and shall receive all entries, subscriptions, declarations, and scratches. Among the duties for which the racing secretary and his staff are responsible are:

A. Safekeeping of registration certificates and racing permits for horses, recording information required thereon, and returning same to the owner or trainer at the conclusion of the race meeting.

B. Having ownership of each horse current and up to date on foal certificates.

C. Daily posting of entries for the benefit of the public as soon as possible after the entries have been closed and declarations have been made.

D. Assigning stall applicants such stabling as he may deem proper after consultation with the stewards, and maintaining a record of arrival and departure of all horses stabled on association grounds.

E. Publishing the official daily program, insuring the accuracy therein of the following information:

(1) Sequence of races to be run and post time for the first race.

(2) Purse, conditions, and distance for each race, and current track record for such distance.

(3) The full name of licensed owners of each horse, and description of racing colors to be carried. Where a horse or horses have been leased, both lessee and lessor will be listed.

(4) The full name of the trainer, the full name of

the jockey named for each horse, and the weight to be carried.

(5) The saddle cloth number or designation for each horse, and the post position for each horse if there is a variance with the saddle cloth designation.

(6) Identification of each horse by name, color, sex, age, sire, and dam.

(7) Such other information as may be requested from time to time by the association or the Commission.

S. 6.3 In writing his condition book, the racing secretary shall respect these essential conditions:

A. No two-year-olds shall compete in any race with older horses prior to September 1 of any year.

B. No race for two-year-olds prior to May 1 of any year, shall be at a distance greater than four and one-half furlongs, and no race for two-year-olds after September 15 of any year shall be at a distance less than five and one-half furlongs. Provided, however, this rule shall not apply to tracks which are less than one mile in length.

C. Riders will not be permitted to use whips on two-year-olds prior to April 1.

LAC 11-6:7 Clerk of the Scales

S. 7.1 The clerk of the scales shall weigh jockeys out and in, and he shall record and publish any overweight or variation from the weight appearing on the card.

LAC 11-6:8 Paddock Judge

S. 8.1 One racing official shall serve as paddock judge. He shall have general supervision of the paddock and be responsible for:

A. Assembling the horses in the paddock no later than fifteen minutes before the scheduled post time for each race.

B. Properly identifying all horses entered in each race. The horse identifier shall be under the supervision of the paddock judge.

C. Maintaining a written record of all equipment and inspecting all equipment of each horse saddled, and reporting any change thereof to the stewards.

D. Inspection of bandages of a horse. The paddock judge may order such bandages removed. He shall see that the numbers on the saddle cloth, jockey's shoulder, and cap correspond. The paddock judge shall require the plater in attendance in the paddock to see to it that all horses are properly shod, and shall report any irregularities to the stewards. However, in the absence of the plater, the veterinarians in the employ of the Commission shall perform such duties.

E. Schooling of all horses in the paddock, which must be approved by the stewards.

F. Taking such measures as to insure that the saddling of all horses is orderly, open to public view, free from interference, and that horses are mounted at the

same time, and leave the paddock for the post in proper sequence.

LAC 11-6:9 Starter

S. 9.1 The starter shall give orders to secure a fair start.

S. 9.2 No appliance of any kind shall be used on a horse except at the written request of the owner or trainer.

S. 9.3 Horses are in the hands of the starter from the moment they enter the track from the paddock.

S. 9.4 Where the film patrol is not used, the starter shall make the sole decision on the question of what horse or horses are prevented from an equitable start in a race through failure of the gates to function.

S. 9.5 The starter may employ such assistant starters as he may deem necessary and shall change the gate position of each assistant starter without notice to the assistant starters until the field for each race shall come upon the track.

S. 9.6 No person shall give to any starter or assistant starter, nor shall any starter or assistant starter receive money, anything of value, or other compensation for such starter's or assistant starter's services in connection with the running of any race or races. No starter, nor assistant starter, shall either directly or indirectly bet on any race or engage in any betting transaction, nor have any interest in any horse. This rule has no application to salaries received from associations.

S. 9.7 All races shall be started out of a stall gate.

S. 9.8 If the starters for a stakes do not exceed the capacity of the track but do exceed the capacity of the gate, the surplus may be started from outside the gate.

S. 9.9 The starter may recommend suspension or fine to the stewards, and such action must be promptly reported.

S. 9.10 First-time starters shall be schooled under the supervision of the starter or his assistant, who shall report to the racing secretary horses that are schooled sufficiently to start. Unruly horses shall be placed on the schooling list, which must be posted, and shall not start until approved by the starter. The starter or his assistants shall not mistreat or use abusive language to a jockey.

S. 9.11 A false start is void and the horses shall be started again as soon as practical. Any horse running the course from a false start may be excused by the stewards.

S. 9.12 If a horse is locked in the gate, the starter shall immediately notify the stewards who will notify the mutuel department.

S. 9.13 Horses shall take their positions in the starting gate in numerical order from the inside rail according to post position, unless in the starter's opinion a horse is unduly fractious or unruly, in which case the starter shall be the final authority as to the horse's numerical loading into the starting gate. Horses refusing to enter

their designated stalls, or which are otherwise unruly, may be started from outside the gate and behind the starting line.

S. 9.14 The stewards shall be furnished an official program at the end of each day's racing showing the name of each horse handled by an assistant starter and the name of the assistant starter handling the horse.

LAC 11-6:10 Patrol Judges

S. 10.1 The patrol judges for each race shall take their stations at a place designated by the stewards. They shall duly report all their pertinent observations to the stewards.

LAC 11-6:11 Placing Judges

S. 11.1 The placing judge or judges shall decide which horse wins, and shall assign the respective places in the race to as many horses as they think proper. When the judges differ, the majority shall govern.

S. 11.2 In determining the places of horses at the finish of a race, the placing judges shall consider only the noses of the horses.

S. 11.3 On all tracks, approved cameras shall be installed as an aid to the placing judges. However, in all cases, the camera is merely an aid and the decision of the judges shall be final. The type of photofinish equipment is to be designated by the Commission from time to time.

LAC 11-6:12 Timer

S. 12.1 There shall be one or more timers.

S. 12.2 Every Commission licensee exercising a horse shall upon request of an official timer, correctly identify the horse he is exercising and shall state the distance over which such horse is to be worked and the point on the race track where it is intended to start the workout. No horse may be permitted to enter in a race whose recent workouts have not been properly recorded with the stewards.

S. 12.3 The timer will post daily his workout sheets in the racing secretary's office and in appropriate places in all betting areas.

LAC 11-6:13 Veterinarians

S. 13.1 All veterinarians shall be licensed to practice under the laws of Louisiana. No owner or trainer shall employ a veterinarian not licensed by the State of Louisiana. This rule shall apply to veterinarians treating horses stabled off the association grounds but registered to race at any track in the State of Louisiana under supervision of the Louisiana State Racing Commission.

Any owner or trainer employing unlicensed veterinarians will be subject to a fine or suspension or both.

S. 13.2 In an emergency, if an unlicensed veterinarian is employed, a report must be filed immediately with the stewards at the track where the horse is registered by the owner or trainer.

S. 13.3 The association shall appoint a veterinarian and he shall be assigned various duties.

S. 13.4 There shall be not more than three veterinarians appointed by the Commission. They shall perform various duties as directed by the Commission.

S. 13.5 A Commission veterinarian shall be present to serve under the direction of the stewards at scratch time, and at 12:00 noon each day, and at 6:00 p.m. when night racing prevails.

S. 13.6 No veterinarian employed by the Commission or by an association shall be permitted, during the period of his employment, to treat or prescribe for any horse on the grounds or registered to race at any race track, for compensation or otherwise, except in case of emergency, in which case a full and complete report shall be made to the stewards. No owner or trainer shall employ or pay compensation to any such veterinarian, either directly or indirectly, during the period for which he is employed by the Commission or an association.

S. 13.7 A veterinarian, while practicing his profession with horses racing under the jurisdiction of the Commission, will not be eligible for an owner's or trainer's license.

LAC 11-6:14 Licenses, Registration and Fees for Participants in Racing

S. 14.1 Assistant trainer is considered a trainer for licensing purposes and an assistant trainer shall be required to take out an annual license.

S. 14.2 An owner and/or trainer is accountable and shall be responsible for picking up the badge of any discharged employee.

S. 14.3 On hiring new employees, owners and/or trainer must report changes to the stewards within twenty-four hours. Any owner or trainer harboring or employing an unlicensed person shall be fined not less than twenty-five dollars. No person eighteen years of age or under shall be granted a license by this Commission, except upon presentation of a birth certificate and permit from the Louisiana State Labor Board, then the minimum age for licensing shall be sixteen. The Commission does not recognize probationary licenses or temporary licenses. No person shall be granted a trainer's license who is under eighteen years of age.

S. 14.4 All applications for licenses must be completely and correctly filled out, properly signed and, when required, notarized. All licensees of the Commission must be fingerprinted and photographed. Anyone failing to be fingerprinted or photographed shall be suspended or fined or both. This rule shall not apply to owners.

S. 14.5 Applicants for an owner's or trainer's license must submit satisfactory evidence of their financial stability and ability to care for and maintain the horses owned and/or trained by them. Failure to establish such financial responsibility shall be grounds for denial or revocation of license.

S. 14.6 An applicant must furnish his local and permanent addresses and telephone numbers when applying for a license.

S. 14.7 Any omission or misrepresentation will be deemed sufficient cause for refusal of a license by the Commission.

S. 14.8 No person requiring a license from the Commission shall carry on any activity whatsoever upon the premises of a licensed association unless and until he has been duly licensed, except owners may be allowed a grace period of not more than ten days. Such grace shall be granted only to owners currently licensed in a jurisdiction holding membership in the National Association of State Racing Commissioners or a comparable authority in a foreign country. The Commission will accept the National Association of State Racing Commissioners uniform owners application as adopted, March 16, 1970.

S. 14.9 An applicant for a license as trainer must show proof of at least two years track experience with a racing stable. Application shall be accompanied with the written statement of two reputable persons to the effect that the applicant is personally known to them and that he is a person of good reputation and capable of satisfactory performance of the vocation he seeks to follow. An applicant shall be given a thorough examination by the stewards and such other persons as they may appoint.

S. 14.10 The Commission may refuse to license any applicant who has been refused a license by any other state racing commission or turf governing body.

S. 14.11 The Commission may refuse to license or revoke an applicant's license whose previous conduct in Louisiana or elsewhere in connection with horse racing is considered by the Commission to have been objectionable, obnoxious, or detrimental to the best interest of racing.

S. 14.12 The refusal to grant a license, unless accompanied by good and valid reasons, shall not be considered as a ruling of this Commission. Likewise, a refusal to grant a license by any other state, unaccompanied by good and valid reasons, shall not be considered as a ruling by this Commission.

S. 14.13 Any person, licensed in any capacity by the Commission and employing the facilities and privileges of the racing association and who at the same time patronized illegal off-track betting establishments, will be denied such facilities and privileges of the racing association. In addition, his license may be revoked by the Commission.

S. 14.14 The Commission shall recognize any disciplin-

ary action taken by the Jockey Club of New York, the American Quarter Horse Association, or the Appaloosa Horse Club, Inc., and no person against whom disciplinary action has been taken shall be eligible for licensing by this Commission.

LAC 11-6:15 Owner

S. 15.1 If an owner changes licensed trainers, he must notify the stewards and the racing secretary and cause the new trainer to sign his name on the owner's registration.

S. 15.2 The personnel of every stable must be registered.

S. 15.3 After horses have been registered with the racing secretary, listing their owner, no horse will be transferred, unless claimed at this meeting, without permission of the stewards, who will require a notarized bill of sale from the registered owner. However, the stewards may at their discretion allow sellers seventy-two hours within which to file the notarized bill of sale.

S. 15.4 Every transfer of ownership or trainers of a horse during a race meeting must be approved by the stewards and every application therefor must be submitted on an official transfer form, furnished by the Commission, in triplicate, signed by both parties. If approved by stewards, such approval shall be endorsed in writing on the transfer form, a copy being furnished the racing secretary with a copy retained by the parties. The racing secretary is responsible for the proper transfer on the foal certificate on file in his office.

S. 15.5 The purchase or transfer of any horse on the grounds at any track, whether by private sale, claiming or public auction, does not guarantee the new owner a stall for such horse unless approved by the stewards. The management has the right to allocate stalls to those horses which fit the racing program, as well as those horses which are sound.

S. 15.6 Horses sold to any person or stable not registered for racing in Louisiana must be removed from the grounds of an association within twenty-four hours, unless permission to remain on the grounds is granted by the association.

S. 15.7 Before a horse may be entered its owner or owners must secure the appropriate licenses from the Commission, unless permission is granted by the stewards.

LAC 11-6:16 Partnerships

S. 16.1 Each partnership must be registered with the Commission, and its application for a license must be signed by all of the partners or their authorized agents. Each partner shall be required to obtain an owner's license.

S. 16.2 Partnership papers shall, among other things, set forth the following:

A. The name and address of each and every person having any interest in the horse or horses involved.

B. The relative proportions of such interests.

C. To whom the winnings are payable.

D. In whose name the horse or horses shall run.

E. With whom the power of entry and declaration rests.

F. The terms of any contingency, lease, or any other arrangement.

S. 16.3 In case of emergency, authority to sign declarations of partnership may be given to the racing secretary by telegram, promptly confirmed in writing.

S. 16.4 If the racing secretary is unable to communicate with all proper parties in an attempt to obtain declaration of partnership, he may authorize a horse involved in a partnership to enter and to start in a stakes race without a declaration of partnership.

S. 16.5 Any alteration in a recorded partnership registration, to be effective, must be reported in writing to the racing secretary, signed by all partners and approved by the stewards.

S. 16.6 All the parties to a partnership, and each of them, shall be jointly and severally liable for all stakes, forfeits, and other obligations.

S. 16.7 Each partner shall own not less than twenty-five percent interest in each horse. Each partner's percentage shall be declared in the application for partnership license.

LAC 11-6:17 Authorized Agent

S. 17.1 Each authorized agent must obtain a license from the Commission for each owner represented.

S. 17.2 An authorized agent must appoint a subagent only when authorized to do so by the document or application under which he was so licensed. A subagent, who must be licensed, may not act for more than one authorized agent or stable. A trainer may be the authorized agent for only one stable.

S. 17.3 An owner's revocation must be filed in writing with the Commission.

LAC 11-6:18 Stable Name

S. 18.1 All stable names shall be cleared with the office of the National Association of State Racing Commissioners.

S. 18.2 Each stable name must be duly registered with the Commission. In applying to race under a stable name, the applicant must disclose the identity or identities behind the stable name. If a partnership or corporation is involved, the rules covering such must be complied with.

S. 18.3 No license as an owner shall be granted to the lessee or lessees of any corporation or syndicate unless such corporation or syndicate shall have no more than ten stockholders or members, as the case may be, each of whom shall be a registered and beneficial owner of stock or membership in such corporation or syndicate. Every such stockholder or member is required to be licensed as an owner.

S. 18.4 The stockholders or members of any corporation, syndicate or partnership, which leases horses for racing purposes in the State of Louisiana and also any such corporation, syndicate or partnership, shall make and file with the Commission as and when requested by it, a report or reports under oath containing such information as the Commission may specify. Upon refusal or failure to file any such report or reports, the Commission may refuse a license to any lessee or lessees of such corporation, syndicate or partnership, or may revoke any such license which it may have granted.

S. 18.5 No licensed trainer of race horses shall register a stable name, but a partnership of which a trainer is a member may use the stable name of another member, provided that the use of such other member's stable name has been authorized by the stewards.

S. 18.6 The stable name must be carried on the official program with the name of at least one owner. If the stable name is represented by more than one owner, it should be indicated by the use of "et al."

LAC 11-6:19 Trainer

S. 19.1 No trainer shall practice his profession except under his own name.

S. 19.2 A trainer, or a stable's assistant trainer, shall attend his horse in the paddock, and shall be present to supervise his saddling, unless he has obtained the permission of a steward to send another licensed trainer as a substitute.

S. 19.3 A trainer is responsible for the condition of each horse trained by him.

S. 19.4 Each trainer shall register with the racing secretary every person in his employ.

S. 19.5 A trainer shall not have in charge or under his supervision any horse owned, in whole or in part, by a disqualified person.

S. 19.6 No trainer, owner, or other person shall move, or permit to be moved, any horse or horses in his care from the grounds of an association without written permission of the association and the stewards.

S. 19.7 A trainer shall not enter or start a horse that is not in serviceably sound racing condition, is a known chronic bleeder, has been trachea-tubed, or has been nerved. However, horses that have had a posterior digital (heel nerve) neurotomy performed on one or more feet, may be permitted to race. All horses that have been nerved shall be so designated on the foal certificate and

be certified by the practicing veterinarian. All horses that have been nerved prior to this rule must also be certified, and it will be the responsibility of the trainer to see that such nerving will be carried on the foal certificate. All nerved horses, high or low, must be published on the bulletin board in the racing secretary's office. Any horse that is high nerved shall not be permitted to enter in a race. A trainer shall not enter or start a horse which has been "nerve blocked" or treated with, or been given, any drug internally, externally, or by hypodermic injection. Nor shall a trainer enter or start a horse which is not properly plated, is blind or whose vision is seriously impaired in both eyes, is on a stewards', veterinarian's, starter's, or disqualified list, or is permanently barred from racing in any jurisdiction.

S. 19.8 No trainer, owner or other person shall employ a jockey for the purpose of preventing him from riding in any race.

S. 19.9 Trainers of horses entered in the first or second race shall inspect the condition of their horses one and one-half hours before post time of the first race. If any horse is found to be unfit to race, the trainer shall report that fact to the stewards one hour before post time of the first race.

LAC 11-6:20 Jockeys and Apprentice Jockeys

S. 20.1 Any person desiring to participate in this state as a rider and who never has ridden in a race may be permitted to ride in two races before being issued a license as a jockey or apprentice jockey, provided, however:

A. Such person is a licensee with at least one year of experience with racing stables.

B. A licensed trainer certifies in writing to the stewards that such person has demonstrated sufficient horsemanship to be permitted probationary mounts.

C. The starter has schooled such person breaking from the starting gate with other horses and approves such person as capable of starting a horse properly from the starting gate in a race.

D. The stewards in their sole discretion are satisfied such person intends to become a licensed jockey, possesses the physical ability and has demonstrated sufficient horsemanship to ride in a race without jeopardizing the safety of horses or other riders in the race. No person shall be permitted to ride in any probationary race without prior approval of the stewards.

S. 20.2 In addition to rules applicable to licensees, a holder of a license as a jockey or apprentice jockey:

A. Must have served at least one year with racing stables.

B. Must have ridden in at least two races.

C. Must, when required by the stewards, provide a medical affidavit certifying such person is physically and

mentally capable of performing the activities and duties of a licensed jockey.

S. 20.3 Any person over the age of sixteen who has never been licensed as a jockey in any country, and who of his own free will, and if under age, has the written consent of his, or her parents or guardian, bound himself to an owner or trainer for a term of not less than three nor more than five years (subject to written extension if made for less than five years) by written contract approved by and filed with the Commission, and after at least one year's service with a racing stable, may claim in all overnight races, except handicaps, the following allowances:

A. An apprentice shall start with five pounds allowance. He shall continue this allowance for one year from date of his fifth winner. If a rider has not ridden forty winners in this one year, he shall continue the allowance for a period not to exceed three years from the date of the first winner until he has ridden forty winners.

B. After the completion of conditions above, a contracted apprentice may claim for one year three pounds when riding horses owned or trained by his original contract employer, provided the contract has not been transferred or sold since the apprentice's first winner. The original contract employer shall be the party who was the employer at the time of the apprentice jockey's first winner.

S. 20.4 An apprentice who is not under contract may be issued an apprentice jockey certificate on a form furnished by the Commission. Where all parties agree an apprentice contract can be terminated by mutual agreement and an apprentice jockey certificate issued, providing all wins and dates of wins are recorded on the certificate.

S. 20.5 In the event an apprentice jockey is unable to ride for a period of fourteen consecutive days or more because of service in the armed forces of the United States, or because of physical disablement, or because of restrictions on racing, the Commission, upon recommendation of the stewards and after consultation with the racing authority which first approved the original apprentice contract, may extend the time during which such apprentice weight allowances may be claimed for a period no longer than the period such apprentice rider was unable to ride.

S. 20.6 After completion of conditions in the above rules, a rider must be issued a license as a jockey before accepting subsequent mounts.

S. 20.7 An apprentice jockey may ride in a race in which Quarter Horses are eligible to start but may not claim an apprentice allowance in such a race. The riding of the winner of such a race shall not be considered in computing the expiration of his right to claim apprentice allowances in races restricted to Thoroughbreds, nor shall the win be included in the monthly chart book of the Daily Racing Form.

S. 20.8 When a jockey apprentice leaves the jurisdiction of the Commission, it shall be the duty of the clerk of scales and the apprentice jockey to record the number of winners the apprentice jockey has had at the race meeting immediately preceding his departure and to attach that record to the apprentice jockey's contract or certificate.

S. 20.9 All contracts between an employer owner, or trainer, and an employee rider are subject to the rules of racing. All riding contracts for terms longer than thirty days, as well as any amendments thereto, or cancellation, or transfer thereof, must be in writing with the signatures of the parties thereto notarized, and must be approved by the stewards and filed with the Commission. The stewards may approve a riding contract and permit the parties thereto to participate in racing in this state if the stewards find that:

A. The contract employer is a licensed owner or licensed trainer who owns or trains at least three horses eligible to race at the time of execution of such contract.

B. The contract employer possesses such character, ability, facilities, and financial responsibility as may be conducive to developing a competent race rider.

C. Contracts for apprentice jockeys provide for fair remuneration, adequate medical care, and an option equally available to both employer and apprentice jockey to cancel the contract after two years from the date of execution.

S. 20.10 No rider may:

A. Ride any horse not owned or trained by his contract employer in a race against a horse owned or trained by his contract employer.

B. Ride or agree to ride any horse in a race without consent of his contract employer.

C. Share any money earned from riding, with his contract employer.

D. Accept any present, money, or reward of any kind in connection with his riding of any race except through his contract employer.

S. 20.11 An apprentice shall not be permitted to acquire his own contract while his apprentice weight allowance is still in effect.

S. 20.12 Any rider not so prohibited by prior contract may agree to give first or second call on his race-riding services to any licensed owner or trainer. Such agreements, if for terms of more than thirty days, must be in writing, approved by the stewards, and filed with the Commission. Any rider employed by a racing stable on a regular salaried basis may not ride against the stable which so employs him. No owner or trainer shall employ or engage a rider to prevent him from riding another horse.

S. 20.13 The fee to a jockey in all races shall be deposited in advance and shall be, in the absence of special agreement, as follows:

Purse	Winning Mount	Second Mount	Third Mount	Losing Mount
\$400 and under	\$27.00	\$18.00	\$16.00	\$15.00
\$500	\$30.00	\$20.00	\$17.00	\$15.00
\$600	\$36.00	\$22.00	\$17.00	\$15.00
\$700-900	10% of win purse	\$25.00	\$22.00	\$19.00
\$1,000-1,400	10% of win purse	\$30.00	\$25.00	\$20.00
\$1,500-1,900	10% of win purse	\$35.00	\$30.00	\$25.00
\$2,000-3,400	10% of win purse	\$45.00	\$35.00	\$30.00
\$3,500-4,900	10% of win purse	\$50.00	\$40.00	\$30.00
\$5,000 and up	10% of win purse	\$55.00	\$45.00	\$35.00

S. 20.14 A jockey fee shall be considered earned by a rider when he is weighed out by the clerk of scales except:

A. When a rider does not weigh out and does not ride in a race for which he has been engaged because an owner or trainer engaged more than one rider for the same race. In such case, the owner or trainer shall pay an appropriate fee to each such rider engaged for such race.

B. When a rider capable of riding elects to take himself off the mount without, in the opinion of the stewards, proper cause therefor.

C. When a rider is replaced by the stewards with a substitute rider for a reason other than a physical injury suffered by such rider during the time between weighing out and start of the race.

S. 20.15 Every rider shall fulfill his duly scheduled riding engagements, unless excused by the stewards. No rider shall be forced to ride a horse he believes to be unsound, nor over a racing strip he believes to be unsafe, but if the stewards find a rider's refusal to fulfill a riding engagement is based on a personal belief unwarranted by the facts and circumstances, such rider may be subject to disciplinary action.

S. 20.16 Each rider who has been engaged to ride in a race shall be physically present in the jockey room no later than one hour prior to post time for the first race on the day he is scheduled to ride, unless excused by the stewards and upon arrival shall report his engagements to the clerk of scales. In the event a rider should fail, for any reason, to arrive in the jockey room prior to one hour before post time of a race in which he is scheduled to ride, the clerk of scales shall so advise the stewards who thereupon may name a substitute rider and shall cause announcement to be made of any such rider substitution prior to opening of wagering on the race.

S. 20.17 Each rider reporting to the jockey room shall remain in the jockey room until he has fulfilled all his riding engagements for the day, except to ride in a race, or except to view the running of a race from a location approved by the stewards. A rider shall have no contact or communication with any person outside the jockey room other than an owner or trainer for whom he is

riding, or a racing official, until he has fulfilled all his riding engagements for the day.

S. 20.18 The association shall be responsible for such security of the jockey room as to exclude all persons except riders scheduled to ride on the day's program, valets, authorized attendants, racing officials, and persons having special permission of the stewards to enter the jockey room.

S. 20.19 Any rider intending to discontinue riding at a race meeting prior to its conclusion shall so notify the stewards.

S. 20.20 No rider shall place a wager, or cause a wager to be placed on his behalf, or accept any ticket or winnings from a wager, on any race, except in his own mount and through his owner or trainer. A rider shall maintain a precise and complete record of all such wagers, and such record shall be available for examination by the stewards at all times.

S. 20.21 Upon leaving the jockey room to ride in any race, each rider shall be neat and clean in appearance and wear the traditional jockey costume, with all jacket buttons and catches fastened. Each jockey shall wear the cap, stock tie, and jacket racing colors registered in the name of the owner of the horse he is to ride, white or light breeches, top boots, safety helmet approved by the Commission, and a number of his right shoulder corresponding to his mount's number as shown on the saddle cloth and daily race program. The clerk of scales and attending valet shall be held jointly responsible with a rider for his neat and clean appearance and proper attire.

S. 20.22 Every rider shall be responsible for checking the film list posted by the jockey room custodian in the jockey room. The posting shall be considered as notice to all riders whose names are listed thereon to present themselves at the time designated by the stewards to view the patrol films or video tapes of races. Any rider may be accompanied by a representative of the jockey organization of which he is a member in viewing such films, or with the steward's permission, be represented at such viewing by his designated representative.

S. 20.23 No jockey shall have an attendant other than those provided by the association. Such attendants shall be paid by the association.

LAC 11-6:21 Jockey Agent

S. 21.1 A jockey agent shall be permitted to contract the riding engagements of three riders, either apprentice or journeymen.

S. 21.2 Before being issued a license, a jockey agent must show proof of experience and knowledge of racing to the stewards by an oral and written examination set down by the Commission, and his application shall bear the actual signature of the rider he desires to represent. Any license granted is not transferable, and separate applications must be filed for each jockey the agent proposes to represent. However, after payment of the original fee no subsequent fee is required.

S. 21.3 Any person who contracts engagements for a rider or riders without first obtaining a license to do so, or any jockey agent who exceeds the authority of the privileges granted, after having been licensed, may be fined or suspended, or both, at the discretion of the stewards.

S. 21.4 If any jockey agent gives up the making of engagements for any rider he shall immediately notify the stewards, and he shall also turn over to the stewards a list of any unfilled engagements he may have made for that rider.

S. 21.5 Under no circumstances shall a jockey agent be permitted within the saddling enclosure during racing hours, nor shall he be allowed on the track proper or in the winner's circle at the conclusion of any race run. Nor shall an agent have access to the jockey quarters at any time or communicate with any jockey during racing hours without permission of the stewards.

S. 21.6 No jockey agent, or his wife, shall be the owner of any race horse, nor shall either have any interest in one.

S. 21.7 No person other than an owner, trainer, jockey agent or authorized agent of an owner in good standing shall make engagements for an apprentice jockey or jockey. However, a jockey not represented by an agent may make his own engagements.

S. 21.8 Conflicting claims for the services of a jockey shall be decided by the stewards, and first call shall have priority.

Section 11-6:22 Jockey Room Custodian

S. 22.1 It shall be the duty of the jockey room custodian to see to it that order, decorum, and cleanliness are maintained in the jockey and scale rooms.

S. 22.2 He shall assist the clerk of the scales in any way that official requires. He shall oversee the care and storage of all racing colors. He shall oversee the jockey valets and arrange their rotation among jockeys in the manner of weighing out. He shall report to the stewards any irregularities that occur in his province. He shall see

to it that jockeys and valets are neat in appearance and attire, in keeping with the rules, when they leave the rooms to ride in a race.

S. 22.3 No person, other than racing officials, the Commissioners and necessary jockey room attendants, shall be admitted to the jockey room after 11:00 a.m. on a racing day, nor after 5:00 p.m. on a racing night, without consent of the stewards for each time of entry.

LAC 11-6:23 Association's Duties and Obligations

S. 23.1 Before entering upon the discharge of their duties the following officials employed by an association shall be approved in writing by the Commission, viz, all stewards, racing secretaries, handicappers, starters, placing judges, clerks of scales, paddock and patrol judges, timers, examining and track veterinarians, private police agencies, calculators of mutuels, mutuel managers, money room supervisors, and such other persons as the Commission may designate from time to time because of their importance in the actual conduct of racing. Should any change or anticipated change in the above officials occur during a meet, the association must get prior approval from the Commission at least ten days before the anticipated change or changes. The association must submit, in writing, the time and reason for the change and furnish a resume of the replacement, except as provided in LAC 11-6:4.4.

S. 23.2 No person under the age of sixteen years shall be employed in or about the track of any association, and all minors sixteen years of age or older must have work permits from the Louisiana State Labor Board.

S. 23.3 It shall be the responsibility of each association to require that all owners, vendors, handicappers, etc., engaged in the selling of tout sheets on the association's property shall be properly licensed and approved by the Commission. The names of the owners and handicapper must be printed on each publication sold.

S. 23.4 It shall be the duty of each licensee to observe and enforce the rules of racing and the regulations from time to time adopted by the Commission.

S. 23.5 Each association shall apply for a license to conduct a meeting not later than April 15 and August 15 of each year and shall submit to the Commission for approval, thirty calendar days prior to the opening date, a complete list of racing officials, heads of departments, calculators, private police agencies, and others, showing the positions they are to fill and their compensation. It shall be the responsibility of each association to ascertain that each person employed by the association be properly licensed under the rules of racing. Should a category not exist defining a particular status of employment, the applicant shall apply for a miscellaneous license.

S. 23.6 The stable area of the premises of every association shall be enclosed with a fence, the type and construction of the fence to be subject to the approval of the Commission. The association shall maintain a twenty-four hour guard at any opening of the fence during the horse race meeting.

S. 23.7 A round-the-clock patrol of the fenced area shall be maintained by security officers, who shall pay special attention to the presence of unauthorized personnel, to the enforcement of fire prevention measures and to the inspection of tack rooms and living quarters for fire hazards.

S. 23.8 Each association shall provide adequate and sanitary living quarters with proper sanitary arrangements, and ample and convenient toilet and heating facilities for stable employees, and shall provide in its stable area at least one tack room of a minimum area of one hundred square feet for every six horses stabled, with adequate facilities for housing personnel therein.

S. 23.9 Each association shall provide, equip, and operate a first aid room within its enclosure.

S. 23.10 The Commission may refuse to issue or renew a license, or may suspend or revoke a license issued if it finds that the applicant, or any person who is a partner, agent, employee, or associate of the applicant, has knowingly associated or consorted with any person or persons who have been convicted of a felony in any jurisdiction, or is knowingly consorting or associating with bookmakers, touts, or persons of similar pursuits, or has himself engaged in similar pursuits, or has been found guilty of any fraud or misrepresentation in connection with racing or breeding, or otherwise has violated any law, rule, or regulation with respect to racing in this or any other jurisdiction, or any rule, regulation, or order of the Commission, or has been guilty or engaged in similarly related or like practice. Provided however, the Commission may issue or renew a license or refuse to suspend or revoke a license issued, where the applicant or licensee has not engaged in such association or activities for a period of ten years, or for good cause shown.

S. 23.11 It shall be the duty of each association, through its employees to notify the secretary of the Commission of all ejections within twenty-four hours, giving names, addresses, and offenses.

S. 23.12 Associations licensed to conduct meetings shall give as a purse, stakes, or reward, an amount in cash of not less than one thousand dollars for each race, unless the association has applied for and received special permission from the Commission.

S. 23.13 All race tracks under the jurisdiction of the Commission shall take and make, at the association's expense a complete film or video tape recording of all races run by said association. The arrangements for film or video tape recordings shall be in a form satisfactory to the Commission. They shall be susceptible to develop-

ment as needed after the end of any race in order to enable the officials to better judge the races and rule on all claims of infractions of the rules, and thereby better protect the interests of the public in racing.

S. 23.14 In order to educate and protect the jockeys, the association involved shall show the films and video tape recordings to the jockeys at a designated time.

S. 23.15 Each association shall, according to its license, conduct Thoroughbred, Quarter Horse, or Appaloosa horse racing between the hours of 10:00 a.m. and 12:00 midnight. If for any reason the races scheduled for the night cannot be fulfilled by 12:00 midnight, the stewards will cancel the remaining race or races. Not more than nine races may be run by an association in any one racing day, unless special permission is granted by the Commission.

S. 23.16 The stable area must be properly lighted, so that it will be entirely void of darkness in any section. Lights will be turned on at dusk and they shall remain on until one hour after the last race. Lights shall not be turned on or off while the horses are on the track. The parking area must be properly lighted, so that it will be entirely void of darkness in any section. Lights will be turned on at dusk and they shall remain on until one hour after the last race, or until all cars have departed, whichever may first occur.

S. 23.17 Each association conducting a racing meeting shall provide a separate office to be used by the horsemen's bookkeeper who will keep a separate bank account to be known as the "horsemen's account." At all times the horsemen's account shall contain sufficient funds to cover all monies due horsemen in regard to purses, jockey fees, stakes, rewards, claims, and deposits. Withdrawals from this account shall be only for such purposes. The account shall at all times be subject to audit by the Commission.

S. 23.18 Members of the Commission and its representatives shall have the right to full and complete entry to any and all points of the grounds of the association. All racing associations shall recognize buttons of the National Association of State Racing Commissioners and parking permits issued by the Louisiana State Racing Commission.

S. 23.19 Each association conducting racing shall submit to the Commission the conditions for all races it proposes to hold, together with the stakes purse or reward, all of which shall be approved by the Commission before being published.

S. 23.20 An association, operating pari-mutuel betting, shall maintain a satisfactory totalizator. Each association shall install at the finish line at their track, and shall adequately maintain, two photofinish cameras.

S. 23.21 Betting within the confines of a race track other than through pari-mutuel machines is strictly prohibited. Any person making a handbook, or betting with a handbook, shall be ejected from the grounds and

denied any further admission. If any person solicits bets to be made on horses, he shall be ejected from the grounds and denied further admission. No gaming device, other than that permitted by law, shall be allowed on the grounds. Cards, dice, and petty games of chance are prohibited.

S. 23.22 All portions of purse money shall be available to the winners thereof upon order of the stewards, following their winning. No percentage of winnings shall be deducted by any association or horsemen's bookkeeper for itself or for another person, club, or body, unless at the request of the person to whom such winnings are payable, except that an association or horsemen's bookkeeper may withhold from winnings any money due it. This section shall not apply to races written exclusively for accredited Louisiana bred Thoroughbreds, Quarter Horses, and Appaloosa horses which shall be governed as provided by statutes regulating purses for such races.

S. 23.23 Each association shall provide and furnish an adequate office for the use of the Commission.

S. 23.24 Associations may allow telephones on their respective grounds for the transaction of ordinary association business. Associations may also allow telegraph wires on their respective grounds during their race meeting for the benefit of the public press, but no information regarding the result of any race shall be transmitted out of the race track until the results are official, nor shall any message transmitting money, or other things of value, or directing the placing of any wager on the result of a race be sent over the wires. Nor shall any message be sent in cipher code or any form other than in plain and intelligible English, under penalty of forfeiture of license.

S. 23.25 No telephone shall be installed in the stable area except upon the request of the licensed association conducting the meeting and the written approval of the Chairman of the Commission. The receiver and transmitter of any such telephone shall be installed within a box and the same shall be kept securely locked from fifteen minutes before post time of the first race until fifteen minutes after the finish of the last race. No use of such equipment shall be made during such time except upon express approval of the State Steward, representing the Commission.

S. 23.26 Each association shall submit in writing to the Commission for approval, with their application for dates, the names of persons or corporations who will operate the concessionaries and/or caterers within the confines of the track for the duration of the race meeting. Concessionaries are hereby defined as parties engaged in the sale of liquor, soft drinks, ice cream, sandwiches, cigars, cigarettes, etc. Caterers shall be defined as parties engaged in the operation of dining rooms for sale of food, etc. The rules, regulations and conditions herein shall apply for the purpose of the sale

of foods, beverages (both alcoholic and nonalcoholic), tobacco and other related items, each and every day that a race is conducted from the dates upon which a license has been granted by the Commission for racing privileges.

S. 23.27 The operation shall be conducted so that all persons who patronize the respective tracks shall be satisfactorily served. Food, beverages (both alcoholic and nonalcoholic), tobacco and other generally related items may be available for sale to the patrons of the various tracks on each day that racing is conducted under the license, permit, or privilege granted by the Commission. Concessionaries vending any liquid refreshments shall not permit the surrender of glass containers to customers except in the dining area.

S. 23.28 The premises shall be kept in a clean condition, in good repair, well lighted and ventilated. The quality, quantity, and price of all items of food, liquor, beer, and other items sold shall be subject to the Racing Commission's inspection.

S. 23.29 All taxes, including sales tax, shall be promptly paid in accordance with the request of the Department of Revenue.

S. 23.30 All facilities, including but not limited to those areas in which the food is prepared, shall be open for inspection by the Commissioners or any person designated by the Racing Commission.

S. 23.31 Upon demand of the Commission, the association or permittee shall file copies of all contracts, including all instruments evidencing any indebtedness, between the association and the permittee.

S. 23.32 The permittee and/or an association who conducts the sale of food, beverages (alcoholic and nonalcoholic), tobacco and other generally related items shall, whenever available, give consideration as a preference to the hiring of employees domiciled in the state.

S. 23.33 All establishments dispensing food or drink shall provide on the premises adequate and conveniently located toilet facilities for its employees. Toilet rooms shall be kept in a clean condition, in good repair, and well lighted and ventilated. The water supply shall be easily accessible to all rooms in which food or drink is prepared or utensils are washed, and shall be adequate, and of a safe, sanitary quality. All wastes shall be properly disposed of, and all garbage and trash shall be kept in suitable receptacles in such a manner as not to become a nuisance. All food, drink, and beverages shall be wholesome and free from spoilage. All employees shall wear clean outer garments and shall keep their hands clean at all times while engaged in handling food, drink, utensils, or equipment. The premises of all public eating and/or drinking places shall be kept clean and free of litter and rubbish. All vending machines shall be constructed, installed, maintained, and operated in an approved manner. All glasses, cups, spoons, and other utensils which come in contact with the mouth or lips,

must be properly cleaned and sanitized after each use. Single service utensils must be used only once. All soft drink beverages, whether carbonated or uncarbonated, and alcoholic beverages, shall be dispensed in, or from, the original container as filled and sealed at the bottling plant, or from closed dispensers or containers fitted with a suitable faucet or spigot.

S. 23.34 The rules and regulations as prepared and promulgated by the Louisiana State Board of Health shall be adhered to.

S. 23.35 Racing associations shall provide a special barn, approved by the Commission for the taking of all blood, urine and saliva tests. Horses shall be required to remain in the barn until all tests are taken. Personnel and facilities are prescribed by the Commission for the securing of saliva or urine or other samples and for the chemical analysis of such samples and shall be required at all meetings. Samples shall be taken from such horses as may be ordered by the Commission, stewards, or other qualified officials.

S. 23.36 Distance poles of all racing associations shall be of standard color designations, which are: one-quarter poles, red and white; one-eighth poles, green and white; one-sixteenth poles, black and white.

LAC 11-6:24 Vendors

S. 24.1 All persons, and including their employees, whose business or profession involves the selling or distribution of drugs, medications, pharmaceutical products, horse food or nutrients of any kind, or tack equipment on the grounds of an association shall be approved by the association and licensed by, and subject to the authority of the Commission.

S. 24.2 All drugs, medications, pharmaceutical products, and any other substances of a similar nature possessed or used within the grounds of a racing association shall at all times bear appropriate labelling displaying the contents thereof.

S. 24.3 Anyone anticipating distribution of tout sheets on association grounds must first get permission from the association, secure a license from the Commission, and clearly identify all owners and handicappers, on each sheet distributed.

LAC 11-6:25 Entries

S. 25.1 Entries and declarations shall be made in writing and signed by the owner or trainer of the horse, or his authorized agent or his subagent. Jockey agents may make entries for owners or trainers after presenting the stewards with written permission from the owners or trainers.

S. 25.2 The entrance to a race shall be free, unless otherwise stipulated in its conditions. If the conditions require an entrance fee, it must accompany the entry.

S. 25.3 In entering a horse it must be clearly identified by stating its age, name, color, sex, and the names of its sire and dam. Horses must be tattooed before being eligible to start. If its dam was covered by more than one stallion, the names of all of them must be given in order of service.

S. 25.4 The entries of any person, or the transfer of any entry, may be refused for legitimate reasons.

S. 25.5 On race courses and tracks less than a mile, in purse races and overnight handicaps with more than eight interests, owners shall have the right to declare out to that number before the time stipulated by the regulations of the association on the day of the race, which will be determined by lot when necessary, however, in races constituting the daily double and exactas, owners may declare out to ten interests. Declarations below eight interests may only be made by permission from the stewards.

S. 25.6 No horse shall be allowed to enter or start in any race conducted by any present licensee unless the horse is a Quarter Horse, Thoroughbred, or Appaloosa. Registration of a Thoroughbred horse by the Jockey Club of New York, a Quarter Horse by the American Quarter Horse Association and an Appaloosa horse by the Appaloosa Horse Club, Inc., shall be prima facie evidence that such horse is a Thoroughbred, Quarter Horse or an Appaloosa. However, said registry shall not be conclusive evidence, nor binding on the Commission. At time of entry, certificate of registration from the Jockey Club of New York, the American Quarter Horse Association or the Appaloosa Horse Club, Inc. must be filed in the office of the racing secretary, except for certificate of registration filed at other tracks in the state which are operating at the time (foal certificate must be filed before starting). The stewards may at their discretion, waive this rule in the case of horses shipped in to start in stakes races.

S. 25.7 No maiden five years old or older shall be allowed to start.

S. 25.8 If a horse's name is changed, his new name shall be registered with the Jockey Club of New York, the American Quarter Horse Association or the Appaloosa Horse Club, Inc. and his old, as well as his new name, must be given in every entry list until he has run three races, and both names must be printed on official programs for those three races.

S. 25.9 No horse shall be permitted to enter or to start unless he is in the care of, and is saddled by, a licensed trainer and has been fully identified.

S. 25.10 No person shall change, or attempt to change, the identity of ownership of a horse in a manner which would violate these rules or the laws of racing.

S. 25.11 No horse shall be permitted to enter or start unless approved by the association. Further, the stewards shall require that published past performances, in races or workouts, be sufficient to enable the public to make a reasonable assessment of its capabilities.

S. 25.12 No horse shall be permitted so start whose name and true ownership is not registered with the racing secretary. The registration certificate must be deposited in the office of the racing secretary within forty-eight hours after the date of arrival.

S. 25.13 Whoever is in charge of a horse taken to the gate for schooling or work, must identify it to the starter or one of his assistants.

S. 25.14 All ownership in a horse, except a trainer's percentage of his winnings, shall be filed with the racing secretary before the horse shall start. Every change in ownership thereafter during the meeting shall also be filed with the racing secretary.

S. 25.15 The holder of a claim, whether it be a mortgage, bill of sale, or lien of any kind against a horse, shall be required to file the same with the racing secretary prior to the time the horse is entered. Failure to do so shall forfeit his rights in the winnings of the horse prior to the time his claim is properly filed.

S. 25.16 No horse may be entered for two races on a single day unless one is a stakes race.

S. 25.17 A horse must be eligible to run at the time of starting.

S. 25.18 If any entry from any disqualified person, or of a disqualified horse is received, such entry shall be void. No entry shall be accepted from husband or wife while either is disqualified. No horse on a steward's, veterinarian's, or schooling list shall be qualified to be entered, or to start.

S. 25.19 Not more than two horses of the same ownership or interest shall be entered in any purse race or overnight event and both may start, or one or both may be declared at the option of the owner, but in conformity with the rules governing declarations. When making a double or joint entry, the owner or trainer must express a preference, and in no case may the two horses of an entry start to the exclusion of a single entry. In divided races, the starters in the separate divisions shall be determined by lot. In all races, joint entries may be made by any one or more of the owners. If a race is to be divided, an additional conditional entry may be accepted from any interest. Each interest may have a joint entry. All divided races will be considered separate races.

S. 25.20 If any race fails to fill and is declared off, the names of all the horses that were entered therein shall be publicly posted in the office of the racing secretary not later than 1:00 p.m. of the same day, except all purse or handicap races having six or more separate interests at scratch time must be carded and run, with the exception of such races for two-year-olds between January 1 and June 30, both dates inclusive. The Commission steward shall be furnished with a copy of entries in races that fail to fill. In the event a carded or programmed race shall be called off, the association may split any race that may

have been previously closed and cause a new drawing for post positions.

S. 25.21 A nomination in a sweepstakes is a subscription and cannot be withdrawn.

S. 25.22 Entrance money is not refunded on the death of a horse, or his failure to start.

S. 25.23 Nominations shall be closed at the advertised time, and no nomination accepted thereafter. The racing secretary, however, may postpone closing of overnight races. When an hour for closing is designated, nominations for sweepstakes cannot be received afterwards, but if an hour is not designated, they may be mailed or telegraphed up to midnight of the day of closing, provided they are received in time for compliance with every other condition of the race. If a miscarriage of any nomination in a stakes is alleged, satisfactory proof that it was mailed or telegraphed must be presented within a reasonable time, or it shall not be accepted.

S. 25.24 When the nominations have closed they shall be compiled without delay by the racing secretary and conspicuously posted.

S. 25.25 In the event the number of entries to any purse race is in excess of the number of horses permitted to start in such race, the starters for the race shall be determined by lot in the presence of those making the entries and the post positions shall be in the order in which they are drawn. The same methods shall be employed in determining the starters and post positions in split races.

S. 25.26 A list of names not to exceed six may be drawn from the overflow entries and listed as eligible to start if originally carded horses are withdrawn. After a regularly carded horse, or horses, has been excused from a race, a new drawing shall be taken from the remaining horses on the also-eligible list and their order of eligibility and post positions shall be determined by the sequence in which they are drawn. The owner or trainer of any horse so eligible, if he does not intend to start, shall notify the racing secretary not later than scratch time.

S. 25.27 In a stakes race, the number of horses to compete will be limited only by the number of horses duly nominated and entered.

S. 25.28 The entry of any horse which has been excused by the stewards from starting on account of physical disability or sickness shall not be accepted until the expiration of three calendar days after the day the horse was excused, except where a forty-eight hour entry rule prevails, then entry shall not be accepted until the expiration of three racing days after the day the horse was excused.

S. 25.29 No alteration shall be made in any entry after closing of entries, but an error may be corrected.

S. 25.30 Every owner or trainer shall, upon making an entry, be required to furnish the name of the jockey

who rides his horse, or if this is not possible, he shall in any event be required to furnish it not later than scratch time. If no jockey has been named by that hour, the stewards shall name the best available rider.

S. 25.31 A horse starting in a race, shall not be shod with ordinary or training shoes. Bar plates may be used only with the consent of the stewards, and permission to discontinue their use must be obtained from the stewards.

S. 25.32 In cases where a trainer enters two horses in a stakes, handicap or allowance race, each having bona fide separate owners, said horses may be allowed to run as separate betting units.

S. 25.33 Conditions and payments for stakes and futurities scheduled by an association will be handled by the association unless authority is delegated to a recognized organization. However, in no case shall such authority be delegated to a person or organization residing or domiciled outside the State of Louisiana.

S. 25.34 Post position shall be determined publicly by lot in the presence of the racing secretary or his deputy.

LAC 11-6:26 Preferred List

S. 26.1 The racing secretary shall keep a list of all horses excluded from races because of too many entries, and they are to have preference in any race in which they may afterwards be entered in accordance with the regulations, as adopted by the racing secretary, for the meeting. This shall be known as the preferred list.

S. 26.2 Division of the preferred list with regard to claiming price and/or to distance shall be made at the discretion of the racing secretary, but whichever system is adopted shall be maintained for the entire meeting, unless a change is approved by the Commission.

S. 26.3 If a horse has been excluded twice consecutively, it shall have preference over a horse excluded only once, and so on. No horse shall be placed on the preferred list if the owner thereof did not accept, when presented, the opportunity of starting. Horses whose names appear in the entries and have an opportunity to start will be given no consideration whatsoever should they be entered for the following day and the race overflow.

S. 26.4 A copy of the preferred list must be posted at the close of entries and any claim of error must be made by 10:00 a.m. of the day following racing day.

S. 26.5 In entering horses on the preferred list a claim of preference must be made at time of entry and noted on the entry, or the preference shall be lost.

S. 26.6 No horse running in a trial will lose any preference for subsequent races, nor will such race be considered a stakes race.

LAC 11-6:27 Declarations and Scratches

S. 27.1 No horse shall be considered scratched or declared out of an engagement until the owner or his authorized agent has given due notice in writing to the racing secretary.

S. 27.2 For stakes races, if a horse is not named through the entry box at the usual time of closing, or as established in the conditions of the race as approved, the horse is automatically out.

S. 27.3 The declaration or scratch of a horse out of an engagement is irrevocable. Horses may be declared from stakes races until forty-five minutes before post time for that race.

S. 27.4 In purse races and overnight handicaps with more than eight interests, owners shall have the right to declare out to that number before the time stipulated by the regulations of the association on the day of the race, such right to be determined by lot when necessary. However, in races constituting the daily double and exacta races, owners may declare out to ten interests. Declarations below stipulated interests may only be made by permission from the stewards. The also-eligibles shall have the preference to scratch over regularly carded horses.

LAC 11-6:28 Objections

S. 28.1 All objections, except claims of interference during a race, must be made to the stewards in writing and signed by the objector, and must be filed not later than one hour before post time. The stewards, however, may scratch an ineligible horse or reassign any prize a horse may have won, at any time.

S. 28.2 Permission of the stewards is necessary before an objection can be withdrawn.

S. 28.3 Any person or person lodging an objection must pay all the costs and expenses incurred in determining the objection in such proportions as the stewards decide, unless relieved from such expense by the Commission. The stewards may require a cash deposit of fifty dollars before considering an objection, which may be forfeited if the objection should prove to be unreasonable or unnecessary.

S. 28.4 Objections to a horse engaged in a race may be made by the owner, trainer, or jockey, of some other horse engaged in the same race, or by the officials of the meeting. Proof of the qualifications of any horse against which a protest has been lodged may be demanded by the stewards, and in default of such proof being given, they may declare the horse disqualified.

S. 28.5 Objections to a horse based on what occurred in a race must be made before the numbers of the horses placed in the race have been officially confirmed.

S. 28.6 Owners and trainers who make unnecessary complaints may be fined, suspended, or ruled off.

S. 28.7 If by reason of sustained objection, ineligibility or insufficient weight, a race or place is erroneously awarded to another horse, the owner so wronged is entitled to the prize or money of which he was deprived, and in case of default, the stewards shall disqualify an owner who retains the prize money.

S. 28.8 Pending a decision based on an objection, any prize which the horse against which the objection is lodged may have won, or may win, in the race, or any money held by the association as the price of a horse claimed in a race, if involved in the determination of the case, shall be withheld until the objection is determined.

S. 28.9 In all cases of fraud, or willful deception, the time limitations shall not apply, provided the stewards are satisfied that the allegations are bona fide and are susceptible of verification. Also, the stewards, may, on their own initiative, call for proof that a horse neither is disqualified in any respect, nor nominated by, nor the property wholly or in part, of a disqualified person, and in default of such proof, they may declare the horse disqualified.

S. 28.10 Any objection to a horse, on the grounds of not having run the proper course, or of the race having been run on the wrong course, or of any other matter occurring in the race, must be made before the number of the horse is placed in the race or confirmed officially.

LAC 11-6:29 Postponement and Cancellation of Races

S. 29.1 If a stakes race is declared off, all subscriptions and fees paid in connection with that race shall be refunded. No race which has closed shall be declared off except by the stewards.

LAC 11-6:30 Pari-Mutuels

S. 30.1 No minor shall be allowed to wager. No jockey in racing colors shall enter the betting area.

S. 30.2 Any claim by a person that a wrong ticket has been delivered to him must be made before leaving the mutuel ticket window.

S. 30.3 Should any emergency arise in connection with the operation of the pari-mutuel department which requires an immediate decision and is not covered by these rules, then the manager of the pari-mutuel department shall make that decision.

S. 30.4 The manager of the pari-mutuel department shall be properly and timely advised by the placing judges prior to the beginning of wagering on each race, of the horses that will compete in the race.

S. 30.5 When two or more horses run in a race, and are coupled because of common ties, they are called an

“entry,” and a wager on one of them shall be a wager on all of them.

S. 30.6 When the number of horses competing in a race exceeds the numbering capacity of the tote, the highest numbered horse within the capacity of the tote and all horses of a higher number shall be grouped together and called the “field,” and a wager on one of them shall be a wager on all of them.

S. 30.7 Before the wagering starts on each race, the morning line showing approximate odds on each horse may be posted on the public board. Entries shall be listed as one horse and, likewise, the field shall be listed as one horse. After wagering has begun on each race and immediately after there is one thousand dollars (more or less, depending on circumstances) in the straight pool, the approximate odds on each horse must be computed on each cycle of the tote and promptly posted on the tote board. The cycle of frequency of change on the totalizator board shall not be more than sixty seconds. The approximate odds shall agree with the amount wagered on each horse in the straight pool.

S. 30.8 There shall be minimum of four sets (and more under proper circumstances) of approximate odds posted during the wagering on each race. These odds, however, are approximate and not the exact figures used in the payoff.

S. 30.9 The State Steward shall lock all para-mutuel ticket issuing machines and sound the “off” bell when the horses leave the starting gate. The horses shall be at the starting gate at post time, which shall not be changed after the horses leave the paddock. The starter shall immediately load the horses in the starting gate and start the horse as soon as possible thereafter in order to avoid delay. The State Steward, or the acting State Steward, may delay compliance with this rule in unusual circumstances. In no case shall the machines be unlocked until after the declaration that the result of the race is official.

S. 30.10 If a horse, or horses, is locked in the gate, the proper racing official shall promptly notify the manager of the pari-mutuel department of the name and the number of the horse, or horses.

S. 30.11 At the end of each race, the placing judges shall advise the manager of the pari-mutuel department via telephone of the official placement of the horses. No payoff shall be made until the receipt of such information, which will be followed in writing at the end of the race day.

S. 30.12 If an error is made in posting the payoff figures on the public board, it shall be corrected promptly and only the correct amounts shall be used in the payoff, irrespective of the error on the public board. If because of mechanical failure, it is impossible to promptly correct the posted payoff, a statement shall be made over the public address system, stating the facts and corrections.

S. 30.13 In the event of an irreparable breakdown of the totalizator, or the ticket issuing machine, or both, during the wagering on a race, the wagering for that race shall be declared closed. The payoff for that race shall be computed on the sums wagered in each pool up to the time of the breakdown. Wagering on the remaining races for that day, or until the next race after the defective machinery has been put in order, may be continued by employing the manual system of ticket selling. To cover this contingency it is suggested that each association shall have on hand at the beginning of a race day approved mutuel tickets for hand selling sufficient for not less than seven races.

S. 30.14 In all cases when a horse has been excused by the stewards after wagering has started but before it becomes a starter, all money wagered on the horse so excused shall be deducted from the pool and refunded.

S. 30.15 If a horse refuses to break, or wheels or props at the start, there shall be no refund, but if one horse, or more, is prevented from leaving the post at the start because of being locked in the gate, the money wagered on the horse, or horses, locked in the gate shall be deducted from the pool and be refunded.

S. 30.16 If no horse finishes in a race, all money wagered on that race shall be refunded.

S. 30.17 If two or more horses in a race are coupled on the same mutuel ticket, there shall be no refunds unless all of the horses so coupled are excused before the start, or all of the horses so coupled are locked in the gate.

S. 30.18 If a jockey weighs in short of weight by more than two pounds, and his mount is disqualified in consequence of short weight, all monies wagered on the horse shall be deducted from the pool and shall be refunded on presentation of ticket sold on the horse.

S. 30.19 In case of any entry, if one of the jockeys riding the entry weighs in short of weight by more than two pounds and his mount is disqualified in consequence of short weight, no refund shall be made unless the other portion of the entry is also disqualified for the same reason (short weight), in which case all money wagered on the entry so disqualified shall be deducted from the pool and shall be refunded. This rule applies with equal effect to the field.

S. 30.20 In the case of a race postponed beyond the day originally scheduled, as elsewhere provided for, all money wagered on that race shall be refunded.

S. 30.21 If a race is declared off by the stewards after wagering begins on that race, all money wagered on that race shall be refunded.

S. 30.22 In the event the track is thrown into darkness during the running of a race by virtue of a failure of electricity, such race shall be declared "no race" and all wagering upon the race shall be refunded.

S. 30.23 If a horse wins and there is no money wagered on him to win, the straight pool shall be apportioned among the holders of the place tickets on that horse, if

any. If neither win nor place tickets were issued on a winning horse, then the straight pool shall be apportioned among holders of the show tickets.

S. 30.24 If no money has been wagered to place on a horse which is placed first or second in a race, the place pool for that race shall be apportioned among the holders of the place tickets on the other horse which was placed first or second.

S. 30.25 If no money has been wagered to show on a horse which is placed first, second, or third in a race, the show pool in that race shall be apportioned among the holders of show tickets on the other horses which are placed first, second, or third in that race.

S. 30.26 If only one horse finishes in a race, the place and show pools shall be apportioned among the holders of place and show tickets on that horse. If only two horses finish in a race, the show pool shall be apportioned among the holders of show tickets on those two horses.

S. 30.27 When the results are "official," that word shall be flashed on the result board and shall signify that the placing of horses at that time by the judges is final insofar as the payoff is concerned. If any change is made in the order of finish of a race after the result is so declared official, it shall not affect the payoff. The posting on the result board of the order of winning, place, and show horses and the prices to be paid, shall not be deemed to signify that the result and prices are official until the "official" signal has been shown on the result board or announced by the public address system.

S. 30.28 In the event of a foul being claimed, the word "inquiry" or "objection" shall be flashed forthwith on the result and mutuel board and an announcement thereof shall be made on the public address system.

S. 30.29 Any ruling of the stewards with regard to the award of purse money made after the sign "official" has been purposely displayed by the placing judges shall have no bearing on the mutuel payoff.

S. 30.30 Whenever there is a difference in any pool or pools, i.e., a difference between the sum total of the wagers on the individual horses as compared with the grand total as shown by the tote board, the larger amount shall be used as the basis for computing the payoff. The larger amount shall be used as the base on which the commissions are computed and paid to the association and to the State respectively.

S. 30.31 The manager of the pari-mutuel department shall furnish a copy of all calculating sheets daily to the Commission's supervisor of mutuels. The association, if operating a pari-mutuel system without the totalizator system, shall, in taking off total or mutuel ticket sales, prepare two additional carbon copies thereof at the time of making, and furnish them to the Commission supervisor before the calculations for mutuel prices to be paid are made.

S. 30.32 Complete and detailed records of each race,

containing each change of readings of the odds and the actual possible payoff on each horse, shall be filed with the Commission at the end of each racing day.

S. 30.33 The commissions deducted by the association from pari-mutuel pools shall not exceed that percentage which is provided by law of the gross amount of money handled and the odd cents over any multiple of ten cents of winnings per dollar wagered. All associations licensed by the Commission to conduct racing under the pari-mutuel or certificate system of wagering must in all cases of a minus pool pay off \$1.10 on each \$1.00 wager.

S. 30.34 Payments due on all wagers shall be made in conformity with the well-established practice of the pari-mutuel system. Money wagered on winning tickets is returned in full plus the profits. The practice is to work in dollars and not in number of tickets. The break permitted by law is deducted in all of the calculations which are necessary to arrive at the payoff prices, i.e., the odd cents over any multiple of ten cents of winnings per dollar wagered.

S. 30.35 If an error is made in posting payoff figures on the public board, prior to the cashing of any pari-mutuel tickets affected by such error, it shall be corrected promptly and a statement explaining the facts made over the public address system.

S. 30.36 In the event of an error in calculations of payoff prices which results in underpayments to the public, the aggregate of such underpayments shall be paid into the corresponding pool of the next race or races. If any such error should occur in computing the daily double or the exacta pools, the underpayment shall be added to the corresponding pool of the following race day for the daily double and the next exacta pool. Immediately upon the discovery of such an error, the Commission and the State Steward shall be furnished a detailed statement thereof in writing, signed by the association's manager of the mutuel department. In the event of an overpayment, the licensee shall absorb the amount paid in error.

LAC 11-6:31 Dead Heats

S. 31.1 When a race results in a dead heat, the dead heat shall not be run off. Owners shall divide first and second money.

S. 31.2 When two horses run a dead heat for first place, all prizes to which first and second horses would have been entitled shall be divided equally between them. This applies in dividing prizes, whatever the number of horses running a dead heat. Each horse shall be deemed a winner and liable to penalty for the amount he shall receive. Likewise, when two horses run a dead heat for second place, they shall divide the second and third money.

S. 31.3 When a dead heat is run for second place and an objection is made to the winner of the race, and sustained, the horses which ran the dead heat shall be deemed to have run a dead heat for first place.

S. 31.4 If the dividing owners cannot agree as to which of them is to have a cup or other prize which cannot be divided, the question shall be determined by lot by the stewards.

LAC 11-6:32 Daily Double

S. 32.1 Only one daily double shall be permitted during any single race day. It shall be on the first and second races. All other forms of this type of wagering, with the exception of the exacta, are prohibited.

S. 32.2 If either race of the daily double results in a dead heat, the payoff will be figured the same as a place pool, i.e., first, the regulation commission is deducted, then the total amount wagered on the winning combination is deducted, leaving the profit which is divided equally between holders of the winning combinations.

S. 32.3 The payoff shall be posted after the pool closes and before the race completing the daily double has been run, except in the event of a dead heat in the first half of the daily double, then the posting of the payoff may be deferred until the race completing the daily double has been run.

S. 32.4 The daily double is not a parlay and has no connection with or relation to mutuel betting. All tickets on the daily double will be calculated in an entirely separate pool. All tickets will be to win (straight) only. Entries are coupled in the daily double as in regular betting. Fields are coupled in the daily double as in regular betting.

S. 32.5 If no ticket is sold combining the two winners, the daily double pool then shall be apportioned equally between those having tickets including the winner in the first race and those having tickets including the winner in the second race in the same manner in which a place pool is calculated and distributed. If no ticket is sold including the winner of the first race, the entire pool will be paid to holders of tickets which include the winner of the second race of the daily double. Likewise, if no ticket is sold including the winner of the second race, then the entire pool will be paid to holders of tickets which include the winner of the first race of the daily double. If no ticket is sold including the winner of either race, then the pool shall be paid to the holders of tickets which include the horses finishing second in the two races of the daily double.

S. 32.6 If, for any reason, the second race of a daily double is cancelled and declared "no race," the daily double pool shall be distributed to the holders of the daily double tickets on the winner of the first race in the same manner as the straight pool of the first race is

distributed, except as to the amount of distribution, which shall be controlled by the amount bet in the daily double pool.

S. 32.7 If, for any reason, the first race of the daily double is cancelled and declared to be "no race," full and complete refund will be made of the daily double.

S. 32.8 If any horse in the first half of the daily double not coupled with a starter is scratched or excused by the stewards, or if it is determined by the stewards that any horse not so coupled has been prevented from racing because of the failure of the stall doors of the starting gate to open, all money wagered on such horse shall be deducted from the daily double pool and shall be refunded upon presentation and surrender of pari-mutuel tickets sold thereon. If any horse in the second half of the daily double not coupled with a starter is scratched or excused by the stewards, or if it is determined by the stewards that any horse not so coupled has been prevented from racing because of the failure of the stall doors of the starting gate to open, all money wagered on such horse shall be deducted from the daily double pool and all daily double tickets combining such horse with the actual winner of the first race in the daily double will share in a special daily double consolation pool formed by deducting from the net daily double pool the sum of all daily double combinations of which the horse is a part and shall be paid in the same manner as the pool is calculated for a winning combination.

S. 32.9 If a ticket holder loses the first race of the daily double, and the horse is scratched in the second race, no money shall be refunded.

S. 32.10 If no ticket is sold, which would require distribution of the daily double pool as per the foregoing rules, a complete and full refund of the daily double pool shall be made.

S. 32.11 Each association shall print the entire daily double rule in a conspicuous place in its race program.

LAC 11-6:33 Exacta

S. 33.1 The object of the exacta is to select, in order, the official first and second place finishers in the designated exacta race. The exacta pool shall be held entirely separate from all other pools and is in no way a part of the daily double, or the win, place, or show pools.

S. 33.2 Races in which exacta betting shall be conducted shall be approved by the Commission.

S. 33.3 If a horse is scratched or excused from racing, no further tickets shall be sold designating that horse, and all tickets previously sold designating that horse shall be refunded and the money deducted from the gross pool.

S. 33.4 In the event of a dead heat for win, the net pool shall be distributed to each combination of winners

separately as in a win pool dead heat, e.g., in a dead heat of two horses there are two winning combinations, in a dead heat of three horses there are six winning combinations. In the event of a dead heat for second, the net pool shall be divided as in a win pool dead heat among holders of tickets combining the winner with each second place horse.

S. 33.5 If no ticket is sold on the winning combination of an exacta pool, the net pool shall be distributed equally between holders of tickets selecting the winning horse to finish first and/or holders of tickets selecting the second place horse to finish second.

S. 33.6 Coupled entries and fields are prohibited in exacta races.

LAC 11-6:34 Walking-Over

S. 34.1 If only one horse shall have weighed out, that horse shall be ridden past the judges' stand and go to the post, and shall then be deemed the winner.

S. 34.2 In a sweepstakes, even if all the horses but one have declared forfeit, that horse must walkover, except by the written consent of all persons who pay forfeit.

S. 34.3 In case of a walkover, one-half of the money offered to the winner is given.

S. 34.4 When a walkover is the result of arrangements by owners of horses engaged, no portion of the added money nor any other prize need be given.

S. 34.5 Any money or prize which, by the conditions of the race, is to go to the horse placed second, or in any lower place in the race, shall, if the winner has walked over, be dealt with as follows:

A. If part of the stakes, it shall go to the winner.

B. If a separate donation from the association or any other source, it shall not be given at all.

C. If entrance money for the race, it shall go to the association.

LAC 11-6:35 Colors

S. 35.1 Owners must provide themselves with suitable racing colors which must be registered with the racing secretary, except at tracks where colors are furnished by the association.

S. 35.2 Anyone using colors other than their own is subject to be fined. However, in case of emergency the stewards may allow the use of substitute colors once.

S. 35.3 Colors must be kept clean and in good repair. No colors that are vertical halves or quarters shall be allowed.

S. 35.4 The Commission may refuse to accept for registration racing colors which:

A. Are not readily distinguishable by color and pattern from racing colors currently registered in this state.

B. Include advertising, promotional, or cartoon symbols or words, or which, in the opinion of the Commission, are not in keeping with the traditions of the turf.

S. 35.5 Exceptions to the above may be allowed by the Commission upon request and approval.

S. 35.6 The clerk of scales, and the valet serving a jockey, shall be jointly responsible for having the correct colors and cap on each rider when leaving the jockey room for the paddock.

LAC 11-6:36 Equipment Changes

S. 36.1 Permission for any change of equipment from that which a horse carried in its last previous race can be obtained only from the stewards and must be obtained before the advertised scratch time.

S. 36.2 Permission to add blinkers to equipment, or to discontinue the use of them, must be approved by the starter before being granted by the stewards.

LAC 11-6:37 Whips

S. 37.1 In all races where a jockey will not ride with a whip, an announcement shall be made over the public address system of that fact. No jockey carrying a whip during a race shall fail to use the whip in a manner consistent with using his best efforts to win. Jockeys are prohibited from whipping a horse upon the head, or excessively, or brutally, or during the post parade except when necessary to control the horse.

S. 37.2 No whip shall exceed twenty-eight inches in length, including the popper. All whips shall be approved by the stewards.

LAC 11-6:38 Handicapper

S. 38.1 The handicapper shall assign the weights to be carried by each horse in a handicap.

S. 38.2 The handicapper shall append to the weights for each handicap the day and hour from which winners will be liable to weight penalty. If there are no penalties, the fact shall be appended to the weights. No alteration of weights shall be made after publication.

S. 38.3 In case of omission, through error, of the name or weight of a horse duly entered, the omission shall be rectified by the handicapper.

LAC 11-6:39 Weight Penalties and Allowances

S. 39.1 Penalties are obligatory. Allowances are optional as to all or any part thereof, and must be claimed at time of entry.

S. 39.2 A horse shall start with only the allowance to which it is entitled at the time of starting, regardless of its allowance at the time of entry. Horses incurring

weight penalty or penalties for a race shall not be entitled to any weight allowance for that race. Horses not entitled to the first allowance in a race shall not be entitled to the second, and so on. Omission to claim an allowance is not cause of disqualification. No horse shall incur a penalty or be barred from any race for having been placed second or lower in any race. No horse shall be given an allowance for failure to finish second or in any lower place in any race. No horse shall receive an allowance for having been beaten in one or more races. This rule shall not prohibit maiden allowances or allowances to horses which have not won within a specific period or which have not won a race of specified value.

S. 39.3 When the decision of a race is in dispute, all horses involved in the dispute with respect to the winner's credit shall be liable to all weight penalties attached to the winning of that race until a winner has been adjudged.

S. 39.4 Races won on tracks which are not reported in the Daily Racing Form or a comparable publication, shall not count toward penalties with respect to horses and apprentice jockeys.

S. 39.5 No horse shall incur a weight penalty for a placement from which he is disqualified, but a horse placed through the disqualification of another horse shall incur the weight penalties of that placement. No such placement, however, shall make a horse ineligible for a race which has already been run.

LAC 11-6:40 Weight Scale

S. 40.1 The following is the attached scale of weights for ages, and shall be carried when not otherwise specified in the conditions of the race:

WEIGHT SCALE

The following is the scale of weights for ages, and shall be carried when not otherwise specified in the conditions of the race:

Distance	Age	January	February	March	April	May	June	July	August	September	October	November	December
½ Mile	2-year-olds								105	108	111	114	114
	3-year-olds	117	117	119	119	121	123	125	126	127	128	129	129
	4-year-olds	130	130	130	130	130	130	130	130	130	130	130	130
	5-year-olds and up	130	130	130	130	130	130	130	130	130	130	130	130
Six Furlongs	2-year-olds								102	105	108	111	111
	3-year-olds	114	114	117	117	119	121	123	125	126	127	128	128
	4-year-olds	129	129	130	130	130	130	130	130	130	130	130	130
	5-year-olds and up	130	130	130	130	130	130	130	130	130	130	130	130
1 Mile	2-year-olds									96	99	102	102
	3-year-olds	107	107	111	111	113	115	117	119	121	122	123	123
	4-year-olds	127	127	128	128	127	126	126	126	126	126	126	126
	5-year-olds and up	128	128	128	128	127	126	126	126	126	126	126	126
1¼ Miles	2-year-olds												
	3-year-olds	101	101	107	107	111	113	116	118	120	121	122	122
	4-year-olds	125	125	127	127	127	126	126	126	126	126	126	126
	5-year-olds and up	127	127	127	127	127	126	126	126	126	126	126	126
2 Miles	2-year-olds												
	3-year-olds	98	98	104	104	108	111	114	117	119	121	122	122
	4-year-olds	124	124	126	126	126	126	126	126	126	126	126	126
	5-year-olds and up	126	126	126	126	126	126	126	126	126	126	126	126
1½ Miles	3-year-olds	96	96	102	102	106	109	112	114	117	119	120	120
	4-year-olds	124	124	126	126	126	126	125	125	126	124	124	124
	5-year-olds and up	126	126	126	126	126	126	125	125	126	124	124	124

S. 40.2 In races of intermediate lengths the weights for the shorter distance shall be carried.

S. 40.3 In a race exclusively for two-year-olds the weight shall be one hundred twenty-two pounds when not otherwise specified in the conditions of the race. In a race for three-year-olds the weight shall be one hundred twenty-six pounds when not otherwise specified in the conditions of the race.

S. 40.4 With the exception of handicaps, two-year-old fillies shall be allowed three pounds, and fillies and mares three years old and upward shall be allowed five pounds before September 1, and three pounds thereafter.

S. 40.5 A weight allowance of three pounds will be allowed for all Louisiana bred horses, except in handicaps and stakes, or races exclusively for accredited Louisiana bred.

S. 40.6 When a race is for two-year-olds, or exclusively for three-year-olds, or exclusively for four-year-olds, the minimum weight shall be one hundred twelve pounds,

subject to sex and apprentice allowances. This rule shall not apply to handicaps, or stakes, or to races in which three-year-olds or four-year-olds compete with older horses. Nor shall this rule apply to quarter horses.

LAC 11-6:41 Weighing Out

S. 41.1 Jockeys shall be weighed out by the clerk of scales not less than ten minutes before time for the race. In case of any change it shall be announced and posted.

S. 41.2 If a horse runs in a throttle, hood, muzzle, martingale, breast plate or suspensory, they must be included in the jockey's weight. His weight shall also include his clothing, boots, goggles, arm number, saddle and its attachments, saddle cloth, pommel pad, etc. No whip, bridle, blinkers, head number, bit, reins, safety helmet, or number cloth shall be weighed. No bridle shall exceed two pounds in weight, and no whip shall exceed one pound in weight.

S. 41.3 The association shall provide the only atten-

dants who will be permitted to assist jockeys in weighing out.

LAC 11-6:42 Paddock to Post

S. 42.1 Permission must be obtained from the stewards to exercise a horse between races unless the horse is being warmed up on the way for a race. The official program number of a horse warming up must be displayed by his rider.

S. 42.2 Horses must be in the paddock at least fifteen minutes before post time. Every horse must be saddled in the paddock.

S. 42.3 All horses shall parade, carrying their weight and wearing their equipment, from the paddock to the starting post. They must pass the stewards' stand in numerical order. Any horse failing to do so may be disqualified by the stewards. No lead pony leading a horse in the parade shall obstruct the public's view of the horse it is leading, except with permission of the stewards.

S. 42.4 In case of emergency the stewards or the starter may permit all jockeys to dismount and all horses to be attended during a delay.

S. 42.5 If a jockey is thrown on the way from the paddock to the post, the horse must be remounted, return to the point where the jockey was thrown and then proceed over the route of the parade to the post.

S. 42.6 The starter is required to load horses in the starting gate in order of post position, unless at his discretion, they should be loaded otherwise.

LAC 11-6:43 Post to Finish

S. 43.1 A leading horse is entitled to any part of the track, but if any horse swerves, or is ridden to either side, so as to interfere with or impede any other horse, it is a foul. The offending horse may be disqualified, if in the opinion of the stewards the foul altered the finish of the race, regardless of whether the foul was accidental, willful, or the result of careless riding. If the stewards determine the foul was intentional, or due to careless riding, they may fine or suspend the guilty jockey.

S. 43.2 No jockey shall willfully strike or touch another jockey or another jockey's horse or equipment. No jockey shall unnecessarily cause his horse to shorten its stride so as to give the appearance of having suffered a foul. All horses shall be ridden out in every race.

S. 43.3 The stewards shall take cognizance of foul riding whether or not a formal complaint is made, but no complaint shall be considered which comes from any person other than the jockey, trainer, or owner of the horse interfered with.

S. 43.4 If a horse is disqualified for a foul, any horse or horses with which it is coupled as an entry may also be disqualified.

S. 43.5 No owner, trainer, or jockey shall make a frivolous claim of foul.

S. 43.6 If a horse winning a race equals or betters a track record and is disqualified, its time will be recognized as a track record unless the horse was disqualified for being stimulated. This track record shall be noted with an asterisk which will reveal that the horse was disqualified when it established the record.

LAC 11-6:44 Weighing In

S. 44.1 After a race, all jockeys shall be weighed in unless excused by the stewards.

S. 44.2 No one shall assist a jockey unsaddling except by permission of the stewards, and no one shall throw any covering over a horse before it is unsaddled.

S. 44.3 Each jockey shall weigh in at the same weight at which he weighed out, and if short by more than two pounds his mount shall be disqualified and all money wagered on him returned to holders of redeemable tickets. This rule applies only to the horses that share in the purse distribution.

LAC 11-6:45 Claiming Rule

S. 45.1 In claiming races any horse is subject to being claimed for its entered price by any racing interest recognized by the Commission, by any licensed horse owner, or his authorized agent, but only for the account of the person making the claim, or for whom the claim was made by the agent (provided however, that no person shall claim his own horse or a horse in which he has an interest or cause his horse to be claimed directly or indirectly for his own account). Also, a claim may be made by any person who has established his qualifications to claim by filing an application for license as a horse owner and has been granted a certificate authorizing the claim by the stewards at the meeting where a horse is to be claimed. A claim certificate shall not be issued until all conditions and qualifications for a horse owner's license have been met or completed. A claim certificate thus issued will be voided if no claim is made within thirty days of issuance, and the owner's license will be withdrawn.

S. 45.2 The licensed prospective claimant must have obtained the services of a licensed trainer and may be required to provide additional evidence of his qualifications as a horse owner when such evidence is requested by the stewards of the meeting.

S. 45.3 A claimed horse shall not enter in starter, optional, or claiming races for thirty days after being claimed in a race in which the determining eligibility price is less than twenty-five percent more than the price at which the horse was claimed. The day claimed shall not count, but the following calendar day shall be the first day and the horse shall be entitled to enter

whenever necessary so the horse may start on the thirty-first day following the claim for any claiming price. This provision shall not apply to starter handicaps in which the weight to be carried is assigned by the handicapper. A similar rule in other states will be recognized and enforced.

S. 45.4 The claiming price of each horse in a claiming race shall be the entered claiming price, plus tax.

S. 45.5 If a horse is claimed it shall not be sold or transferred to anyone wholly or in part, except in a selling or claiming race, for a period of thirty days from date of claim, nor shall it, unless reclaimed, remain in the same stable or under the control or management of its former owner or trainer for a like period, nor shall it race in any other state until after the close of the meeting at which it was claimed, unless special permission is obtained from the Commission. However, a horse claimed at a track in Louisiana must remain at the track where it was claimed for a period of sixty calendar days or until the current meeting at which it was claimed is terminated. The following calendar day shall be the first day and the horse shall be entitled to enter at another track in the state whenever necessary so the horse may start on the sixty-first day following the claim.

S. 45.6 All claims for the entire race card shall be signed, sealed, time stamped, and deposited in a locked box provided for that purpose in a designated place, at least fifteen minutes prior to post time for the first race. The claim box shall be opened by the stewards and all claims remain in their possession. The claim envelopes shall not be opened by the stewards earlier than ten minutes prior to post time for the designated claiming race. Notification will be made by the stewards to the proper officials of any claim or claims, if any. No money shall accompany the claim. Each person desiring to make a claim, unless they have such amount to their credit with the horsemen's bookkeeper, must first deposit with the horsemen's bookkeeper the whole amount of his claim in cash, for which a receipt will be given. If more than one person shall enter a claim for the same horse, the disposition of the horse shall be decided by lot by one of the stewards or his deputy, and the person so determined to have the right of the claim shall become the owner of the horse whether it be alive or dead, sound or unsound, or injured during the race or after it. Any horse, other than the winner, that has been claimed, shall be taken to the paddock after the race has been run, for delivery to the claimant unless sent to the retention barn for delivery to the claimant after the specimen has been collected.

S. 45.7 Title to a claimed horse shall be vested in the successful claimant at the time the horse becomes a starter. The successful claimant shall then become the owner of the horse whether he be alive or dead, sound or unsound, or injured leaving the starting gate, during the race, or after. However, the successful claimant may

request on the claim blank at the time he makes his claim that the horse be tested for the presence of equine infectious anemia via a Coggins test. Should this test prove positive, it shall be cause for a horse to be returned to his previous owner and barred from racing in the State of Louisiana. The expense of the Coggins test and the maintenance of the horse during the period required for the test, shall be absorbed by the successful claimant. If such a test is requested, the claimed horse will be sent to the retention barn of the Louisiana State Racing Commission where the State Veterinarian will draw a blood sample, which sample shall be sent to a laboratory approved by the Louisiana Livestock Sanitary Board for the conduct of such test.

S. 45.8 No person shall claim more than one horse in a race.

S. 45.9 Each horse shall run for the account of the person in whose name it starts.

S. 45.10 When a claim has been lodged it is irrevocable, and it is at the risk of the claimant.

S. 45.11 Where a claimed horse has had a posterior digital (heel nerve) neurotomy performed prior to the claim, the claimant shall have forty-eight hours from the moment that the horse becomes a starter to protest the claim.

S. 45.12 If the stewards should be of the opinion that any person is claiming a horse for the benefit of another, they may require him to make an affidavit that he is not doing so.

S. 45.13 No horse shall be delivered except on a written order from the racing secretary.

S. 45.14 Any person refusing to deliver a claimed horse shall be suspended and his case referred to the Commission. The claimed horse is disqualified until it is delivered to the successful claimant.

S. 45.15 In claiming races, engagements follow the horse.

S. 45.16 Any person who shall attempt to prevent another person from claiming any horse in a claiming race, or any owners running a horse in claiming races who may make any agreement for the protection of claiming of each other's horses, may be fined or suspended by the stewards or ruled off by the Commission.

S. 45.17 Any person or persons who shall enter, or allow to be entered, in a claiming race a horse against which any claim is held, either as mortgage, bill of sale, or lien of any kind, shall be ruled off, unless when or before entering the horse the written consent of the holder of the claim shall be filed with the racing secretary where the horse is entered.

S. 45.18 The stewards shall be the sole judge of the validity of a claim.

S. 45.19 All claims shall be on blanks and in envelopes furnished by the association and approved by the Commission. Both blanks and envelopes must be filled

out completely and be letter perfect, otherwise the claim will be void. The horse's name must be identical to the way it is printed in the official racing program of the association, otherwise the claim will be void.

S. 45.20 When a trainer is training for more than one owner, only one claim from that stable will be allowed for any one race. Only one claim from owners having the same trainer will be allowed for any one horse.

S. 45.21 Delivery of a claimed winning horse to the claimant or his representative shall be made in the Commission retention barn after specimens (blood, urine, and/or saliva) have been obtained. This rule shall also apply to claimed horses selected for extra tests ordered by the Commission, stewards, or racing officials.

S. 45.22 Notwithstanding any designation of sex or age appearing on the racing program or in any racing publication, the claimant of a horse shall be solely responsible for determining the age or sex of the horse claimed.

LAC 11-6:46 Engagements and Transfers

S. 46.1 If a horse is sold by private treaty, or at public auction, the written acknowledgement of both parties is necessary to prove the fact that he was sold with his engagements, but when a horse is claimed out of a claiming race, the horse's engagements are included.

LAC 11-6:47 Winnings

S. 47.1 Winnings shall include all first place money earned up to the time appointed for the start, and shall apply to all races in any country, and shall include money won by walking over or by virtue of forfeit, but not any other money, or the value of any prize not of money or not paid in money. Winnings during the year shall be reckoned from and include January 1.

S. 47.2 Winner of a certain sum shall mean winner of a single race of that value, unless otherwise expressed in the conditions.

S. 47.3 The winnings of a horse in a stakes race shall be computed on the value of the gross earnings. In estimating the net value of a race to the winner, all sums contributed by its owner or nominator shall be included in the amount it won.

S. 47.4 In estimating the value of a series of races in which an extra sum of money is won by winning two or more of the series, the extra money shall be estimated in the last race by which it was finally won.

LAC 11-6:48 Registration and Accreditation

S. 48.1 Any person or persons attempting to fraudulently register a Thoroughbred with the Jockey Club of New York, a Quarter Horse with the American Quarter Horse Association, or an Appaloosa with the Appaloosa Horse

Club, Inc., shall be denied a license, or have his license revoked.

S. 48.2 The above will also hold true with any person or persons attempting to have a foal certified as an accredited Louisiana bred with organizations recognized by the Commission and the State of Louisiana. Should any breeder organization, recognized by the Commission, discover any irregularities, they shall promptly, in writing, report such violations to the Commission.

LAC 11-6:49 Quarter Horse Racing

S. 49.1 The rules of the Louisiana State Racing Commission shall govern Quarter Horse racing wherever they are applicable. When not applicable, the stewards may enforce the rules of the American Quarter Horse Association so long as they are consistent with the rules of the Commission.

S. 49.2 Cases not covered by the American Quarter Horse Association's rules shall be decided by the stewards, with the advice and consent of the Commission.

S. 49.3 The jurisdiction of a licensed Quarter Horse racing meeting shall be vested solely with the Commission.

S. 49.4 The official stud book and registry of the American Quarter Horse Association shall be recognized as the sole official registry for Quarter Horses.

S. 49.5 Races between Thoroughbred and Quarter Horses are prohibited unless special permission is granted by the Commission.

LAC 11-6:50 Appaloosa Horse Racing

S. 50.1 The rules of the Louisiana State Racing Commission shall govern Appaloosa horse racing wherever they are applicable. When not applicable, the stewards may enforce the rules of the Appaloosa Horse Club, Inc. so long as they are consistent with the rules of the Commission.

S. 50.2 Cases not covered by the rules of the Appaloosa Horse Club, Inc., shall be decided by the stewards, with the advice and consent of the Commission.

S. 50.3 The jurisdiction of a licensed Appaloosa horse race meeting shall be vested solely with the Commission.

S. 50.4 The official stud book and registry of the Appaloosa Horse Club, Inc. shall be recognized as the sole official registry for Appaloosa horses.

S. 50.5 Races between Thoroughbred and Appaloosa horses and races between Quarter Horses and Appaloosa horses are prohibited unless special permission is granted by the Commission.

LAC 11-6:51 Louisiana Breeder Awards

S. 51.1 Any amount paid under R.S. 4:165 and R.S.

4:177 shall not be included in estimating the value of the race to the winner. In construing this rule the definitions contained in the rules of racing adopted by the Commission shall apply. All questions arising under this rule as to the breeding or foaling of any winning horse shall be decided by the Louisiana Thoroughbred Breeders Association, the American Quarter Horse Association or the Appaloosa Horse Club, Inc. In case of a dispute, either party can take an appeal to the Commission for final decision.

LAC 11-6:52 Appeals to the Commission

S. 52.1 Any person penalized or disciplined by the stewards may apply to the Commission for a suspensive appeal staying the effects of the stewards' action pending disposition of such appeal by the Commission.

S. 52.2 Any license or legal entity granted privileges by the Commission may file with the Commission a petition for a declaratory order or ruling as to the applicability of any statutory provision, or any rule, or order of the Commission or its employees. Such petition shall be in writing and signed under oath by the petitioner. The petition shall contain sufficient information to enable the Commission to act thereupon and the Commission may request additional information and facts. The Commission shall issue its order or ruling as expeditiously as possible after deliberate consideration of the issues involved and the interests affected.

LAC 11-6:53 Corrupt and Prohibited Practices

S. 53.1 If any person gives or offers, or promises to directly or indirectly bribe in any form, any person having official duties in relation to any race or race horse, or to any trainer, jockey or agent, or to any other person having charge of, or access to, any race horse; or if any person having official duties in relation to a race, or if any trainer, jockey, agent, or other person having charge of, or access to, any race horse, shall accept, or offer any bribe in any form; or willfully enter, or cause to be entered, or to start for any race a horse which he knows or believes to be disqualified; or if any person is guilty of, or shall conspire with any other person for the commission of, or shall connive with any person being guilty of, any corrupt or fraudulent practice in relation to racing in this or any other country, such person may be disciplined as elsewhere provided in these rules or in the laws of racing.

S. 53.2 Perjury in racing is the intentional making of a false written or oral statement in, or for use in, any proceeding or hearing before the Commission or the stewards, wherein the Commission or the stewards are authorized to take testimony. In order to constitute perjury in racing, the false statement must be made under sanction of an oath or an equivalent affirmation,

and must relate to matter material to the issue of the question in controversy. It is a necessary element of the offense that the person making such statement knew it to be false, but an unqualified statement of that which a person does not know or definitely believe to be true is equivalent to a statement of that which he knows to be false. Whoever commits or attempts to commit bribery, corrupt influencing, the fraudulent entering of a horse, a fraudulent practice in racing, or perjury, all as defined above may have his license revoked, be fined or suspended or both, or be ruled off of any race track under the jurisdiction of the Commission or any one or more of the foregoing as appropriate.

S. 53.3 No assistant starter or jockey room employee may wager money or other valuable thing on the result of a race. No employee of any association licensed by this Commission shall furnish, other than to authorized persons, any information with respect to entries, scratches, results, or jockey changes in any race. No person shall solicit bets on the grounds of an association. No electrical or mechanical device or other expedient designed to increase or retard the speed of a horse, other than the ordinary whip approved, shall be possessed by anyone, or applied by anyone to a horse at any time on the grounds of an association during the meeting, whether in a race or otherwise. No person shall tamper or attempt to tamper with any horse in such a way as to affect his speed in a race, nor shall he counsel or in any way aid or abet any such tampering.

S. 53.4 Any substance or material for human or animal use, ingestion or injection, or for testing purposes that is not formally approved by the United States Food and Drug Administration is prohibited.

S. 53.5 Permissible medication may be administered to a horse in training during a race meeting only by a licensed veterinarian or a licensed trainer, or under their personal orders, except that all medication made hypodermically must be done by a licensed veterinarian.

S. 53.6 No medication shall be administered to a horse after the time fixed by the stewards and posted on the bulletin board in the racing secretary's office. Provided, however, that the time posted shall not be prior to entry in a race. If it is necessary to do so, it must be reported to the stewards by the trainer and the horse may be scratched.

S. 53.7 A forbidden narcotic is a narcotic of which the sale, possession, or use of which is prohibited by Federal, State, or local laws or regulations.

S. 53.8 A stimulant, a depressant, a local anesthetic shall mean such substances as are commonly used by the medical or veterinary professions to produce such effects, and which are defined as such in accepted scientific publications.

S. 53.9 The use of a stimulant, depressant, or anesthetic in a manner that might affect, or tend to affect, the racing performance of a horse is prohibited. (Stimulants

and depressants are defined as medications which stimulate or depress the circulatory, respiratory, or central nervous systems.)

S. 53.10 The use of any drug, regardless of how harmless or innocuous it might be, which by its very nature might mask or screen the presence of the aforementioned prohibited drugs is likewise prohibited.

S. 53.11 Full use of modern therapeutic measures for the improvement and protection of the health of a horse is authorized; however, no such medication will be used on the day of the race except by express permission of the proper officials.

S. 53.12 Personal veterinary records, which accurately record all medications shall be maintained by veterinarians, owners, trainers, and/or authorized personnel and will be made available to racing officials on request.

S. 53.13 Controlled medication is permitted in Louisiana under the conditions set forth in LAC 11-6:54.

S. 53.14 No person shall administer, or cause or knowingly permit to be administered, or connive at the administration of, any drug to any horse entered for a race, which is of such character as could affect the speed of the horse in such race. Every owner, trainer, or groom must guard, or cause to be guarded, each horse owned, trained or attended by him in such manner as to prevent any person or persons from administering to the horse, by any method, any drug prior to the time of the start of the race which is of such character as to affect the speed of the horse in such race.

S. 53.15 When a report is received from the State chemist reflecting in his expert opinion that the chemical analysis of blood, saliva, urine, or other samples taken from a horse indicate the presence of a forbidden narcotic, stimulant, depressant, or analgesic, local anesthetic or drugs of any description, this shall be taken as prima facie evidence that such has been administered to the horse. Such shall also be taken as prima facie evidence that the owner, and/or trainer, and/or groom has been negligent in handling of the horse.

S. 53.16 The owner, and/or trainer, and/or groom, and/or other person, shall be permitted to interpose reasonable and legitimate defenses before the Racing Commission.

S. 53.17 When a report as described in Section 53.15 is received from the State chemist, the stewards shall conduct an investigation and a hearing. There shall be no ruling and the stable shall remain in good standing pending the disposition by the stewards. However, the horse allegedly to have been administered any such chemical substance or material shall not enter in a race during the investigation and hearing.

S. 53.18 The trainer and/or assistant trainer shall be responsible for and be the absolute insurer of the condition of the horses he enters regardless of acts of third parties. Trainers and/or assistant trainers are presumed to know the rules of the Commission.

S. 53.19 Should the chemical analysis of any sample of the blood, saliva, urine, or other excretions of body fluids of any horse so analyzed contain any narcotic, stimulant, depressant, local anesthetic, analgesic, or drugs of any description, the trainer of the horse may, after a hearing of the stewards, be suspended or ruled off, if the stewards conclude that the drug contained in the sample could have produced analgesia in, stimulated, or depressed the horse, or could have masked or screened a drug that could have produced analgesia in, stimulated or depressed the horse. The stable foreman, groom, and any other person shown to have had the care or attendance of the horse may be suspended, or ruled off. The owner or owners of a horse so found to have received such administration shall be denied, or shall promptly return, any portion of the purse of sweepstakes and any trophy in such race, and the same shall be distributed as in the case of a disqualification.

S. 53.20 If a horse winning a race is disqualified, it will nonetheless be recognized as the winner of the race for the purpose of meeting the eligibility and conditions for all future races and the horse which is declared the official winner of the race will likewise be recognized as the winner of the race, pending final determination by proper authority.

S. 53.21 If any owner, trainer, assistant trainer, groom, or stable attendant should interfere with, or use abusive language to the State Veterinarian, his assistants, or any racing official while in the discharge of their duties, such person may be fined or suspended.

S. 53.22 No person shall have in his possession, within the confines of a race track or within its stables, buildings, sheds or grounds where horses are lodged or kept which are eligible to race over a race track of any association holding a race meeting, any prohibited drugs, hypodermic syringes or hypodermic needles or similar instruments which may be used for injection, except that licensed veterinarians may have in their possession such drugs, instruments or appliance, etc. as required in general veterinary practice.

S. 53.23 Anyone tampering with a horse in any manner will be prosecuted as provided by law.

S. 53.24 During the taking of a sample by a representative of the Commission, the owner, trainer, hot walker, groom, authorized agent, or chemist representing them may be present at all times. The sample so taken shall be placed in an authorized container and shall be immediately sealed, and the evidence of such sealing may be indicated thereon by the signature of such representative of the owner or trainer. The veterinarian representing them shall have the right to attend and witness the examination and testing of the blood, saliva, or other excretions of body fluid.

S. 53.25 The Commission, or the steward representing the Commission, investigating violations of law or the rules of the Commission, shall have the power to

authorize searches of the person or the power to authorize entry and search of the stables, rooms, vehicles, or any other place within the track enclosure at which a race meeting is being held, or other tracks or places where horses eligible to race at the race meeting are kept. The Commission or the steward representing the Commission shall also have the authority to conduct or authorize searches of all persons licensed by the Commission, and of all employees and agents of any race track association licensed by the Commission, and of all vendors who are permitted by the race track association to sell and distribute their wares and merchandise within the race track enclosure, in order to inspect and examine the personal effects or property on such persons or kept in stables, rooms, vehicles, or other places. Each licensee, in accepting a license, does thereby consent to such search as aforesaid and waive and release all claims or possible actions for damages that he may have by virtue of any action taken under this rule.

S. 53.26 Each licensee and/or permittee, in accepting a license, does thereby consent to have any prior criminal arrest and/or criminal conviction disclosed and/or utilized during any steward's hearing, Racing Commission hearing, or in any subsequent litigation arising from these hearings.

S. 53.27 All horses from which specimens are to be drawn are to be taken to the detention area at the prescribed time and remain there until released by the person in charge of the detention barn. No person other than the owner, trainer, groom, or hot walker of a horse to be tested shall be admitted to the detention area without permission of the person in charge of the detention barn. No lead pony shall be admitted to the detention area without permission of the person in charge of the detention barn.

S. 53.28 Stable equipment other than that necessary for washing and cooling out a horse is prohibited in the detention area. Buckets and water will be furnished by the person in charge of the detention barn. If a body brace is to be used, it shall be supplied by the responsible trainer and administered only with the permission, and in the presence of, the person in charge of the detention barn. A licensed veterinarian may attend a horse in the detention area only in the presence of the person in charge of the detention barn.

S. 53.29 During the taking of specimens from a horse, the owner, or responsible trainer (who, in the case of a claimed horse shall be in the person in whose name such horse raced), or a stable representative designated by such owner or trainer, shall be present and witness the taking of such specimen and so signify in writing.

S. 53.30 All containers previously used for specimens shall be thoroughly cleaned in the Commission chemist's laboratory and shall be sealed with the laboratory stamp which shall not be broken except in the presence of the witness. Only water, with or without acetic acid, shall be

used to moisten gauze used in collection of saliva. Instruments and utensils used in the taking of samples shall be sterilized after each use.

S. 53.31 The temperature of each sample shall be promptly taken and recorded by the person in charge of the detention barn or his assistant. The specimen shall be placed in a container and sealed with a double identification tag. One portion of such tag bearing a printed identification number shall remain with the sealed container. The other portion of such tag bearing the same printed identification number shall be detached in the presence of the witness, and the person in charge of the detention barn shall identify the horse from which such specimen was taken, as well as time, race, and day, verified by such witness, and such detached portions of identification tags shall be placed in a sealed envelope by the person in charge of the detention barn for delivery only to the Commission. The person in charge of the detention barn shall take every precaution to ensure that the Commission chemist and no member of the laboratory staff shall know the identity of the horse from which a specimen was taken prior to the completion of all testing thereon.

S. 53.32 If after a horse remains a reasonable time in the detention area and a urine specimen has not been taken from the horse, the State Veterinarian may take a blood sample.

S. 53.33 With the consent of the trainer or attendant the person in charge of the detention barn may administer to the horse a diuretic to facilitate urination. Quantity, identity, and time of administration shall be noted on both portions of the specimen identification tag by the person in charge of the detention barn.

S. 53.34 The person in charge of the detention barn shall be responsible for safeguarding all specimens while in his possession and shall cause such specimens to be delivered only to the Commission chemist as soon as possible after sealing, but in such order or in such manner as not to reveal the identity of any horse from which each sample was taken.

S. 53.35 Each specimen shall be divided into portions so that one portion shall be used for initial testing for unknown substances, and another portion shall be preserved for further testing as the Commission may direct. The Commission chemist shall be responsible for safeguarding and testing each specimen delivered to his laboratory by the Commission representative.

S. 53.36 The Commission chemist shall conduct individual tests on each specimen capable of screening same for prohibited substances, and such other tests as to detect and identify any suspected prohibited substance or metabolic derivative thereof with specificity. Pooling of specimens shall be permitted only with the knowledge and approval of the person in charge of the detention barn.

S. 53.37 Upon the finding that a test for prohibited

substances is negative, the remaining portions of such specimen may be discarded. Upon the finding of test results which are suspicious, positive, or indicative of prohibited substances, such tests may be reconfirmed, and the remaining portion, if available, of such specimen shall be preserved and protected until such time as the stewards rule it may be discarded.

S. 53.38 The Commission chemist shall submit to the State Steward a written report as to each specimen tested, indicating thereon by specimen tag identification number, whether a specimen was tested negative or positive for prohibited substances. The Commission chemist shall report test findings to no person other than the State Steward, Commission, or their designated representative.

S. 53.39 In the event the Commission chemist should find a specimen suspicious of a prohibited medication, he may request additional time for test analysis and confirmation.

S. 53.40 The horsemen's bookkeeper shall not make distribution of any purses until given clearance of chemical tests by the stewards.

S. 53.41 The Commission chemist will make a further report to the State Steward and the Commission on any substance his tests showed, which is not normal in a horse. These reports shall be confidential and are not evidence for disciplinary action. They can be used as a warning to the trainer or veterinarian, by the stewards or by the Commission Veterinarian, to improve his surveillance. The residue of specimen material from such tests will be preserved by the Commission chemist until released by the Commission.

S. 53.42 In reporting to the State Steward that a test for prohibited substances was positive, the Commission chemist shall present documentary or demonstrative evidence acceptable in the scientific community and admissible in court in support of such professional opinion as to such positive finding.

LAC 11-6:54 Permitted Medication

S. 54.1 The use of phenylbutazone (Butazolidin), Arquel, and/or Lasix is permitted upon a race horse within a licensed racing enclosure or an auxiliary (off-track) stable area, subject to compliance with the following:

A. Only a veterinarian may prescribe, dispense, and administer phenylbutazone, Arquel and/or Lasix, except a trainer may administer phenylbutazone or Arquel if it is an ingestible or is topically applied.

B. Lasix may be administered the day of the race upon approval of the State Veterinarian or the veterinarian attending the horse.

C. Daily reports of the administration of Lasix must be given to the State Veterinarian by 12:00 noon. They must be signed by the attending veterinarian and

cosigned by the State Veterinarian, and must contain the following:

(1) Date of the race.

(2) Number of the race in which the horse is to run.

(3) Name of the horse and its tattoo identification number.

(4) Name of permissive medication or medications administered.

(5) Hour and date that all permitted medication was administered to the horse.

D. Prior to or at the time of its entry in a race at each race meeting, a trainer shall report to the State Veterinarian each horse under his care by name, including the tattoo identification number, which shall run on phenylbutazone or Arquel. Once a horse is reported to be on a phenylbutazone or Arquel program, it shall be deemed to be continued on the program unless removed in accordance with the provisions of Section 54.1F.

E. Whenever bleeder medication, Arquel, or phenylbutazone is to be administered to a horse entered for racing, that information will be posted for public information in the Daily Racing Form, and the Daily Racing Program.

F. Any horse on a phenylbutazone or Arquel program that races well and "lights the board" must be treated each time he races. A horse that races poorly, or is pronounced cured, or is not responding to phenylbutazone or Arquel therapy, may be taken off the treatment upon the recommendation of the treating veterinarian, subject to the approval of the State Veterinarian or, where a trainer administered the phenylbutazone or Arquel upon the recommendation of any veterinarian, subject to the approval of the State Veterinarian. Once a horse is taken off a phenylbutazone or Arquel program, it shall not be placed back on phenylbutazone or Arquel for thirty days.

G. To insure that the use of phenylbutazone and Arquel is consistent and the reporting is accurate, the Commission reserves the right to pre-race blood tests or post-race urine tests, or both, whenever it is deemed necessary.

H. Notwithstanding anything herein contained to the contrary, phenylbutazone or Arquel shall not be prescribed, dispensed, or administered to a two-year-old horse.

S. 54.2 As used in this rule, "veterinarian" shall mean a person who is licensed to practice veterinary medicine in Louisiana, and who is in good standing and is licensed by the Commission.

S. 54.3 Any person found to have violated the provisions of this rule may be punishable by fine, and/or suspension, and/or revocation of license.

Albert M. Stall
Chairman

RULES

Real Estate Commission

1. Applications for broker or salesman licenses, accompanied by a license fee and separate examination fee, are required to be received by the Commission at least eleven days prior to the date of examination in order to obtain the required examination admittance authorization.
 - A. Examination admittance authorizations shall be issued in letter form.
 - B. Examinations shall be taken at one of three consecutive examination periods following, and in the same calendar year of, issuance of admittance authorization letters.
 - C. Official admittance authorization and driver's license, or other photographic evidence of applicant's identity, must be presented to the examination monitor before an examination will be administered to any applicant.
 - D. Salesman and broker examinations shall be held monthly excluding January and December.
 - E. Applicants who fail to pass the initial examination will be allowed to take a second examination at any subsequent regular examination period provided that they remit a new examination fee and obtain official examination admittance authorization.
 - F. Applicants who fail to pass the second examination shall have their applications and license fees returned by the Commission. Those applicants who fail to pass the second examination shall be allowed to take additional examination(s) at any subsequent regular examination period not less than six months beyond the date of their last examination failure, provided that they resubmit their application, license fee, new examination fee, and obtain official examination admittance authorization.
 - G. Applicants who, for any reason, are disqualified on an examination may retake said examination at any subsequent regular examination period provided that they remit a new examination fee and obtain official examination admittance authorization.
 - H. Applicants are not allowed to possess or utilize

any reference material, slide rules, protractors, tables, or computers during examinations.

- I. Examinations will be administered only at designated examination centers, on the prescribed date and at the prescribed time as shown on admittance authorization, and only after all of the requirements of this section have been met.
2. Any check presented as a fee under this section which is returned unpaid by the payor's bank shall be cause for suspension, revocation, or denial of renewal of license.
 - A. Examination fees shall be submitted by separate remittance and shall not be combined with the payment of any other fees.
 - B. Examination fees shall be submitted in the form of a certified check, cashier's check, bank, or U.S. postal money order payable to the Louisiana Real Estate Commission.
 - C. Examination fees are forfeited to the Commission in those cases where applicants fail to take the examination in accordance with the time requirements of Rule 1 herein.

* * * *

13. Advertising:

- A. All advertising of property by real estate brokers shall be stated in the exact name as shown on their real estate broker's license.
 1. Brokers shall have the actual authority of the owner of any property before they represent or advertise the said property in any way.
 2. All advertising by real estate brokers shall be a clear, concise, true, and up-to-date representation of the property advertised.
 3. All advertising, whether printed, by radio, television, display, or of any other nature, must contain the name and telephone number of the advertising broker. The name and telephone number of salesmen and/or broker affiliates may appear in advertising of the sponsoring broker, however, it must be displayed in a manner distinctively subordinate to that of the sponsoring broker.
 4. No advertisement shall be made by telephone number alone.

- B. A licensed broker or salesman offering property in which such licensee owns an interest shall state in any advertisement that the owner is a licensed real estate agent.
 - C. No real estate broker shall offer or advertise to the public the service of "free appraisal" unless said broker is fully qualified and/or certified in the field of real estate appraisal by competent authority. Any real estate broker who, nevertheless, advertises or offers the service of "free appraisal," shall furnish a complete written copy of each appraisal that is requested in response to such offer or advertisement.
 - D. Brokers who use franchise, trade, service, or professional names, symbols, or trademarks in connection with their broker activities shall:
 - 1. Register such name, symbol, or trademark with the Commission.
 - 2. Disclose to the public in all advertising, with the exception of standard picket yard signs, that the said real estate brokerage office is independently owned and operated.
14. Immediately upon becoming licensed, each broker shall open and maintain an escrow (trust) account into which they shall deposit all monies, including rentals, or other things of value received in trust on behalf of clients.
- A. The escrow (trust) account required by this section shall be established as a separate account in a bank in the parish in which the broker's main office is located except under circumstances where requirements of the parties dictate a different parish.
 - 1. In the discretion of the broker a separate escrow (trust) account may be opened and maintained for the collection and management of rentals.
 - B. Monies received in trust on behalf of clients are not assets of the broker and shall not be commingled with personal or business funds of the broker; however, a broker may deposit and keep a sum not to exceed one hundred dollars in said account from his personal funds, which sum shall be specifically identified and deposited to cover bank service charges related to said escrow (trust) account. Failure to comply with the requirements of this subsection shall be construed as prima facie evidence of fraud.
 - C. Applicants for brokers' licenses shall execute an affidavit authorizing and empowering the Commission or its representative to examine and/or inspect their escrow (trust) accounts.
 - D. Brokers shall execute a separate escrow (trust) account affidavit upon opening any new or additional escrow (trust) account. Affidavits required by this subsection shall be submitted to and received by the Commission within ten days following the opening of such account.
 - E. Monies received and deposited in escrow (trust) accounts shall be removed and/or disbursed therefrom only upon:
 - 1. Mutual consent of buyer(s) and seller(s).
 - (a) When any funds which are held in escrow (trust) are designated to be compensation to the broker or co-operating broker, such funds shall be disbursed from the escrow account and transferred to the personal account of the broker only upon said compensation being earned and with the consent of the owner of the funds.
 - 2. Court order
 - F. Brokers shall notify the Commission of their intention to close an escrow (trust) account at least ten days prior to the intended closing date.
 - G. Upon cancellation of license for any reason, a broker shall nevertheless continue and maintain the escrow (trust) account until such time as all deposits therein have been properly disbursed according to law.
- * * * *
19. All written offers received shall be presented by the listing broker to the owner for his consideration and decision immediately. Negotiations concerning property listed exclusively with one broker shall be carried on with the said listing broker, not the owner, except with the expressed consent of the said listing broker.
- A. All written offers presented by a cooperating broker to a listing broker shall provide for insertion for time of day, date and acknowledgement of receipt by listing broker, who shall present the subject offer to the owner immediately.
 - B. All written offers presented to the owner and

not accepted shall be clearly marked as rejected and signed by the owner (seller). In the event that the owner (seller) is not available and grants authority to listing broker to reject, the listing broker shall sign in lieu of owner (seller) but the listing broker shall nevertheless forward to owner a copy of the written offer to be signed by owner (seller) and said signed copy returned for files of both listing broker and selling (cooperating) broker.

* * * *

26. Unless registered in Louisiana as hereinafter specified, no person, partnership, or corporation shall sell of offer for sale in Louisiana any out-of-state real estate in a subdivision which is subject to the Federal Interstate Land Sales Full Disclosure Act except through a licensed resident Louisiana real estate broker.

A. Prior to the time when subject real estate is offered for sale, such person, partnership, or corporation shall make application to the Commission for registration in this state. Applications for registration shall contain the following information and supporting documents:

1. Name, address, and whether the applicant is a person, partnership, or corporation;
 - a. Partnership: the names and addresses of the individual members thereof;
 - b. Corporation: Names and addresses of officers and members of the board of directors and place of incorporation.
2. Legal description of the real estate offered for sale, including area maps and record plats;
3. Name and address of legal owner of the subject real estate;
4. A certified, audited, financial statement disclosing the current financial condition of the developer;
5. A statement of title to the property including all encumbrances with recording date on the day of application;
6. Copies of the instruments by which the property was acquired and documentary evidence stating whether mortgagee or trustee of a deed of trust will or will not subordinate his interest in the real estate to the interest of a purchaser;
7. Sales contracts intended to be used which shall contain a provision entitling the purchaser, if he has not seen the land, to an unconditional right of refund of all pay-

ments made under the contract after inspecting the land if inspection is made within thirty days from the date of the contract. Such contracts shall also contain a provision granting to the purchaser an unconditional right to rescind the contract for a period of fourteen days if he has not inspected the land;

8. A zoning or other governmental regulations statement disclosing whether or not such regulations have been satisfied;
9. A copy of an offering statement which sets forth the material facts with respect to the subject real estate.

B. After receiving the application, the Commission may require such additional information deemed necessary.

C. The Commission shall require a personal inspection of the property by a person(s) designated by it to determine whether, in general, the property can be utilized as indicated by the subdivider. All such inspection expenses incurred shall be borne by the applicant who shall deposit with the inspector in advance a sum sufficient to cover such expenses.

D. Applicants shall appoint the Louisiana Secretary of State to act as the applicant's agent for the service of all judicial process or legal notices directed to such applicant. Service upon the agent so designated shall be equivalent to personal service upon the applicant.

E. If the requirements set forth herein are met, the Commission shall register the subdivision for a period of one year. The subdivider shall renew each year by furnishing the Commission with all information as would modify or change the information previously submitted. Should the Commission deem that an additional inspection is necessary, the cost of making same shall be paid by the subdivider in the manner provided for initial registration.

F. Neither the subdivider or any representative of the subdivider shall in any manner refer to the Commission or any member or employee thereof in selling, offering for sale, advertising or otherwise promoting the sale, mortgage, or lease of such real estate, nor make any representation whatsoever that such real estate has been inspected, approved, endorsed, or in any way recommended by the Commission or any Louisiana official, department, or employee.

RULES

Tax Commission

Rules and Guidelines for Distribution of Monies Appropriated to and Used by the Assessors

- G. The Commission shall have the power to withdraw any registration and/or issue a cease and desist order to any subdivider subject to these rules and regulations, upon determination that any Federal or State law or Commission rule has been or will be violated.

* * * *

40. Approved real estate schools, with the exception of Louisiana colleges and universities, shall designate their courses as Real Estate I (thirty hour statutory requirement for salesmen), Real Estate II and III (balance of ninety hour statutory requirement for brokers).

A. Each school shall furnish to the Commission for each course(s) it conducts, the exact location, time, and date schedule for all classes including the time of the final examination.

1. The information required by this Section shall be filed by the school to be received by the Commission at least fourteen days prior to the date of beginning of each course(s) conducted.

B. Within three days following the beginning of each course(s), all schools shall furnish:

1. The name of each instructor and a detailed copy of each course curriculum, including allocation of hours of classroom instruction to each topic.
2. Tuition.
3. A notarized list certifying the names of all persons enrolling in course(s).

C. Within ten days following the completion of each course(s), all schools shall furnish:

1. A notarized list of those persons satisfactorily completing course(s) also certifying that the named students personally attended the minimum required statutory classroom instruction and passed a comprehensive final examination.
2. A copy of the final examination for course(s).

Failure to comply with the requirements of this Article shall be grounds for immediate loss of school certification.

Alvin J. Unick, Director
Louisiana Real Estate Commission

Act 701 of the Regular Session of 1976, appropriated \$3.5 million out of the general fund for the year 1976-1977 to the Tax Commission for the purpose of paying expenses in connection with the reappraisal of all property subject to taxation.

Out of this amount \$3 million shall be made available to, and used solely by, the parish assessors in connection with the mandate contained in Article VII, Section 18, of the Louisiana Constitution.

Each parish assessor is to receive a share of the \$3 million in proportion to the amount received from the \$90 million revenue sharing fund as shown on the attached statement.

Payment shall be made by the Tax Commission to each assessor in two equal amounts. The first payment is to be made after the assessor submits a statement of the anticipated expenses necessary to complete the reappraisal, as well as, any expenses already incurred. The second payment will be made after the reappraisal program has been started and a progress report is submitted to the Tax Commission.

All expenditures by the assessors shall be in accordance with the following guidelines:

1. Upon receipt by the assessor, the funds must be deposited in a separate bank account (i.e., separate and apart from the Assessor's Salary and Expense Fund), to be designated the "Assessment Fund."
2. Expenditures from the separate Assessment Fund shall be made only in connection with the performance of duties required by Article VII, Section 18, of the Louisiana Constitution of 1974, and shall not be used to pay those regular salaries or other expenses normally paid by the Assessor's Salary and Expense Fund.
3. Expenditures from the Assessment Fund shall be accounted for in the same manner as expenditures from the Assessor's Salary and Expense Fund.
4. Reimbursements from the Assessment Fund to the Assessor's Salary and Expense Fund for expenses already incurred, and attributable to the assessment

procedure, shall reflect the particular item of expense and the specific check number for which reimbursement is made.

The amount each parish shall receive follows:

Acadia, \$41,190; Allen, \$16,386; Ascension, \$32,322; Assumption, \$15,720; Avoyelles, \$30,510; Beauregard, \$20,268; Bienville, \$13,380; Bossier, \$53,346; Caddo, \$189,558; Calcasieu, \$120,606; Caldwell, \$8,388; Cameron, \$7,074; Catahoula, \$9,096; Claiborne, \$13,464; Concordia, \$17,412; DeSoto, \$18,372; East Baton Rouge, \$250,812; East Carroll, \$9,192; East Feliciana, \$12,528; Evangeline, \$25,608; Franklin, \$18,684; Grant, \$12,078; Iberia, \$47,514; Iberville, \$23,148; Jackson, \$13,380; Jefferson, \$310,788; Jefferson Davis, \$23,316; Lafayette, \$95,946; Lafourche, \$57,684; LaSalle, \$12,180; Lincoln, \$27,570; Livingston, \$34,026.

Madison, \$11,166; Morehouse, \$25,710; Natchitoches, \$27,852; City of New Orleans, \$443,400; Ouachita, \$102,774; Plaquemines, \$19,182; Pointe Coupee, \$17,022; Rapides, \$94,806; Red River, \$7,536; Richland, \$16,956; Sabine, \$16,392; St. Bernard, \$48,414; St. Charles, \$25,458; St. Helena, \$7,578; St. James, \$15,342; St. John the Baptist, \$19,248; St. Landry, \$62,322; St. Martin, \$27,498; St. Mary, \$44,784; St. Tammany, \$60,450; Tangipahoa, \$55,422; Tensas, \$6,756; Terrebonne, \$63,066; Union, \$16,206; Vermilion, \$35,034; Vernon, \$36,792; Washington, \$34,470; Webster, \$33,018; West Baton Rouge, \$13,854; West Carroll, \$10,386; West Feliciana, \$6,360; Winn, \$13,200.

C. Gordon Johnson, Chairman
Tax Commission

RULES

Department of Transportation and Development Office of Highways

The Office of Highways, Department of Transportation and Development, has adopted its revised Action Plan for Social, Economic, and Environmental Considerations as required by Section 109(h), Title 23, U.S. Code, to conform with Federal Highway Administration regulations published in Volume 39, Federal Register, No. 232, page 41819, December 2, 1974, and Volume 40, Federal Register, No. 181, page 42977, September 17, 1975. The Action Plan sets forth standards to assure that adequate consideration is given, during the planning and environmental design stages of Federal-aid highway development, to the social, economic, and environmental effects of a Federal-aid highway.

The Department of the State Register, in accordance with R.S. 49:954.1C, has exercised its privilege to omit from the Louisiana Register the text of the Action Plan. Limited copies of the Plan will be made available at a cost of \$3.50 per copy upon written request to:

Office of Highways
Department of Transportation and Development
c/o Mr. Ernest R. Caston, Jr.; General Files
P.O. Box 44245, Capitol Station
Baton Rouge, Louisiana 70804

W.T. Taylor, Assistant Secretary
Office of Highways, Department of
Transportation and Development

RULES

Department of Wildlife and Fisheries Natural and Scenic Rivers System Act

Rules for Hearing on Appeal

The Guidelines and Procedures for the Administration of the Natural and Scenic Rivers System Act adopted by the Louisiana Wildlife and Fisheries Commission, as administrator of the system, provides at Section 26 that the applicant or any person who participates either orally or in writing at a public hearing under Section 17 of the Guidelines shall be entitled to appeal the decision of the administrator to the full Wildlife and Fisheries Commission. In order to provide for the orderly conduct of hearings on appeal under the Guidelines, the Louisiana Wildlife and Fisheries Commission hereby establishes the following rules of procedure for the conduct of such hearings as may be requested.

Rule I. Definitions

Section 1. "Commission"—The Louisiana Wildlife and Fisheries Commission.

Section 2. "Administrator"—The administrator appointed by the Louisiana Wildlife and Fisheries Commission to review permits and conduct hearings under the Guidelines and Procedures for the Administration of the Natural and Scenic Rivers Systems Act.

Section 3. "Guidelines"—The Guidelines and Procedures for Administration of the Natural and Scenic Rivers System Act adopted by the Louisiana Wildlife and Fisheries Commission.

Section 4. "System"—The Natural and Scenic Rivers System Act, Revised Statutes 56:1841-1849.

Section 5. "Appellant"—The applicant or any person who participates, either orally or in writing, at a

public hearing under Section 17 of the Guidelines who has petitioned the Commission to appeal the decision of the administrator.

Section 6. "Appellee"—The applicant or any person who participated, either orally or in writing, at the public hearing, who wishes to respond to the petition of the appellant.

Section 7. "Rules"—The rules herein set forth for the administration of hearings on appeal under Section 26 of the Guidelines.

Section 8. "Party"—Appellant or appellee to the appeal being prosecuted.

Rule II. Preparation of Transcripts

Section 1. In all cases appealed to the Commission, the original record shall be prepared by the administrator. It shall consist of all records, exhibits, documents, and other evidence presented to the administrator by the applicant or by any person who participated, either orally or in writing, at a public hearing in connection with the permit request which is the subject of the appeal.

Section 2. It shall be the responsibility of the administrator to prepare one duplicate record. To assist him in preparing it, the administrator may require all pleadings and other papers filed in any permit request, except public documents or other similar exhibits, to be typewritten on good, white, unglazed paper, of legal size, with a margin at the top of each page of not less than two inches and at the left hand margin of not less than one inch, with impressions to be on one side of the paper only, and double-spaced, except for matters customarily single-spaced and indented.

Section 3. The original record and the duplicate thereof shall bear the certificate by the administrator as to the completeness and authenticity thereof.

Section 4. The original and duplicate records, properly bound, shall be transmitted to the Commission not later than thirty days following the petition for appeal by appellant. The Commission may grant to the administrator additional time for preparation of transcript, for reasonable cause shown.

Section 5. Upon receipt of the original and duplicate transcripts, the Commission shall notify appellant and appellee that the attempt is available for review at the offices of the Commission.

Section 6. Any part wishing a copy of the transcript may obtain same by payment, in advance, of the cost of reproducing and certifying the transcript.

Rule III. Costs and Fees

Section 1. Each party to the appeal shall pay a filing fee of fifty dollars.

Section 2. Costs of copying and/or certifying the

transcript, or any part thereof, shall be paid in advance by any party requesting such copies.

Section 3. The actual cost of the conduct of the hearing on appeal shall be determined by the Commission and shall be assessed at the discretion of the Commission.

Section 4. Failure to pay cost and fees within thirty days of the date of a bill therefor shall subject an appeal to dismissal with prejudice, at the discretion of the Commission.

Rule IV. Docketing of Cases and Withdrawal of Transcripts

Section 1. Cases will be docketed in the order in which they are filed and no motion or application, except such as may be presented orally before the Commission, will be entertained or considered, unless previously filed, numbered, and docketed.

Section 2. Transcripts of appeal may be withdrawn by counsel for the parties litigant upon giving written receipt therefor to the Commission and shall be returned by counsel within such period as may be fixed by the Commission at the time of withdrawal, or at any time upon the request of the Commission.

Section 3. The original transcript of appeal shall not be withdrawn from the Commission's office after a case has been submitted, except for the purpose of preparation of applications for rehearing, in which case it shall be returned by the counsel withdrawing same within not more than three days.

Section 4. If the transcript or original record in the case, once filed in the Commission's office, is lost, mislaid or removed therefrom, either of the parties of appeal may furnish another transcript or record which shall be considered filed as of the same date as the one first filed.

Rule V. Briefs

Section 1. Not less than one original and nine completely legible copies of each brief must be filed with the Commission. All briefs shall bear a cover or title page setting forth: (a) the title of the Commission, (b) appeal number of the case before said Commission, (c) the title of the case as it appears on the docket of the Commission, (d) the title of the administrator, (e) the name of the administrator who rendered the judgment or ruling complained of, (f) a statement identifying the party on whose behalf the brief is filed, and his status before the Commission, (g) the nature of the brief, whether original, supplemental or reply, and, (h) the name of counsel by whom the brief is filed.

Section 2. Briefs may be printed or multilithed in pamphlet or book form, in paper covers, six by nine inches in size, or they may be typewritten or multilithed

on stationery, either letter or legal size. If briefs are typewritten, the copy shall be composed of one original written on bond stationery, and nine completely legible copies thereof. Except for matters customarily single-spaced and indented, all typewritten briefs must be double-spaced.

Section 3. The brief on behalf of appellant shall set forth a succinct syllabus or statement of the principles of law relied upon with corresponding citations of authority, a concise statement of the case, the action of the administrator thereon, a specification of alleged errors relied upon, the issues presented on the appeal, and an argument confined strictly to the issues of the case, free from unnecessary repetition, giving accurate citation of the pages of the transcript and of the authorities cited.

Section 4. The brief on behalf of appellee shall contain appropriate and concise answers and arguments with reference to the complaints and arguments of appellant with accurate citations of references to the transcript and authorities.

Section 5. All briefs shall be prefaced with an index of its contents and a table of cases and authorities showing the page on which each is cited.

Section 6. The language used in any brief or document filed must be courteous and free from vile, obscene, or obnoxious expressions, and free from insulting, abusive, discourteous, or irrelevant matter, or criticism of any person, class, or association of persons, administrator, officer, or institution. Any violation of this rule shall subject the author, or authors, of the brief or document to the humiliation of having such brief or document returned, and to punishment for contempt of the authority of the Commission.

Section 7. The brief of appellant shall be filed not later than twenty-five calendar days after the filing of the transcript of appeal, and the brief of appellee shall be filed not later than forty-five calendar days after the filing of the transcript.

Briefs shall be accompanied by a certificate to the effect that a copy thereof has been delivered or mailed to opposing counsel or the opposing litigant(s) if not represented by counsel.

Section 8. In the case of briefs sent through the mail, the filing shall be deemed to be timely when the postmark shows that the brief was mailed on or before the due date.

Section 9. An extension of time within which to file a brief will be granted at the discretion of the Commission and only in cases in which good cause is shown through written motion being filed with the Commission on or before the date the brief would ordinarily be due under the appropriate rule. In each instance of such an extension being granted as to the brief on behalf of appellant, a commensurate extension of time is automatically accorded for the filing of the

brief on behalf of appellee, and no action to obtain such an extension shall be necessary on the part of the appellee or his counsel. Provided, however, that the hearing and determination of the appeal will not, on the account of such extensions being granted, be retarded.

Section 10. Failure to file briefs timely in accordance with the above provisions shall forfeit the right of the party, so filing, to orally argue the case before the Commission.

Section 11. In cases specifically assigned for argument, advance filing of briefs shall be made as may be ordered by the Commission.

Section 12. Supplemental briefs on the merits, or briefs in support of motions, or petitions for supervisory writs, may be filed at any time, with leave of the Commission.

Section 13. No amicus curiae briefs may be filed without leave of the Commission.

Section 14. No brief shall be accepted by the Commission for filing unless it complies in full with Sections 1 through 6 of this rule governing the form and content of briefs.

Rule VI. Oral Arguments

Section 1. The appellant or appellants shall have the right to open and close the argument; and when there are two or more appellants in the same case, the Commission shall decide, when the case is called for argument, who shall open and who shall close the argument, unless the parties agree upon the one who shall open and upon the one who shall close the argument.

Section 2. Sixty minutes, divided equally between the opposing parties, will be allowed for oral argument in each case unless additional time is requested, for good cause, and allowed in advance of argument or unless it is apparent to the Commission, at the expiration of the allotted time, that additional time is needed for the proper presentation of the case. In like manner, time allotted for the argument may be curtailed, whenever, during the course of the argument, it becomes manifest to the Commission that counsel has fully covered all issues involved and that the points advanced by him, or other counsel with whom he is associated, are merely being repeated or reemphasized or where the argument is being carried beyond the issues of the case. When there is conflict of interests between appellants, or appellees in any case, the Commission shall decide upon the apportionment of the time allowed them for argument unless they agree upon the apportionment.

Section 3. In the course of oral argument counsel shall not be permitted to read from his brief, except for the purpose of quoting from cases, statutes, or texts to such extent as may be necessary.

Section 4. In connection with any citation of authorities counsel shall produce and leave with the Commission until the case is decided, any book, treatise, or text to which reference is made and which is not otherwise conveniently available to the Commission.

Section 5. The Commission, in its discretion and at any time after a case has been submitted, may order that the case be resubmitted, with or without oral argument.

Rule VII. Exhibits

All models, maps, charts, diagrams, or other exhibits brought up as a part of the record must be left with the Commission until after the case is finally disposed of and thereafter will be returned to the party submitting such exhibits. All such exhibits filed or used for purposes of illustration or explanation must be removed after final disposition of the case, within thirty days after written notice is given by the Commission to the party or counsel responsible for its filing or deposit. Failure to remove such exhibits shall authorize the Commission to destroy or make such other disposition thereof as the Commission may deem proper.

Rule VIII. Sessions of the Commission

Section 1. The Commission will hold sessions for the purpose of hearing an appeal at its legal domicile, or at such other location as the Commission shall deem appropriate and proper.

Section 2. All parties shall be notified, in writing, of the date, time, and place of the hearing. Any party unable to attend the hearing on the date fixed by the Commission, shall notify the Commission within ten days of the receipt of the notice of the date of the hearing. Thereafter, the hearing shall not be retarded or postponed, except for good cause shown.

* * * *

Rules for Holding Field Trials on Wildlife Management Areas

The Louisiana Wildlife and Fisheries Commission does hereby authorize field trials to be held on wildlife management areas by recognized bird dog associations but only under the following conditions:

(1) Field trials involving the use of bird dogs may be conducted from October 1 through March 30 of each year.

(2) No shooting of quail will be allowed during the closed season.

(3) No trials will be allowed during managed deer hunts or during the open turkey season on wildlife management areas.

(4) All quail released for field trial purposes must be banded with a numbered band. A list of the band numbers must be furnished to Louisiana Wildlife and Fisheries Commission personnel.

(5) Efforts will be made to recapture pen-reared quail released for field trial purposes.

(6) All pen-reared quail must be inspected by Louisiana Wildlife and Fisheries Commission personnel to make sure the quail are disease-free before they can be released on the wildlife management areas for field trial purposes.

(7) Applications must be submitted well in advance by field trial associations specifying the date and precise location for the proposed field trial.

(8) Applications will be approved only after the field trial association has met these conditions.

(9) Applications received for the Fort Polk Wildlife Management Area must be approved by the U.S. Army.

J. Burton Angelle, Secretary
Department of Wildlife and
Fisheries

Notices of Intent

NOTICE OF INTENT

Board of Elementary and Secondary Education

Notice is hereby given that the State Board of Elementary and Secondary Education intends to adopt at its January 23, 1976, meeting the following policies, procedures, and regulations. Public notification made herein indicates no final approval.

- (a) Standards for Approval of Elementary and Secondary Schools, Kindergartens, and Alternative Schools.
- (b) Certification requirements for speech education.
- (c) Certification requirements for parish special education supervisors, consulting teachers, and a revision to certification requirements for special education teachers.
- (d) Certification requirements for persons with demonstrated records of achievement in the arts as follows:
 1. There must be a written request indicating

that the person will be employed once the certification is granted.

2. There must be substantive evidence of artistic and/or creative accomplishment over an extended period of time.
3. There must be some evidence of substantial professional recognition.
4. The person holding such certification is not eligible for tenure.
5. Ancillary certification for artists must be renewed either annually or at time of reemployment.

(e) Consideration of adoption of Act 519 (Regular Session, 1976) as policy for vocational-technical schools and special education schools.

(f) Consideration of adoption of Act 619 (Regular Session, 1976) as policy for teachers in the retirement systems in the vocational-technical schools and special education schools.

The State Board of Elementary and Secondary Education will accept written comments until 4:30 p.m., January 3, 1976, at the following address: State Board of Elementary and Secondary Education, P.O. Box 44064, Baton Rouge, Louisiana 70804.

The public is made aware of the consideration of the above rule changes in compliance with R.S. 49:951, et seq. All interested parties will be afforded reasonable opportunity to submit data, views, comments, or arguments at the regular January Board meeting.

Earl Ingram, Director
Board of Elementary and
Secondary Education

NOTICE OF INTENT

Board of Registration for Professional Engineers and Land Surveyors

The Louisiana State Board of Registration for Professional Engineers and Land Surveyors, at its meeting on January 26, 1977, proposes to increase the licensing fee for professional engineers and land surveyors from twenty-five dollars to thirty-five dollars. The meeting will be held in the Board's offices, 1055 St. Charles Avenue, Suite 415, New Orleans and will begin

at 10:00 a.m. Interested persons may submit written comments to the above address through January 15, 1977.

Daniel H. Vliet, Executive Secretary
Board of Registration for
Professional Engineers and
Land Surveyors

NOTICE OF INTENT

Commission on Fire Fighting Personnel Standards and Education

The Commission on Fire Fighting Personnel Standards and Education will meet at 10:00 a.m., January 26, 1977, in the Fountain Room, Bellmont Motor Hotel, Baton Rouge, Louisiana to consider adoption of the following proposals:

1. Amendments to the Fire Fighter III certification requirements.
2. Amendments to prerequisites for becoming an Instructor I or II.
3. Requirements for Instructor III and IV.
4. Requirements for Fire Apparatus Driver/Operator certification.
5. Requirements for Fire Investigator I certification.
6. Requirements for Fire Inspector I & II certification.
7. Requirements for Fire Officer II certification.

All interested persons will be afforded reasonable opportunity to submit views and comments at the meeting.

Jimmy Chapman, Executive Director
Commission on Fire Fighting
Personnel Standards and Education

NOTICE OF INTENT

Department of Health and Human Resources Office of Management and Finance Licensing and Certification Section

The Department of Health and Human Resources proposes to amend its standards for Intermediate Care

Facilities (ICF) so that the frequency of required visits by a physician to each resident of an ICF Class I facility shall be at intervals of no more than sixty days. Current regulations require a patient to be seen by a physician "...at least once every thirty days for the first ninety days following admission."

The proposed rule would read, "...the facility maintains policy and procedures to assure that each resident's health care is under the continuous supervision of a physician who sees the resident as needed, and in no case less often than every sixty days."

Interested persons may submit written comments through January 3, 1977, to:

Mr. Jack Letcher
Licensing and Certification Section
P.O. Box 44215
Baton Rouge, Louisiana 70804

William H. Stewart, M.D., Secretary
Department of Health and
Human Resources

NOTICE OF INTENT

Indigent Defender Board

The Louisiana Indigent Defender Board proposes to adopt permanent rules for the administration of the State's indigent defender program as created by Act 653 of the Regular Session of 1976. The Board will meet at 10:00 a.m. January 10, 1977, in Senate Committee Room "C" in the basement of the State Capitol, Baton Rouge, to consider adoption of the following:

1. A fee schedule to be observed by the various district indigent defender boards.
2. The procedure for applying for an exemption from the fee schedule.
3. The criteria by which applications for exemptions will be judged.
4. The forms or format to be used by the district boards in reporting statutorily required information to the Louisiana Indigent Defender Board.

Interested persons may submit written comments relative to the proposed matters to P.O. Box 44276, Baton Rouge, Louisiana 70804 through January 6, 1977. Reasonable opportunity for oral comments will be permitted at the Board's meeting on January 10, 1977.

A fee schedule and a procedure for obtaining

temporary exemptions were placed into effect on an emergency basis on November 29, 1976. That declaration of emergency is promulgated elsewhere in this issue of the Louisiana Register.

Robert G. Pugh, Chairman
Louisiana Indigent Defender
Board

NOTICE OF INTENT

Commission on Intergovernmental Relations Office of Planning and Technical Assistance

Notice is hereby given that the Louisiana Commission on Intergovernmental Relations, Office of Planning and Technical Assistance, intends to adopt amendments to its policies governing the administration of the Local Assistance Program of the Housing and Urban Development (HUD 701) Comprehensive Planning Assistance Program.

The purpose of the amendments is to effect changes in the application process for and administration of the Local Assistance Program. Copies of the proposed amendments are available at Suite 101, 300 Louisiana Avenue, Baton Rouge, Louisiana.

All interested persons may submit their views and opinions, in writing, on or before January 10, 1977, to the following address: Leon Tarver, Secretary, Louisiana Commission on Intergovernmental Relations, P.O. Box 44455, Baton Rouge, Louisiana 70804.

Leon Tarver, Secretary
Commission on Intergovernmental
Relations

NOTICE OF INTENT

Liquefied Petroleum Gas Commission

The Liquefied Petroleum Gas Commission hereby gives notice of its intent to amend its rules and regulations as follows:

Section 1—General Requirements, Paragraph 1.1 New Dealers (a) shall be amended to read as follows:

1.1 New Dealers

As a prerequisite to engage in the liquefied petroleum gas business in the State of Louisi-

ana, an applicant shall first comply with the applicable rules and regulations of the Commission.

- (a) New dealers are defined as individuals, firms, or corporations that do not hold a permit to engage in the liquefied petroleum gas business as of the date of their application.

Section 1—General Requirements, shall be amended to add the following after paragraph (p):

- (q) The Commission shall grant Class 1 liquefied petroleum gas dealer permits to non-resident applicants only after the Commission has reached a reciprocal agreement with the liquefied petroleum gas regulating authority of the state in which the applicant resides. Such agreement shall provide for the granting of Class 1 dealer permits in that state to resident Louisiana liquefied petroleum gas Class 1 dealer applicants on an equal basis between the states for the granting of such permits. The granting of a Class 1 dealer permit by the Commission to such nonresident applicant shall be subject to the provisions of such agreement. The provisions of such agreement shall not serve to reduce the requirements hereinabove prescribed for qualifying for Class 1 liquefied petroleum gas dealer permits to operate within the State of Louisiana.

Written comments will be accepted through the close of business on January 3, 1977, at the following address:

Mr. Lionel T. Ortego, Director
Liquefied Petroleum Gas Commission
P.O. Box 2149
Baton Rouge, Louisiana 70821

Lionel T. Ortego, Director
Liquefied Petroleum Gas
Commission

NOTICE OF INTENT

Board of Supervisors of
Louisiana State University

Notice is hereby given that the Board of Supervisors of Louisiana State University and Agricultural and

Mechanical College intends to adopt new bylaws and regulations at its meeting on February 5, 1977. The proposed bylaws and regulations are available for public inspection between the hours of 8 a.m. and 4 p.m. on any working day at the office of the Board of Supervisors in Room 137, Thomas D. Boyd Hall on the Baton Rouge Campus of the University. Interested persons may submit their views and comments at a public hearing on January 21, 1977, at 10 a.m. in Room 137, Thomas D. Boyd Hall on the Baton Rouge Campus of the University.

M.D. Woodin, Secretary
Board of Supervisors of
Louisiana State University

NOTICE OF INTENT

Offshore Terminal Authority

Notice is hereby given, in accordance with R.S. 49:953, that the Offshore Terminal Authority (hereinafter called "the Authority") will consider at a meeting of its Board of Commissioners on Thursday, January 13, 1977, at 2:00 p.m., in the Executive Suite, Room 2900, International Trade Mart, New Orleans, Louisiana, the following matters:

1. Amendment of Sections 4 and 8 of the Authority's General Rules and Regulations to make them consistent with the Louisiana Administrative Procedures Act as amended by Acts 279 and 524 of 1976; and
2. Amendment of Section 4 of Chapter 5 of the Authority's Environmental Protection Plan to add additional provisions concerning construction of pipeline canals.

Copies of the proposed amendments may be obtained from, and written comments by interested persons on the proposed amendments may be submitted to, the Offshore Terminal Authority, 1130 International Trade Mart, New Orleans, Louisiana 70130. Oral comments may be presented at the meeting in accordance with the Authority's rules and regulations.

Shepard F. Perrin, Jr., Executive Director
Offshore Terminal Authority

NOTICE OF INTENT

Department of Natural Resources

Notice is hereby given that the Department of Natural Resources proposes to adopt rules and regulations for the implementation of Act 180 of 1976 (R.S. 41:1131) as it relates to bulkheads and recovery of lands lost by erosion.

A public hearing will be held in the Mineral Board Auditorium, 1st Floor, State Land and Natural Resources Building, Baton Rouge, Louisiana, on January 13, 1977, beginning at 10:00 a.m.

All interested parties will be afforded reasonable opportunity to submit views and comments at the meeting. Views and comments may be written, given orally, or both, provided that the request to do so is submitted prior to January 10, 1977, to the following address:

Department of Natural Resources
P.O. Box 44124, Capitol Station
Baton Rouge, Louisiana 70804

William C. Huls, Secretary
Department of Natural
Resources

NOTICE OF INTENT

Racing Commission

The Louisiana State Racing Commission, having recently completely revised its rules, proposes to subject those rules to further scrutiny and possible revision. They are promulgated elsewhere in this issue of the Louisiana Register. Interested persons may submit written comments or suggestions through January 3, 1977, to the following address:

Louisiana State Racing Commission
Suite 1020, One Shell Square
701 Poydras Street
New Orleans, Louisiana 70139

Albert M. Stall, Chairman
Louisiana State Racing
Commission

NOTICE OF INTENT

Department of Revenue and Taxation

Notice is hereby given that the Secretary of the Department of Revenue and Taxation intends to formally promulgate an amended regulation authorized by R.S. 47:1511 relating to R.S. 47:303 dealing with Louisiana sales tax.

Interested parties may inspect a copy of the proposed amended regulation at the official domicile of the Secretary in the Capitol Annex, Baton Rouge, Louisiana, or any of the Department's seven district offices located throughout the state, and may present data, views, or arguments relating thereto in writing at any time prior to 4:15 p.m. on Friday, January 10, 1977. All written matters should be addressed to the Secretary, Department of Revenue and Taxation, P.O. Box 201, Baton Rouge, Louisiana 70821.

A hearing will be held in the State Mineral Board Conference Room, located on the ground floor of the Natural Resources Building, located on North Street, between Riverside Mall and Fourth Street, in Baton Rouge, Louisiana, commencing at 10:00 a.m. on the 17th day of January, 1977. Those desiring to be heard at the meeting should notify the Secretary of their desire prior to the closing time and date for submitting written data, views, or arguments.

Shirley McNamara, Secretary
Department of Revenue and
Taxation

NOTICE OF INTENT

Stream Control Commission

Notice is hereby given that the Louisiana Stream Control Commission will hold a public hearing in the Conservation Hearing Room on the first floor of the State Land and Natural Resources Building, 625 North Fourth Street, Baton Rouge, Louisiana, on January 28, 1977, beginning at 9:30 a.m.

The Commission will consider a proposed review and/or revision of the Louisiana Water Quality Criteria which has been prepared by its staff to comply with provisions of the Federal Water Pollution Control Act Amendments of 1972 (Public Law 92-500), and with comments and regulations of the United States Environmental Protection Agency acting under the law.

The evidence obtained at the hearing will be considered by the Commission in revising existing criteria and will be used to guide the Commission in the review of permits and permit applications for the discharge of wastes into the State's waters in order that the maximum beneficial use will be made of the waters, consistent with the needs of the area and the best interests of the State.

Acting under the authority of R.S. 56:1439 and under the procedures prescribed by R.S. 49:953, the Commission may adopt the proposed revised criteria as a rule of the Commission, or may adopt proposed criteria as amended in response to data, views, or arguments submitted by interested persons, or in response to comment of the Environmental Protection Agency.

Copies of proposed changes or revisions, if any, will be available for inspection ten days prior to the date of the hearing and may be seen in every parish library in the state and in every district office of the Louisiana Wildlife and Fisheries Commission, as well as the office of the Louisiana Stream Control Commission in the Geology Building, Room 135, on the Louisiana State University campus, Baton Rouge, Louisiana. While the limited supply lasts, the Commission will mail copies to interested persons who request them by mail.

Persons who desire to do so may submit data for use or argument relative to the proposed revision of water quality criteria, or relative to the process employed to consider the revision, either orally or in writing at the public hearing, or may submit written materials within thirty days after the hearing to the Louisiana Stream Control Commission, Post Office Drawer FC, University Station, Baton Rouge, Louisiana 70893. Telephone (504)389-5309.

Robert A. Lefleur, Executive Secretary
Louisiana Stream Control Commission

NOTICE OF INTENT

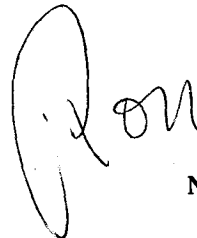
Tax Commission

In accordance with the provisions of Section 953 of Title 49 of the Louisiana Revised Statutes of 1950 notice is hereby given that the Louisiana Tax Commission intends to formally adopt and promulgate manuals, guidelines, rules and regulations pursuant to Sections 3 and 6 of Act 705 of the Regular Session of 1976 dealing with the assessment of property for ad valorem property tax purposes.

The hearing will be held on January 11, 1977, at 10:00 a.m., in House Committee Room 2 located on the ground floor of the State Capitol Building in Baton Rouge, Louisiana.

Interested persons may also inspect a copy of the proposed manuals, guidelines, rules and regulations, beginning at least fifteen days prior to the scheduled hearing, at the official domicile of the Louisiana Tax Commission in the Capitol Annex in Baton Rouge, Louisiana, and may present data, views, or arguments relating thereto in writing at any time prior to 4:15 p.m. on the day before the scheduled hearing. All written matter should be addressed to the Louisiana Tax Commission, Post Office Box 44244, Baton Rouge, Louisiana 70804.

Those desiring to be heard at the hearings will be given a reasonable opportunity to make their presentations.



C. Gordon Johnson, Chairman
Louisiana Tax Commission

NOTICE OF INTENT

**Board of Trustees of the
Teachers' Retirement System**

The Board of Trustees of the Teachers' Retirement System of Louisiana proposes to adopt rules and regulations to administer the provisions of Act 416 of 1976. This Act covers recognition of service between this system and other public retirement systems.

Interested persons may submit written comments through January 3, 1977, to:

Carleton C. Page, D.B.A.
Secretary-Treasurer
Teachers' Retirement System of Louisiana
P.O. Box 44123, Capitol Station
Baton Rouge, Louisiana 70804

Carleton C. Page, D.B.A.
Secretary-Treasurer

NOTICE OF INTENT

Department of Urban and Community Affairs

Notice is hereby given in accordance with the

requirements of R.S. 36:954B, Act 513 of the 1976 Regular Session, of the implementation of the Plan for Reorganization, dated November 16, 1976, for the Department of Urban and Community Affairs.

The agencies and effective dates of transfer or abolition are:

- I. Transfer as provided in Part II of Chapter 14 of Title 36 of Louisiana Revised Statutes of 1950 at 12:01 a.m., January 20, 1977.
 - A. The Louisiana Bicentennial Commission (Executive Orders Nos. 5 and 21 of 1972).
- II. Transfer as provided in Part III of Chapter 14 of Title 36 of Louisiana Revised Statutes of 1950 at 12:01 a.m., January 20, 1977.
 - A. The Louisiana Development Authority for Housing Finance (R.S. 40:581–40:600).
 - B. Governor's Committee on Intergovernmental Relations (R.S. 49:41–49:50).
 - C. Governor's Commission on Indian Affairs (Executive Order No. 3 of 1972).
- III. Abolished and transferred as defined in Part IV of Chapter 14 of Title 36 of Louisiana Revised Statutes of 1950 and as provided in R.S. 36:559E at 12:01 a.m., January 20, 1977.
 - A. The Commission on Intergovernmental Relations (R.S. 46:42–49:50).
 - B. The Local Affairs Advisory Committee (R.S. 49:49B).
 - C. The Louisiana Community Services Administration (Executive Action, February 4, 1975).

The Governor, the Joint Legislative Committee on Reorganization, the Commissioner of Administration, and the Secretary of the Department of Urban and Community Affairs have given their approval to this notice of intent and its implementation.

Documents relating to this notice of intent will be available for public inspection beginning December 20, 1976, at the Office of the Undersecretary of the

Department of Urban and Community Affairs, which is located in Suite 201, 200 Louisiana Avenue, Baton Rouge, Louisiana.

Edwin Edwards, Governor
State of Louisiana

Edmund Reggie, Chairman
Joint Legislative Committee on
Reorganization of the
Executive Branch

Charles E. Roemer, II, Commissioner
Division of Administration

Leon R. Tarver, Secretary
Department of Urban and
Community Affairs

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