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Emergency Rules

DECLARATION OF EMERGENCY

Board of Trustees for Colleges and Universities

At its meeting on October 29, 1976, the Board of Trustees for State Colleges and Universities adopted the following rule, effective immediately:

In the published Policies and Procedures Manual of the Board of Trustees for State Colleges and Universities, Section 6.6B of Part VI is amended as follows:

I. Delete Sections B.1, B.2, B.3, and B.4 (p. 7) and insert in lieu thereof the following:

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.

II. Under Section 6.6B (p. 7) of Part VI, change the numeral (5) to the numeral (2); change the numeral (6) to the numeral (3); and change the numeral (7) to the numeral (4).

This emergency rule is necessary in order to implement the tuition change prior to December 20, 1976. Through normal process of the Administrative Procedures Act, December 20, 1976, is the earliest date this rule can become effective; and since at least one institution under the jurisdiction of the Board of Trustees for State Colleges and Universities holds registration prior to December 20, 1976, the emergency action was taken.

This action was taken in accordance with the emergency provisions of the Administrative Procedures Act and under the authority of Article VIII, Section 6, of the 1974 Louisiana Constitution.

Bill Junkin
Executive Director

Rules

RULES

Department of Agriculture
Bureau of Entomology and Plant Industry

Sweet-potato Weevil Quarantine and Regulations

Whereas, it has been determined and so declared that a serious insect pest known as the sweet-potato weevil (*Cylas formicarius elegantulus* Sum.) is known to exist in certain parishes in the State of Louisiana; and

Whereas, the sweet-potato weevil is known to be the most destructive insect to attack sweet potatoes; and

Whereas, the movement from or harboring on a property of host material infested with the sweet-potato weevil, from which this insect may spread, constitutes a menace to the sweet potato industry of Louisiana and jeopardizes the production and marketing of this major important food and feed crop;

Therefore, in order to prevent the spread of and to control and eradicate the sweet-potato weevil in Louisiana, the Louisiana Department of Agriculture under

authority of Parts 2 and 3 of Chapter 12 of Title 3 of the Louisiana Revised Statutes of 1950, hereby promulgates the following quarantine and regulation.

I. Definition of Words, Terms and Phrases

For the purpose of this quarantine and regulation, the following words, phrases and terms shall be construed respectively to mean:

1. **Pest and/or Sweet-potato weevil:** The insect known as the sweet-potato weevil (*Cylas formicarius*, *elegantulus* Sum.) in any stage of development—egg, larva, pupa, or adult.
2. **Department:** The Louisiana Department of Agriculture.
3. **Commissioner:** The Commissioner of the Louisiana Department of Agriculture.
4. **State Entomologist:** The entomologist for the Louisiana Department of Agriculture.
5. **Agent or inspector:** An authorized representative of the State Entomologist.
6. **Restricted and/or host material:** Dehydrated sweet potatoes, sweet potato roots, plants, vines or parts thereof; vines or roots of any other plants belonging to the genus *Ipomea*; and such other plants as may be found to be hosts of the sweet-potato weevil and used containers.
7. **Container:** A crate, box, basket, sack or any other kind of container used in handling or moving dehydrated sweet potatoes or sweet potato vines or roots.
8. **Person:** An individual, firm or corporation.
9. **Quarantine area:** Any portion of the State of Louisiana or of any other state in which the sweet-potato weevil has been found and placed under quarantine on account of same.
10. **Property:** A parcel of land on which a planting of sweet potatoes or other restricted material is growing or has been grown or stored.
11. **Infestation or infested property:** A property on which host material has been found infested with the sweet-potato weevil or a property onto which restricted material has

been moved for any purpose from an infested property. Such properties shall be considered infested for a period of one year from the date the last infestation of the sweet-potato weevil is found, or, if quarantined because of the movement of restricted material onto the property such properties shall be considered as infested until satisfactorily proven to the State Entomologist that the sweet-potato weevil no longer exists on said property.

12. **Pest free area:** That portion of the State of Louisiana or any other state, or any entire state not included in the quarantined area in which the sweet-potato weevil is not known to occur.
13. **Non-sweet potato area:** An area in which the planting, bedding, permitting to grow to maturity, or storage of restricted material is prohibited.
14. **Processing plants:** Canning and dehydrating plants.
15. **Commercial kiln or storage house:** A building wherein sweet potatoes produced by different farmers are assembled and stored.
16. **Farm kiln or storage house:** A building or enclosed structure located on a farm in which sweet potatoes grown on said farm are stored.
17. **Sweet potato dealer:** An individual, firm or corporation commercially engaged in the handling, sale, offering for sale and/or movement of sweet potatoes.

II. Agents' Authority and Purpose to Enter onto Properties and Premises

1. In accordance with Sections 1654 and 1733 of Title 3 of the Louisiana Revised Statutes of 1950, agents of the Department are authorized and shall be allowed entrance onto any property or premise in the State of Louisiana to:
 - a. Determine if restricted and/or sweet-potato weevil host material is present, grown or permitted to grow thereon, and if so, to inspect and determine if such material is infested with the sweet-potato weevil.
 - b. Require inspection of such material at

an established and designated inspection point to determine if same is infested with the sweet-potato weevil or if the restricted articles found have been exposed to infestation.

2. No person shall in any way interfere with an agent in making inspections on properties for restricted and/or sweet-potato weevil host material and in carrying out this quarantine and regulation.

III. Quarantined Areas

Those areas hereby quarantined are listed hereinafter in the supplement hereto which is made a part thereof.

IV. Conditions Governing the Movement, Sale, Offering for Sale, or Holding in Warehouses for Sale of Restricted Material

1. Restricted material shall not be moved from the State of Louisiana unless:
 - a. Accompanied by a valid certificate permit issued by the Department;
 - b. Accompanied by a valid certificate permit tag and/or fumigation certificate issued by the Department when required by the state of destination.
2. Restricted material shall not be moved into or within Louisiana, sold, or offered for sale, or held in warehouses for sale, unless accompanied by a proper valid certificate permit, and unless each container has attached thereto a valid certificate permit tag issued by duly authorized inspectors of the state of origin.
3. Restricted material shall not be moved from the quarantine area into the pest free area of Louisiana, unless accompanied by a fumigation certificate issued by the proper official of the state of origin.
4. Strict sanitary measures must be maintained in and around processing plants at all times.
5. Certificate permits, certificate permit tags, and fumigation certificates become invalid when once used to cover the current shipment for movement and/or sale of restricted material.

V. Conditions Governing the Issuance of Certificate Permits, Fumigation Certificates and Certificate Permit Tags for the Movement of Restricted Material

1. From Pest Free Areas

Certificate permits and green certificate permit tags authorizing the movement of restricted material from the pest free area to points within and outside of Louisiana will be issued by duly authorized inspectors of the Department after an inspection of the restricted material has been made and it is found to be free of the sweet-potato weevil.

2. From Quarantined Areas

Certificate permits and pink certificate permit tags authorizing the movement from or within the quarantine area will be issued by duly authorized inspectors of the Department:

- a. After the restricted material has been inspected, under such conditions and in such manner as prescribed by the Department, and found apparently free of the sweet-potato weevil;

provided the person has a Sweet potato dealer's certificate permit, if required to do so by Section VI of this regulation;

provided the restricted material is not moved from the quarantined area into the pest free area of Louisiana, unless fumigated, or to any state which may prohibit entry of such restricted material;

provided the load or lot of sweet potatoes, if moving by truck to an area which permits entry of restricted material, is sealed in the truck body by an inspector or agent of the Department by the use of not more than two seals. (Special arrangements and adaptations where required to accomplish this objective, by the use of tarpaulins or other means, must be approved by the Department in advance of moving sweet potatoes in such truck.) The seal shall not be broken until the destination as given in the certificate permit authorizing the movement of the sweet potatoes has been reached. If the truck load is com-

prised of mixed produce and includes one or more crates or containers of sweet potatoes, then the entire load of produce must be sealed in the truck before leaving the point of loading and a permit issued covering the sweet potatoes contained therein.

- b. Fumigation certificate permits authorizing the movement of restricted material from the quarantined area will be issued, provided such restricted material has been inspected and found apparently free of the sweet-potato weevil and fumigated with an approved fumigant in such dosages and at such temperature and time of exposure as prescribed and under the immediate supervision of a representative of the Department.

3. Tagging

Container certificate permit tags issued to meet the requirements of this regulation and similar requirements of other states shall be attached to each container in a load or shipment of sweet potatoes before a certificate permit authorizing movement may be issued.

VI. Requirements for Sweet Potato Dealer's Certificate Permit

1. All persons commercially engaged in the handling, sale, offering for sale, and/or movement of sweet potatoes in the quarantined area shall not store, clean, grade, pack for sale, process in any manner or move sweet potatoes unless they have a valid sweet potato dealer's certificate permit, except this shall not apply to the movement of sweet potatoes by farmers directly from their farms to storage houses, processing plants, or cleaning, grading, and packing sheds.
2. A sweet potato dealer's certificate permit shall be issued provided:
 - a. A properly executed affidavit on a form furnished by the Department, setting forth the stipulations to which the applicant must agree, has been filed with the Department.
 - b. A bond acceptable to the Department in the amount of one thousand dollars for

a sweet potato dealer's certificate permit in favor of the Commissioner of Agriculture has been filed with the Department as a guarantee to:

- (1) Reimburse any purchaser the purchase price of sweet potatoes that have been confiscated because of sweet-potato weevil infestation or illegal movement.
- (2) Agree to the destruction of any load or lot of sweet potatoes moving illegally or infested with the sweet-potato weevil by an inspector of the Department or law enforcement officer, or return same to point of origin.

VII. Conditions Governing the Growing, Allowing to Grow, Harvesting of and Movement of Restricted Material Within a Quarantined Area

1. The growing and/or storing of restricted material, or allowing restricted material to grow to maturity, is prohibited in areas declared to be non-sweet potato areas (as herein set forth by future public notices), except under special permit issued by the State Entomologist. Any restricted material found in violation of this provision shall be disposed of in a manner approved by the State Entomologist.
2. Quarantine Area.
 - a. Planting Stock.

Owners and/or persons in charge of infested properties within the quarantined area may save their own seed sweet potatoes, providing they have been hand selected and are apparently free of the sweet-potato weevil, and such potatoes shall be properly treated with materials and methods approved by the State Entomologist at the time of storage.

No seed sweet potatoes, plants, vines and/or cutting shall move within the quarantined area except those which have been inspected by an authorized inspector of the Louisiana Department of Agriculture and found to be apparently free of the sweet-potato weevil.

b. Seed Beds and Field Plantings.

The location of seed beds and/or field plantings of sweet potatoes on infested properties or properties adjacent to infested properties must meet with the approval of the State Entomologist.

c. Final Date of Harvesting.

All sweet potato fields on infested properties shall be harvested before December 1 and thoroughly surface cleaned by the owner and/or tenant or renter within fifteen days of the time of harvesting, also such fields shall be thoroughly disced or plowed at least once by January 15, following the year of production.

d. Destruction of Sweet Potatoes in Seed Beds.

Sweet potatoes in seed beds on infested properties and/or on properties within a mile radius of an infested property shall be destroyed immediately after such potatoes have served the purpose of supplying plants or slips for field plantings on the farm on which the plants or slips were produced, and not later than July 15.

VIII. Conditions Governing the Handling, Storage and Processing of Sweet Potatoes Within the Quarantined Area.

1. Final Date of Disposal and Treatment of Sweet Potatoes Treated with Approved Chemicals.

a. There shall be no date limit on the shipment of sweet potatoes from the quarantined area, provided:

- (1) the sweet potatoes to be marketed after April 1 were treated with approved chemicals before February 28;
- (2) the applicator used in applying the chemical is approved by the Department;
- (3) the chemical shall be applied under the supervision of a representative of the Department;

(4) the wash water from sweet potatoes that have been treated with chemicals shall be disposed of in a manner approved by the Department.

b. Sweet potato packing sheds, canning plants and/or storage houses, together with containers and equipment used in handling sweet potatoes, must be treated in a manner prescribed by the State Entomologist as soon as possible after final disposal of a crop of sweet potatoes.

2. Final Date of Disposal and Treatment of Sweet Potatoes not Treated with an Approved Chemical or Heavily Infested with Sweet-Potato Weevils as Provided for in Section VIII, 1, a.

a. Unprocessed sweet potatoes shall not be held in canning plants, in storage or warehouses on infested properties nor moved in any manner nor sold or offered for sale except those hand selected seed sweet potatoes properly treated as permitted in Section VII, 2, after April 1 of the year following production. This provision shall apply to all sweet potatoes even though previously inspected and certified for sale and movement prior to the respective deadlines. Sweet potato packing sheds, canning plants, and/or storage houses, together with containers and equipment used in handling sweet potatoes, must be treated in a manner prescribed by the State Entomologist by April 1 unless a special permit is issued by the State Entomologist extending the deadline date.

b. Sweet potatoes shall not be stored in so-called dirt banks on infested properties, except seed sweet potatoes stored and handled under such conditions and requirements as prescribed by the State Entomologist.

3. Sanitary Measures.

a. A person operating packing sheds, assembly points, processing plants and/or storage houses shall:

- (1) Not permit loose sweet potatoes, sweet potato culls, or parts of

sweet potatoes to accumulate on or under floors of storage houses, processing plants or any place that sweet potatoes are cleaned, assembled, graded, and packed.

- (2) Dispose of all sweet-potato weevil host material daily by processing for feed purposes or by burning. If necessary to haul such sweet-potato weevil host material from the place of accumulation to obtain processing or burning of same, such hauling shall be done in an approved tight-body truck or container and covered with a tarpaulin when necessary.
- (3) Not allow sweet potatoes, sweet potato crowns and roots, or parts thereof, to be carried off in water used in washing sweet potatoes.
- (4) Not permit the sale or movement to any farm of culled sweet potatoes or any part of the sweet potatoes as a result of handling in preparation for sale and movement in any manner, unless under special permit issued by the State Entomologist.
- (5) In the quarantine area, empty second-hand crates or other containers, before being permitted to move from the packing sheds or processing plants to the farms within the quarantined area, must be cleaned free of host material.

IX. Inspection Fees

An inspection fee of two cents per bushel for each inspection required to effect final movement to market, as authorized by Section 1734 of Title 3 of the Louisiana Revised Statutes of 1950, shall be collected on each bushel of sweet potatoes moved and/or marketed. Such fee to be collected on those sweet potatoes moving to processing plants on the basis of the amount of purchase less ten percent for breakdown and shrinkage while in storage. Fees are to be collected as follows:

1. From truck operators or shippers at the time the sweet potatoes are inspected and a certificate permit issued as a prerequisite to autho-

size such sweet potatoes to be offered for sale and/or movement.

2. From processing plants at the time the sweet potatoes are inspected and moved into a plant for processing and/or packed to be moved or shipped as nonprocessed sweet potatoes.
3. From sweet potato storage houses and/or packing shed operators at the time the sweet potatoes are inspected and a certificate permit issued authorizing the sale, movement, or shipment of same.
4. From such other persons at the time that the sweet potatoes are inspected and a certificate permit issued authorizing their movement and/or sale.

X. Quarantine Compliance

Any person, owner and/or manager of a farm or property on which restricted material is stored, planted, cultivated, or grown, and the tenant, if any, leasing such land or property on any basis, shall be jointly and severally responsible for complying with the rules and regulations and any other requirements as may be stipulated to eradicate, control, and prevent the spread of the sweet-potato weevil.

XI. Shipments for Scientific Purposes

The restrictions of this quarantine and regulation do not apply to shipments of restricted material under proper safeguards to the United States Department of Agriculture, or to recognized State institutions for scientific purposes, except that a special permit issued by a duly authorized State or Federal plant quarantine inspector must be attached to the outside of the container.

XII. Penalties

1. Any person found guilty of violating the provisions of this quarantine and regulation is subject to the penalties provided for by Section 1736 of Parts 2 and 3 of Chapter 12 of Title 3 of the Louisiana Revised Statutes of 1950.
2. A sweet potato dealer's certificate permit shall be suspended if the person to whom it is issued fails to comply with the provisions of this quarantine and regulation and his affidavit, and shall remain suspended until such

time as the provisions have been complied with. Upon repeated violation of this quarantine and regulation and the provisions of the affidavit, a sweet potato dealer's certificate permit shall be revoked.

3. Any sweet potato plantings found in a non-sweet potato zone will be destroyed at the expense of the person or persons responsible for the plantings.
4. Restricted materials found in violation of this quarantine and regulation shall be destroyed or disposed of in a manner approved by the State Entomologist.

XIII. Effective Date

The above revised quarantine and regulation shall be revised on and after November 20, 1976.

Supplement to the Sweet-Potato Weevil Quarantine and Regulation

In accordance with the authority vested in the Louisiana Department of Agriculture, Part 2 of Chapter 12 of Title 3 of the Louisiana Revised Statutes of 1950, the sweet-potato weevil quarantine and regulation is hereby supplemented as follows:

III. Quarantined Areas

1. In the United States
 - a. The areas hereby quarantined on account of the sweet-potato weevil shall be the portions of all states in which sweet-potato weevil infestations are known to occur, and so officially designated as quarantined or regulated areas, by the sweet potato quarantines of the states of Alabama, Florida, Georgia, Louisiana, Mississippi, Texas, and South Carolina.
2. In Louisiana
 - a. Quarantined areas in Louisiana are hereby declared to be the entire parishes of:

Acadia, Allen, Ascension, Assumption, Avoyelles, Beauregard, Calcasieu, Cameron, East Baton Rouge, East Feliciana, Evangeline, Iberia, Iberville, Jackson, Jefferson, Jefferson Davis, Lafayette,

Lafourche, Livingston, Orleans, Plaquemines, Pointe Coupee, Rapides, Sabine, St. Bernard, St. Charles, St. Helena, St. James, St. John the Baptist, St. Landry, St. Martin, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Vermilion, Vernon, Washington, West Baton Rouge, West Feliciana; and those parts of parishes hereinafter listed:

Bienville Parish—Wards 4 and 5;

Caddo Parish—Wards 6 and 7; that portion consisting of a one-mile radius of and including the property of Dr. W. A. Fortson, 2335 Grimmatt Drive, Shreveport; that portion consisting of a one-mile radius of and including the property of Dan Frederick, 1914 Jones-Mabry Road, Shreveport; that portion consisting of a one-mile radius of and including the property of Dr. Joe White, 115 Lucia Lane, Shreveport and that portion consisting of a one-mile radius of and including the property of T. M. Boyter, 4323 Tacoma Boulevard, Shreveport;

Caldwell Parish—that portion consisting of a one-mile radius of and including the property of Ed Hilburn, Section 28, R3N, T14N and that portion consisting of a one-mile radius of and including the property of Clifton Hilburn, Section 28, R3N, T14N;

DeSoto Parish—that portion south of T15N;

Grant Parish—that portion consisting of a one-mile radius of and including the property of Olan Deer, Section 12, R2W, T7N; that portion consisting of a one-mile radius of and including the property of Alvin Dryden, Section 6, R1E, T8N; that portion consisting of a one-mile radius of and including the property of E. D. Humphrey, Section 20, R2W, T7N; that portion consisting of a one-mile radius of and including the property of Rubin Chandler, Section 3, R2E, T6N; that portion consisting of a one-mile radius of and including the property of Walter Sands, Section 7, R2E, T7N; that portion consisting of a one-mile radius of and including the property of F. P. Mobley, Section 33,

R2W, T7N; that portion consisting of a one-mile radius of and including the property of J. W. James, Section 33, R2W, T7N; that portion consisting of a one-mile radius of and including the property of Baron Greenhouse, Section 8, R1E, T6N; that portion consisting of a one-mile radius of and including the property of G. T. Mobley, Section 33, R2W, T7N; that portion consisting of a one-mile radius of and including the property of Roosevelt Boyd, Section 3, R3W, T7N and that portion consisting of a one-mile radius of and including the property of Mrs. Ima Carter, Section 22, R2W, T8N;

LaSalle Parish—that portion consisting of a one-mile radius of and including the property of Dave Joy, Section 42, R4E, T8N; that portion consisting of a one-mile radius of and including the property of Robbie Brown, Section 24, R3E, T9N; that portion consisting of a one-mile radius of and including the property of Mac Cannon, Section 2, R2E, T8N; that portion consisting of a one-mile radius of and including the property of O. D. Albritton, Section 31, R1E, T10N; that portion consisting of a one-mile radius of and including the property of Chester Edmonds, Section 22, R4E, T8N; that portion consisting of a one-mile radius of and including the property of Joe Terrell, Section 23, R1E, T9N; that portion consisting of a one-mile radius of and including the property of Jake Womack, Section 40, R3E, T7N and that portion consisting of a one-mile radius of and including the property of Jim Joy, Section 22, R4E, T8N;

Lincoln Parish—that portion consisting of a one-mile radius of and including the property of James Kay, Section 13, R3W, T17N;

Natchitoches Parish—that portion west and southwest of the Red River;

Red River Parish—Ward 3 and that portion of R8W in Ward 2;

and/or such other area or areas as hereafter may be legally designated.

b. Non-sweet potato areas shall be:

Infested properties in the area north of Avoyelles and Rapides Parishes, east and northeast of the Red River line at Grant Parish, northeast of the Red River in Natchitoches Parish, north of the Natchitoches Parish line west of the Red River and north of the Sabine Parish line, and such other area or areas as hereafter may be legally designated.

The above supplement to the sweet-potato weevil quarantine and regulation shall be revised effective on and after November 20, 1976.

Gilbert L. Dozier
Commissioner of Agriculture

RULES

Department of Agriculture Grain Division

As a result of the public hearing held November 4, 1976, the following changes were made in the rules and regulations adopted by the Louisiana Department of Agriculture under Act 627 of the 1975 legislative session pertaining to cotton buyers.

1. A financial statement will no longer be required.
2. Copies of each contract will not be required but a list of contracts will be submitted on a monthly basis.
3. Inspection of books and premises will no longer be required.

Gilbert L. Dozier
Commissioner

RULES

Bond Commission

WHEREAS, Act No. 279 of the Legislature of Louisiana, Regular Session of 1976, provides in part for the repeal of Section 1402.1 of Title 39 of the Louisiana Revised Statutes of 1950, which provided that the State Bond Commission (the "Commission") was not subject to the requirements of the State Administrative Procedure Act (the "Act"); and