

## CONTENTS

### I. EXECUTIVE ORDERS

EWE-76-17—Creates the Criminal Justice Institute . . . . .	1
EWE-76-18—Changes the name of the Headquarters Building of the Louisiana National Guard at Jackson Barracks in New Orleans to The Major General Raymond H. Fleming Memorial Armory . . . . .	1
EWE-77-1—Establishes the Governor's Study Commission on Advance Payment of Sales Taxes . . . . .	2
EWE-77-2—Establishes the Governor's Study Commission on Sales and Use Tax Law . . . . .	2
EWE-77-3—Creates an ad hoc committee to study and make recommendations regarding the New Orleans residence of former Governor Huey P. Long . . . . .	3

### II. POLICY AND PROCEDURE MEMORANDA

PPM 62 (Revised)—State printing procedures . . . . .	4
--	---

### III. EMERGENCY RULES

Health and Human Resources, Department of: Office of Family Services—Employment and training requirements for the Indo-Chinese Refugee Program . . . . .	6
---	---

### IV. RULES

Colleges and Universities, Board of Trustees for—Adoption of changes in athletic policies, and policies concerning scholarships . . . . .	9
Contractors, Licensing Board for—Amendment to Rule No. 4 concerning fees for contractors . . . . .	11
Dairy Stabilization Board—Amendments to Distribution Stabilization Plan No. 1 and rules pertaining to "loss leaders" and discrimination . . . . .	11
Elementary and Secondary Education, Board of—Certification and supervision requirements for providers of psychological services in school settings, rules pertaining to experience as vocational-technical school employees, and restricted certification for speech therapists . . . . .	13
Forestry Commission and Tax Commission (joint rules)—Timber stumpage values for 1977 . . . . .	15
Health and Human Resources, Department of: Hospitals, Office of, Bureau of Substance Abuse—Adoption of a standards manual for licensing of substance abuse programs . . . . .	16
Racing Commission—Final adoption of the rules of racing . . . . .	16
Tax Commission and Forestry Commission (joint rules)—Timber stumpage values for 1977 . . . . .	15
Urban and Community Affairs, Department of: Planning and Technical Assistance, Office of—Revisions to the policies governing the Housing and Urban Development Comprehensive Planning Assistance Program (HUD 701) . . . . .	48
Workmen's Compensation Second Injury Board—Adoption of rules of practice and procedure . . . . .	48

### V. NOTICE OF INTENT

Agriculture, Department of: Entomology and Plant Industry, Bureau of—Proposal to adopt a standard contract form as required by Regulation No. 9 of the Structural Pest Control Commission Regulations . . . . .	51
Civil Service, Department of—Proposed changes to Rule 11.28, Holidays, to provide equity among employees in the observance of legal holidays . . . . .	51
Colleges and Universities, Board of Trustees for—Proposal to amend Part II, Section 2.7, Committees, and Part IX, Section 9.11A(5), Tickets and Passes . . . . .	52
Elementary and Secondary Education, Board of—Proposes to revise Bulletin 741, Handbook for School Administrators with respect to high school graduation requirements, and rule concerning teacher certification . . . . .	52
Health and Human Resources, Department of: Family Services, Office of—Intention to adopt revised standards for the minimum licensure of child day care centers . . . . .	53

Family Services, Office of—Proposal to adopt policy statements on employment and training in the Indo-Chinese Refugee Assistance Program . . . . .	53
Management and Finance, Office of—Intention to adopt rules regarding admissions and billing procedures for Department of Health and Human Resources general, mental health, and geriatric hospitals . . . . .	56
Indigent Defender Board—Proposal to adopt rules for the administration of the State’s Indigent Defender Program . . . . .	58
Labor, Department of—Plan for reorganization . . . . .	58
Labor, Department of—Intention to adopt policies and guidelines concerning the operation, organization, and administration of the Department. . . . .	59
Offshore Terminal Authority—Consideration of the granting of a State license to LOOP, Inc. to construct and operate the Louisiana Superport . . . . .	59
Southern University, Board of Supervisors of—Proposal to adopt a schedule of student fees. . . . .	60
Tax Commission—Intention to adopt criteria, guidelines, and specifications for the letting of public bids to independent appraisal firms . . . . .	60
Wildlife and Fisheries, Department of—Hearings relative to types of tackle used by coastal sport and commercial fishermen. . . . .	60

# Executive Orders

## EXECUTIVE ORDER EWE-76-17

WHEREAS, the provisions of Article VII, Sections 10 (D) and 14 (C) of the Louisiana Constitution provide for the appropriation of public funds for public purposes and for cooperative endeavors between the State and its political subdivisions and public or private corporations for public purposes; and

WHEREAS, conditioned upon the creation and State recognition of the Criminal Justice Institute, Act 17 of the 1976 Regular Session of the Louisiana Legislature appropriated to the Criminal Justice Institute an amount not to exceed \$30,000 to be used only for minimum cash match from Federal Safe Streets Act funds on a nine to one match ratio; and

WHEREAS, on April 16, 1975, the Criminal Justice Institute was chartered under the provisions of the Louisiana Nonprofit Corporations Law (Title 12, Chapter 2, Louisiana Revised Statutes of 1950 as revised and codified by Act 105 of 1968, Legislature of Louisiana) for charitable, scientific and educational purposes, to wit:

- A. To promote study and research in the criminal law and related arts and sciences;
- B. To promote training and research which will foster high standards and professionalism among persons working within the criminal justice system;
- C. To promote study and research which will tend to improve methods of rehabilitating persons convicted of crime;
- D. To promote study and research which will tend to improve the criminal law and procedure as it relates to both adults and juveniles;
- E. To engage actively in or sponsor activities which will tend to prevent criminal acts with reference to both adults and juveniles; and
- F. To promote public understanding of the criminal justice system and encourage citizen participation in the prevention of crime and the rehabilitation of offenders; and

WHEREAS, all the activities of the Criminal Justice

Institute are within the contemplation of the aforementioned constitutional provisions and provide a needed public service.

NOW, THEREFORE, I, EDWIN EDWARDS, Governor of Louisiana, by virtue of the authority vested in me by the Constitution and statutory laws of this State, hereby create the Criminal Justice Institute for purposes of receiving funds now or hereafter appropriated to it, and recognize it as a nonprofit entity serving the public purposes mentioned hereinabove.

IT IS FURTHER ORDERED that the Criminal Justice Institute is authorized to request the assistance of any State department and to utilize such services in furtherance of the public purposes of the Criminal Justice Institute to promote maximum utilization of Institute resources and the more efficient use of public funds received by the Institute.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this the 30th day of December, A.D., 1976.

**EDWIN EDWARDS**

**Governor of Louisiana**

## EXECUTIVE ORDER EWE-76-18

WHEREAS, from 1916, until 1964, Major General Raymond H. Fleming served with great honor and universally recognized distinction in the Louisiana National Guard and the United States Army as an enlisted man and as an officer; and

WHEREAS, during his years of service and dedication to the nation and to our State, he distinguished himself by his ability, knowledge and leadership; and

WHEREAS, while serving as an officer of the United States Army and Louisiana National Guard, he held notable positions including Commander of the 141st Field Artillery Regiment, Adjutant General of Louisiana for 28 years, and Assistant Director of the National Selective Service System; and

WHEREAS, General Fleming was the only Louisianian to hold the position of Chief of the National Guard Bureau; and

WHEREAS, this gallant officer has been awarded decorations which include the United States Distinguished Service Medal, the Army Commendation Medal, the Louisiana National Guard Distinguished Service Medal with Fleur de Lis and the Distinguished Service Medal of the National Guard Association of the United States; and

WHEREAS, he was the only Louisiana National Guard officer to have been awarded the service medals of the Mexican Border, World War I, World War II, and the Korean Conflict; and

WHEREAS, this humanitarian is not only acclaimed for his service to his country in the military, but also is recognized as a leader and friend of those who knew him in his community, state and nation.

NOW, THEREFORE, I, EDWIN EDWARDS, Governor of the State of Louisiana, in memory of this great and beloved patriot, do hereby designate and proclaim that the Headquarters Building of the Louisiana National Guard at Jackson Barracks in New Orleans, shall be and is hereby named, and shall hereinafter be known as the Major General Raymond H. Fleming Memorial Armory.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this the 27th day of December, A.D., 1976.

**EDWIN EDWARDS**  
Governor of Louisiana

**EXECUTIVE ORDER EWE-77-1**

WHEREAS, provision has been made for payment of advance sales tax and such tax has been charged on the sale of all tangible personal property since 1965; and

WHEREAS, exemption identification numbers, known as "W" numbers, have been issued to many Louisiana firms by the Department of Revenue during that period; and

WHEREAS, firms with "W" numbers are exempt from payment of advance sales tax, but do remit total tax when the tangible personal property is sold; and

WHEREAS, the complexity of administering these and related matters have been considered by the House Committee on Ways and Means, by the Department of

Revenue and a significant and representative number of affected tax payers; and

WHEREAS, there is need for study, direction, and clarification of all laws and procedures related to these matters.

NOW, THEREFORE, I, EDWIN EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested in me, pursuant to the Constitution and applicable statutes of Louisiana, do hereby create and establish the Governor's Study Commission on Advance Payment of Sales Taxes.

BE IT FURTHER ORDERED that the Commission shall consist of the Secretary of the Department of Revenue and Taxation, who shall serve as chairman; the Attorney General or his designee; the Chairman of the House Ways and Means Committee; the Chairman of the Senate Revenue and Fiscal Affairs Committee; the Executive Counsel to the Governor, and ten other persons to be appointed by the Governor, to conduct a comprehensive review and study of the advance sales tax.

BE IT FURTHER ORDERED that this committee is hereby directed to study these problems and to make recommendations to the Governor and the Legislature of Louisiana to correct any unfairness or inequities in the Advance Sales Tax Law, its application, or execution prior to the 1977 Regular Session of the Legislature.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this the 6th day of January, A.D., 1977.

**EDWIN EDWARDS**  
Governor of Louisiana

**EXECUTIVE ORDER EWE-77-2**

WHEREAS, the State imposes a sales or use tax on the lease or rental of tangible personal property; and

WHEREAS, the complexity of administering these and related matters have been considered by the House Committee on Ways and Means, by the Department of Revenue and a significant and representative number of affected tax payers.

NOW, THEREFORE, I, EDWIN EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested in me, pursuant to the Constitution and applicable statutes of Louisiana, do hereby create and establish the Governor's Study Commission on Sales and Use Tax Law.

BE IT FURTHER ORDERED that this Commission shall consist of the Secretary of the Department of Revenue and Taxation, chairman; the Attorney General or his designee; the Chairman of the House Ways and Means Committee; the Chairman of the Revenue and Fiscal Affairs Committee; Executive Counsel to the Governor; and eight other persons appointed by the Governor, to conduct a comprehensive review and study of the law on the sales and use tax, particularly R.S. 47:302(B) and R.S. 47:321(B).

BE IT FURTHER ORDERED that this committee is hereby directed to make recommendations to the Governor and the Legislature of Louisiana to correct any unfairness and inequity in the State sales and use tax on the lease and rental of tangible personal property, its application, interpretation or execution prior to the 1977 Regular Session of the Legislature.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this the 6th day of January, A.D., 1977.

**EDWIN EDWARDS**  
\_\_\_\_\_  
**Governor of Louisiana**

#### EXECUTIVE ORDER EWE-77-3

WHEREAS, the Louisiana Legislature by Act No. 9 of the Second Extraordinary Session of 1976, has authorized the Governor to sell, lease or renovate the former residence of the late Huey P. Long in New Orleans; and

WHEREAS, LSU used the house on Audubon Boulevard and has maintained it for the official residence of the chancellor of the LSU School of Medicine; and

WHEREAS, if retained by the State, the building now in serious need of repair and renovation will require extensive attention in order to satisfy health and fire safety standards, and moreover, this building has been

unoccupied for over a year and a half requiring costly security; and

WHEREAS, the present situation has caused concern to neighboring residents who have requested the Governor to take immediate necessary steps to remedy the failing condition of the residence; and

WHEREAS, the Administration has contacted the members of the Long family of the decision of the Legislature authorizing the disposition of this property and they agree to any purpose which will assure continued stable use and maintenance whether as a private residence or as a public house.

NOW, THEREFORE, I, EDWIN EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested in me and pursuant to the Constitution and applicable statutory laws of this State, do hereby create and establish a special ad hoc committee to study, review, and make recommendations with regard to the sale, lease, repair and renovation, or other disposition of the New Orleans residence of the former Governor Huey P. Long at No. 14 Audubon Boulevard.

BE IT FURTHER ORDERED that this special committee shall be composed of seven members appointed by me and shall consist of the Lieutenant Governor, chairman; two members of the Senate; two members of the House of Representatives; and two persons from the public at large, all of whom shall serve for no compensation.

BE IT FURTHER ORDERED that this committee shall study and review the possibilities of the most efficient and desirable disposition of this property owned by the State and recommend to me by written report on the feasibility of the options in selling, leasing, renovating or otherwise disposing of the Huey P. Long residence no later than April 15, 1977.

BE IT FURTHER ORDERED that in performing and executing its duties and functions in advising me, this committee shall have available to it the services of my office, the Division of Administration, and any other department or office in the Executive Branch of the State to determine in what manner to dispose of this property or to decide on the merit of its historical or cultural significance to Louisiana, and all such offices of the Executive Branch shall cooperate with and provide the committee the assistance it deems necessary.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of

Baton Rouge, on this the 6th day of  
January, A.D., 1977.

**EDWIN EDWARDS**  
Governor of Louisiana

# Policy and Procedure Memoranda

OFFICE OF THE GOVERNOR  
DIVISION OF ADMINISTRATION

Policy and Procedure Memorandum  
No. 62 (Revised)

**Subject: Printing Procedures**  
**Effective Date: December 1, 1976**

This Policy and Procedure Memorandum rescinds, supersedes, and cancels Policy and Procedure Memorandum No. 48, including any and all previous delegation of authority pertaining to PPM No. 48, the addendum of September 21, 1972, and the revision dated November 1, 1975.

All administrative boards, commissions, departments, agencies, institutions, and offices within the Executive Branch of State Government shall purchase all requirements of printing and engraving through Central Purchasing, Division of Administration.

Exceptions: Louisiana State University and Agricultural and Mechanical Colleges, Office of Highways of the Department of Transportation and Development, and the port authorities.

All requisitions for printing, engraving, and binding shall be submitted directly by the agency to Central Purchasing, Division of Administration, and shall not be handled at the agency level through the printing vendors or their representative. Certified library binding should be handled on a release order through the agency's purchasing section using the correct binding contract for certified library binding and rebinding of books.

Requisition: All items of printing, binding, or engraving shall be requisitioned on a Purchase Requisition (Form DA 101 or DA 101 A). If agency is on FACS, use FACS Form 101 and only like items shall be requisitioned on each requisition form.

Example:

- (1) Printed letterheads
- (2) Engraved letterheads
- (3) Flat forms
- (4) Snap sets (same size)
- (5) Continuous forms
- (6) Card forms
- (7) Etc.

Each requisition must be accompanied by complete specifications (size, color, and kind of paper, construction, numbering information, etc.) and a sample or a clean layout. The sample must be a complete original. A Xerox copy or a reference to a previous order will not be acceptable.

When preparing a requisition, the agencies must use a fourteen-digit requisition number (first three digits agency number, next five agency cost center, next five requisition number, final digit will be last number of the fiscal year money is to be encumbered), complete specifications, and include an original sample.

Any and all requisitions received by Central Purchasing, Division of Administration, not meeting the above requirements shall be returned to the agency submitting such requisitions prior to entering the job request.

## Suspension

Acts 1972, S.C.R. No. 99 provides for a suspension of all laws or parts of laws requiring printed reports by State boards, commissions, departments, or agencies as follows: "Therefore, be it resolved by the Senate of the Legislature of the State of Louisiana, the House of Representatives thereof concurring, that all laws or parts of laws that require or authorize State boards, commissions, departments, and/or agencies to prepare, print, or publish and distribute annual or biennial reports to the Governor, the Legislature, or both of them, or for public distribution, are hereby suspended to the extent of such requirements or authorizations; provided, however, that said suspension shall not apply to any laws or portions of laws requiring or authorizing reports required by laws or regulations of the United States Government or any of its agencies in order to obtain or continue to receive Federal funds, grants, or assistance."

R.S. 43:31—Printed matter prohibitions; uniform standards; election material

A. No State agency shall print or cause to be printed any bulletin, leaflet, Christmas card, or other similar communication, house organ or circular, except those required by law. All printed matter so required shall be

effected in a uniform manner as to size, quality of paper, and use of color as contained in standards to be established by the Division of Administration and approved by the Legislative Budget Committee. (Note: These are established in the following standard specifications.)

The Division of Administration, with the approval of the Legislative Budget Committee, shall be empowered to make such exceptions that may be in the best interest of the State of Louisiana.

Provided, however, that no provision of this section shall be deemed in any manner to apply to either house of the Legislature or its committees, nor to the Legislative Council, the Office of the Legislative Auditor, or other agency or authority of the Legislature.

Provided further, that this section shall not apply to any laws or portions of laws requiring or authorizing reports required by laws or regulation of the United States Government or any of its agencies in order to obtain or continue to receive Federal funds, grants, or assistance.

When an agency is requisitioning one of the above items, a reference to the State or Federal law should be noted on the requisition. This will speed the processing of the requisition.

### **Standard Specifications State Publications**

- Size:** 6 x 9, 6½ x 8½, 8½ x 11, or 9 x 12  
**Paper:** Text 50 lb. or 60 lb. white offset  
Cover 65 lb. No. 1 Antique cover (standard colors)  
**Ink:** Text one color  
Cover one color  
**Binding:** On individual basis  
**Copy:**
1. Camera-ready:  
Typed, computer printout, or previously printed book, unless it has been copyrighted.
  2. Set-type for 6 x 9 or 5½ x 8½  
10-point on 12-point slug by 25 picas wide by 45 picas deep including folio. Agency may select type faces from those available. Smaller type may be used in tabular matter to save on the number of pages.  
Set-type for 8½ x 11  
10-point on 12-point slug by 42 picas (2 columns with 2-pica gutters) wide by 56 picas deep including folio. Agency may select type face from those available. Smaller type may be used in tabular matter to save on the number of pages.

The method of printing would determine the feasibility of photographs.

- Example:**  
Letterpress-(all type) No photographs should be used.  
Offset-photographs can be used.

### **Newsletters, Leaflets, Etc.**

- Size:** 8½ x 11 or 17 x 11  
**Stock:** 50 lb. or 60 lb. offset  
60 lb. or 70 lb. enamel  
**Ink:** One color (both sides)  
**Fold:** 8½ x 11 size to 8½ x 5½ or to fit no. 10 envelope  
17 x 11 size to 8½ x 1 or 8½ x 5½ or to fit no. 10 envelope  
**Copy:**
- (a) Camera-ready or
  - (b) Set type-image area  
8½ x 11 size—7½ x 10  
17 x 11 size—16 x 10

Agency may select type face and size from those available. Size of type will depend on amount of copy and the number of photographs that will be used in the newsletter, leaflet, etc. Photographs should be held to a limited number.

The Commissioner of Administration, or his designated representative, may be empowered to make certain exceptions that may be in the best interest of the State. However, application for such exceptions must be in writing and must present detailed information in support of such request.

**Classes of Printing:** The State printing contract covers thirty-one categories of printing and binding. Central Purchasing, Division of Administration, reserves the right to assign each request for printing to the proper contractor, to the Administrative Services Section of the Division of Administration, or to award to a commercial printer as a result of competitive bids taken by the State Printing Agent.

In all printing contracts, the right shall be reserved for all State boards, commissions, departments, institutions, and offices to do and perform printing, mimeographing, copying, and similar work for which they have existing facilities.

**R.S. 43:1B(3) Delegation of Authority:** The Commissioner of Administration may delegate the purchase of printing to any instrumentality whenever the best interests of the State will be served; however, the

delegation of this authority does not preclude the procurement of these items through the Purchasing Section when the Commissioner deems it more desirable or practical to do so.

Authority is delegated to all agencies covered by this Act to purchase the following items without prior approval by the printing offices.

1. Prepublished items specifically limited to:
  - a. Technical or scientific books
  - b. Pamphlets, reports, maps, and charts
  - c. Tax and tariff schedules
  - d. Subscriptions to newspapers, magazines, and periodicals.
2. Art work and similar professional services.
3. College yearbooks and student newspapers.
4. Athletic, cultural or entertainment programs, posters, and tickets.

Where unusual problems are encountered, and an agency considers additional delegated authority necessary, an application for this authority may be submitted to the Commissioner of Administration. Such application must be in writing and must present detailed information in support of the request.

All purchases, whether made by the Division or by the agency under the delegated authority provision, shall be made in compliance with R.S. 43:1-31.

**Forms Management:** Forms that are warehoused by the State for State agencies are ordered on a warehouse requisition (DA FM 1). These requisitions are sent directly to Forms Management, 655 Choctaw Drive, Baton Rouge, Louisiana. If you do not have a forms register or the warehouse requisition, you may obtain these by calling Forms Management (389-5546).

**Administrative Services:** If a State agency is certain their printing will be handled by Administrative Services they can fill out an Administrative Services printing request. This form along with an original sample, may be sent directly to Administrative Services, a DA 101 does not have to be included with this request. If the State agency needs any of these request forms they may call 389-7474.

**Information:** All requests for information shall be directed to Division of Administration, State Printing Agent, P. O. Box 44095, Baton Rouge, Louisiana. Questions regarding specifications, deliveries, and other matters pertaining to printing jobs shall be submitted directly by the agency to the Division of Administration and shall not be handled by the agency through representatives or vendors. The facilities of the printing

office are available to any agency and all requests will be handled promptly.

Charles E. Roemer, II  
Commissioner of Administration and  
Executive Assistant to the Governor

# Emergency Rules

## DECLARATION OF EMERGENCY

Department of Health and Human Resources  
Office of Family Services

The Department of Health and Human Resources, Office of Family Services, is issuing a concise statement of employment and training policy mandated by the U.S. Department of Health, Education and Welfare (HUD) by Social and Rehabilitative Services' Action Transmittal 76-160 published October 22, 1976.

Because this policy is federally mandated, it has been effected immediately. This policy has been followed from the outset of the Indo-Chinese Refugee Program because HEW had indicated that the requirements were the same as those followed in the Aid to Families with Dependent Children (AFDC) program, however, this is the first definite statement on this subject. This action was taken pursuant to R.S. 49:953B and R.S. 49:966C. Copies of the emergency rule are available for public examination at the office of the Department of Health and Human Resources, Office of Family Services, 755 N. Riverside Mall, Room 201, Baton Rouge.

### I. Employment or Training Requirements

- A. All employable refugees who apply for or receive cash assistance, and all employable members of the assistance unit of which they are a part, shall register for employment with the Louisiana State Employment Service (LSES), and shall accept an employment or training opportunity from any source, in the same manner as required for each recipient of AFDC. An individual is considered employable unless one of the following exemptions applies:

1. An individual who is under age 16, or who is under age 21 and is attending school or training full time, or who is age 21 or over

and is attending school or training except that training shall be limited to less than one year.

2. A person who is ill, incapacitated, or over 65 (verification of illness or incapacitation is required).
3. A person whose presence in the home is required because of illness or incapacity of another member of the household (verification is required).
4. A mother or other caretaker of a child under the age of 6 who is caring for the child.
5. A mother or other caretaker of a child, when the nonexempt father or other non-exempt adult relative in the home is registered and has not refused to accept employment without good cause.

Inability to communicate in English does not make the refugee "unemployable."

- B.** As an applicant for assistance, an employable refugee shall not, during thirty consecutive calendar days immediately prior to the receipt of aid, have voluntarily quit a job for the purpose of receiving assistance, or refused to apply for or accept an appropriate offer of employment. The dependent family of such an ineligible applicant may, however, apply for and receive cash assistance.
- C.** As a recipient of assistance under the refugee assistance program, an employable refugee shall not, while in receipt of aid, have voluntarily quit for the purpose of receiving assistance, or refused to apply for or accept an appropriate offer of employment or employment-related training meeting any applicable minimum wage requirement.
- D.** Appropriate Work and Training Criteria: The determination of "appropriate work" shall be made in accordance with the following criteria:
1. Appropriate work may be temporary, permanent, full-time, part-time, or seasonal work if such work meets the other work standards of this document.
  2. The wage shall meet or exceed the Federal or State minimum wage law, whichever is

applicable, or if such laws are not applicable, the wage shall not be less favorable than the wage normally paid for similar work in that labor market but in no event shall it be less than three-fourths of the minimum wage rate.

3. The daily hours of work and the weekly hours of work shall not exceed those customary to the occupation.
4. No individual shall be required to accept employment if:
  - (i) The position offered is vacant due to a strike, lockout, or other bona fide labor dispute;
  - (ii) The individual would be required to work for an employer contrary to the conditions of his existing membership in the union governing that occupation. However, employment not governed by the rules of a union in which he has membership may be deemed appropriate.

In addition to meeting these criteria, for training to be appropriate, the quality of the training must meet local employers' requirements so that the individual will be in a competitive position within the local labor market. The training must also be likely to lead to employment which will meet the appropriate work criteria, as defined in this document.

The following additional standards must be met before an employable adult cash assistance recipient can be required to accept a work or training assignment:

1. The job or training assignment must be related to the physical and mental capability of the individual to perform the task on a regular basis. Any claim of adverse effect on physical or mental health shall be based on an adequate medical testimony from a physician or licensed or certified psychologist indicating that participation would impair the individual's physical or mental health.
2. The total daily commuting time to and from home to the work or training site to which the individual is assigned shall not normally exceed two hours, not including

the transporting of a child to and from a child care facility, unless a longer commuting distance and time is generally accepted in the community, in which case the round trip commuting time shall not exceed the generally accepted community standards.

3. When child care is required, and provided by this agency, it must meet the standards governing the receipt of such care under the State's Title XX program and must be available during the hours the individual is working or engaged in training or English language instruction plus any additional necessary commuting time. Day care which is obtained by the applicant or recipient is treated as a work-related expense and is not required to meet these standards.

Provision of child care services is limited to those refugees in training, except for such other child care as may be provided in accordance with the Title XX plan. Employed refugees are expected to purchase day care services if needed, and such expenses shall be treated as work-related expenses.

4. The work or training site to which the individual is assigned must not be in violation of applicable Federal, State and local health and safety standards.
5. Assignments shall not be made which are discriminatory in terms of age, sex, race, creed, color, or national origin.

## II. Sanctions

Refusal of an employable adult recipient to register with the Employment Service or to accept or continue an employment or training opportunity without good cause shall result in the following actions:

- A. The service worker shall provide counseling within seven days intended to provide the refugee with an understanding of the implications of his refusal to accept employment or training, and to encourage the refugee's acceptance of such opportunity. Only one such counseling session is required but additional counseling may be provided.
- B. If the employable refugee recipient continues to

refuse an offer of employment or training, assistance will be terminated thirty days after the date of his original refusal. The refugee shall be given at least ten days written notice of the termination of assistance prior to expiration of thirty-day period and the reason therefor. This sanction shall be applied in the following manner:

1. If the assistance unit includes other individuals, then the grant shall be reduced by the amount included on behalf of that refugee. In addition, if the employable refugee is a caretaker relative, assistance in the form of protective or vendor payments will be provided to the remaining members of the assistance unit.
2. If such individual is the only individual in the assistance unit, the grant shall be terminated.
3. The refugee's sponsor, or the voluntary resettlement agency where there is not a sponsor, will be notified of the action taken in Item 1 or 2, above.
4. A decision by the refugee to accept employment or training, made at any time within the thirty-day period after the date of the original refusal, shall result in the continuation of assistance without interruption if the refugee continues to meet the income and other requirements for continued assistance.
5. An employable refugee may reapply for assistance thirty days after the termination of assistance because of refusal to accept or continue employment or training. He shall be advised of this right, but he must take the initiative in making the reapplication.

## III. Training Requirements for Employed Refugee Recipients

In the instance of a refugee who is employed and receiving supplementary assistance, the following is applicable:

- A. Require part-time training such as English language or skill training, if available and determined appropriate, if the refugee is employed part-time (less than one hundred hours per month), as a condition for continued receipt of assistance.

- B. Encourage, but not require, part-time English language or skill training if the refugee is employed full-time (one hundred or more hours per month).

To determine whether English language training is available to Indo-Chinese refugees, a check shall be made with the parish school board, or if applicable, the local office of Associated Catholic Charities.

**IV. Receipt of Assistance While Attending School**

- A. All employable refugees not exempt as defined in Section I-A, above, "Employment or Training Requirements," are required to register for work and to accept appropriate work or training with the exception stated in Item B, below.
- B. A full-time student who is 21 years of age or older and who is currently receiving cash assistance at the time of the effective date of this bulletin shall be allowed to finish the current semester.
- C. Full-time attendance in a college program for a person age 21 or over is not considered appropriate training unless:
  - 1. The individual will finish his degree within one year.
  - 2. The program has a definite short-term employment objective (less than one year) and the program is approved by this agency or as part of an employability plan for the refugee.
  - 3. The individual is an Indo-Chinese professional who is attending college to become relicensed in his profession, in which case continued attendance shall be approved up to September 30, 1977, if such course of study is not completed earlier.
- D. A refugee of any age who is otherwise eligible shall not be denied cash assistance while enrolled and participating in a training program which is part of an approved employability plan. Training shall be intended to have a definite short-term employment objective of less than one year. Indo-Chinese refugees enrolled in a training program operated by Asso-

ciated Catholic Charities shall meet the requirement of having an approved employability plan.

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

# Rules

## RULES

### Board of Trustees for Colleges and Universities

#### Part IX Athletic Policies, and specifically:

The second paragraph of the opening statements is changed to read as follows: The athletic directors of each institution will be responsible for the distribution of the athletic policies to all personnel concerned as well as the purchasing of current National Collegiate Athletic Association (NCAA) manuals for all coaches. Each coach will be personally responsible for his actions regarding the rules of the Board as well as those of the NCAA and National Junior College Athletic Association (NJCAA).

Section 9.1C(3), Faculty Commission is changed to read as follows: The Faculty Commission shall elect a chairman and vice-chairman on an annual basis from its own members. This election shall be held at the first meeting following the NCAA National Convention.

Section 9.2A(1), National Associations is changed to read as follows: Each institution under the jurisdiction of the Board must be a member of the National Collegiate Athletic Association (NCAA) or National Junior College Athletic Association (NJCAA).

Section 9.2A(2), National Associations is changed to read as follows: Any institution under the jurisdiction of the Board may, in addition to membership in NCAA or NJCAA, join other national athletic associations, such as the National Association of Intercollegiate Athletics (NAIA).

Section 9.4A(1), Scholarships-Types and Value is changed to read as follows: Full Athletic Scholarships—These scholarships consist of tuition and fees, room and board, and books, limited to conform with current NCAA policy.

Section 9.4E, Out-of-State Scholarships is changed to read as follows: The maximum number of out-of-state scholarships, from State funds, is sixty, to accommodate

the new NCAA ruling regarding splitting of spring sports scholarships; of which no more than thirty may be used in football. Out-of-state scholarships in excess of sixty may be awarded provided the funds used come from some source other than State funds and are administered by the institution. This does not give permission to exceed the total participation number provided for in the Division of Scholarships, or the maximum one hundred twenty-nine available State-supported scholarships. A university may exempt out-of-state fees for a student-athlete only while he is an active participant, except when said out-of-state student-athlete has completed his eligibility; he may then continue to have his out-of-state fees waived for a period of not more than one year.

Section 9.4F(1), Penalties Related to Scholarships is changed to read as follows: All schools that exceed the out-of-state limit of sixty student-athletes will be required to reduce the total of out-of-state scholarships allowed the following year by that respective number.

Section 9.5A, Eligibility Rules is changed to read as follows: Each institution shall follow the eligibility rules of the NCAA, NJCAA, and its conference (if it is a member of one).

Section 9.5B(3), Eligibility Rules is changed to read as follows: A high school graduate upon his initial matriculation into college who is eligible according to NCAA or NJCAA academic standards to participate in athletics or in any organized athletic practice sessions during the first year in residence becomes eligible after the completion of two semesters or three quarters, and twenty-four hours.

Section 9.5B(3), Eligibility Rules is deleted entirely.

Section 9.6B, Recruiting is changed to read as follows: Each school under the jurisdiction of the Board shall be allowed to spend up to ten thousand dollars of State funds on their athletic recruiting.

Section 9.6D(2), Eligibility Rules, Pre-Enrollment Applications is changed to read as follows: To be valid and binding, a duly signed and dated pre-enrollment application must be forwarded to the Coordinator of College Athletics within fifteen days after a student-athlete and his parent or guardian (if required to sign) have signed same. Failure to forward the form as prescribed will render the student-athlete free to sign with another institution.

Section 9.6D(3), Eligibility Rules, Pre-Enrollment Applications is changed to read as follows: A student-athlete who signs an application for an athletic scholar-

ship (part or full) with one institution under the jurisdiction of the Board, and said application is filed with the Coordinator of College Athletics for the Board within fifteen days of the signing date, may not sign with another institution under said jurisdiction without loss of one year of eligibility, during which time he may not practice with or play for the second institution nor be eligible for any type scholarship award or other financial assistance, unless said student-athlete is released by the signing institution. If released, the migrant or transfer rule will prevail. (This ruling also applies to a student-athlete who participates with one institution and then transfers to another institution. This ruling shall not apply to a student-athlete whose financial assistance was terminated by the original institution in which he is enrolled.)

Section 9.6E, Eligibility Rules is changed to read as follows: Each institution under the jurisdiction of the Board shall follow the NCAA and NJCAA regulations in accordance with its divisional membership as related to academic admission requirements.

Section 9.7B, Supplemental Regulations, Coaches is changed to read as follows: Each school is allowed a total of ten coaches taking part in football, basketball, baseball, and track, and additional part-time coaches not to exceed the present NCAA limitation on athletic staff. The athletic directors and athletic trainers will not be included in this ten unless they are taking part in the coaching activities of the four sports.

Section 9.7D, Supplemental Regulations, Practice Dates is changed to read as follows: All institutions shall be governed by applicable NCAA and NJCAA rules pertaining to practice and playing seasons and dates in all sports in which the institution participates.

Section 9.7E, Supplemental Regulations, Baseball Playing Dates is changed to read as follows: Each school shall follow the NCAA rules regarding the limitations on baseball playing dates.

Section 9.10B, Reports to the Board of Trustees 1. a. 2. (a) is changed to read as follows: "A" full athletic scholarship—These scholarships consist of tuition and fees, room and board, and books, limited to conform with current NCAA policy.

Bill Junkin, Executive Director  
Board of Trustees for Colleges and  
Universities

**RULES**

**Licensing Board for Contractors**

The State Licensing Board for Contractors has amended its Rule No. 4 to provide that "the maximum fee shall not exceed three hundred dollars."

Emery L. Villar, Executive Director  
Licensing Board for Contractors

**RULES**

**Dairy Stabilization Board**

The following amendments, additions, and deletions to the existing rules and regulations were adopted at the meeting of the Dairy Stabilization Board on December 14, 1976:

**Distribution Stabilization Plan No. 1**

- Title Page: Delete "Distribution Stabilization Plan No. I" and add "Dairy Stabilization Board Rules and Regulations."
- Page 1: Delete "Distribution Stabilization Plan No. I" and delete "Rule I" in its entirety.
- Page 2: Rule II B (14), delete last three paragraphs beginning with "Rules adopted by . . . . . " and end with ". . . . . distribution stabilization plans."
- Page 3: Delete "Rule III" in its entirety.
- Page 6 & Page 7: Delete "Rule V B" in its entirety. Delete "Rule V C" in its entirety.
- Page 13: Delete "Rule VII A" in its entirety. Delete "Rule VII B" in its entirety. Delete "Rule VII C" in its entirety.
- Page 14: Delete "Rule VIII A (1)" in its entirety.
- Page 15: "Rule VIII A (7)," after "except authorized discounts," add a period and delete "as provided in a Distribution Stabilization Plan." "Rule VIII A (9)," on line five, after "unless authorized by," add "these rules and regulations" and delete "a Distribution Stabilization Plan," and on line ten, delete "(except as authorized by a Distribution Stabilization Plan)." "Rule VIII A (10)" after "(unless authorized by the provisions of," add "these rules and regulations" and delete "a Distribution Stabilization Plan)."
- Page 16: "Rule VIII A, 13 (d)-After the words "faith to meet," delete the word "legal."
- Page 17: "Rule VIII B (b)," delete "(b)" in its entirety.

- Page 17: "Rule VIII B, 2 (a)," delete in its entirety.
- Page 18: "Rule VIII B, 3 (c)," delete in its entirety.
- Page 19: "Rule VIII B, 3 (h)," after the words "in accordance with La. R.S." delete "40:930" and add "40:931.1."
- Page 21: "Rule VIII B, 7 (i)," delete in its entirety.
- Page 26: "Rule IX B, (1), (2), (3)," delete in its entirety.
- Page 26: "Rule X, A (1)," after the words "or repeal of a" delete "distribution stabilization plan" and add the word "rule."
- Page 31: "Rule XI, J," after the words "that the act committed was a violation of the Act, these" add "rules and" and put a period after the word "regulations." Delete the words "or the applicable distribution stabilization plan."
- Page 31: "Rule XII" After the words "ruling by the board concerning the applicability of the Act," delete "a dairy stabilization plan" and add "of these rules and" and before "or of any order," add "s" to regulation."

**Loss Leader Permitted**

Sales of milk and dairy products below cost at the retail level, sometimes referred to as "loss leaders," shall be permitted and shall not be deemed a sale that would deceive a purchaser, substantially lessen competition, unreasonably restrain trade or tend to create a monopoly where said sale below cost by a licensed retailer is not more than ten percent below cost, is not offered at said price for more than three days consecutively nor more than three times during a calendar quarter and is not offered or sold in such manner with more than one other dairy item also being sold at a loss.

Should any licensed retailer desire to engage in sales below cost in a manner that would exceed the provisions of the preceding section he may apply to the Director of the Dairy Stabilization Board, who is authorized to grant permission for additional sales below cost, and the Director shall grant said permission unless he determines that the request if granted would result in sales which deceive purchasers, substantially lessen competition, unreasonably restrain trade or tend to create a monopoly.

"Cost" as used herein shall be defined as it is defined in R.S. 51:421F.

\* \* \* \*

**Sales at Less Than Cost Prohibited**

A. Any advertising, offer to sell, or sale of any merchandise, either by retailers or wholesalers, at less

than cost plus any State, county or municipal sales tax that is then payable under any existing law or ordinance, with the intent or effect or inducing the purchase of other merchandise or of unfairly diverting trade from a competitor or impairing fair competition and thus injuring public welfare, is unfair competition and contrary to and violative of public policy as expressed in Louisiana law, where the result of such advertising, offer or sale is to tend to deceive any purchaser or prospective purchaser, or to substantially lessen competition, or to unreasonably restrain trade, or to tend to create monopoly in any line of commerce.

B. Any sale, transfer or exchange between wholesale outlets or between retail outlets or between wholesale and retail outlets operating a separate business or under a separate name at a price less than the minimum herein prescribed, either through the allowance of a discount or by the payment of a commission or through any other device used to reduce the minimum price shall constitute a violation of this rule.

C. Any wholesaler or retailer who furnishes labor or services to a purchaser to aid or assist in the conduct of the purchaser's business shall be deemed to be in violation of this rule where the value of the services reduces the selling price of any given commodity below the minimum price as herein established, and this provision shall be effective irrespective of whether or not the person or persons performing such services be in the employ of the seller.

\* \* \* \*

#### Discrimination Prohibited

(a) It shall be prohibited for any person engaged in commerce, in the course of such commerce, either directly or indirectly, to discriminate in price between different purchasers of commodities of like grade or quality, where either or any of the purchases involved in such discrimination are in commerce, where such commodities are sold for use, consumption, or resale within the State of Louisiana and where the effect of such discrimination may be substantially to lessen competition or tend to create a monopoly in any line of commerce, or to injure, destroy, or prevent competition with any person who either grants or knowingly receives the benefit of such discrimination, or with customers of either of them: Provided, that nothing herein contained shall prevent differentials which make only due allowance for differences in the cost of manufacture, sale, or delivery resulting from the differing methods or quantities in which such commodities are to such purchasers sold or delivered. Provided that nothing herein contained shall prevent price changes from time to time where in

response to changed conditions affecting the market for or the marketability of the goods concerned, such as but not limited to actual or imminent deterioration of perishable goods, obsolescence of seasonal goods, distress sales under court process, or sales in good faith in discontinuance of business in the goods concerned.

(b) Upon proof being made, at any hearing on a complaint under this section, that there has been discrimination in price or services or facilities furnished, the burden of rebutting the prima facie case thus made by showing justification shall be upon the person charged with a violation of this section, and unless justification shall be affirmatively shown, the Board is authorized to issue an order terminating the discrimination: Provided, however, that nothing herein contained shall prevent a seller rebutting the prima facie case thus made by showing that his lower price or the furnishing of services or facilities to any purchaser or purchasers was made in good faith to meet an equally low price of a competitor, or the services or facilities furnished by a competitor.

(c) It shall be unlawful for any person engaged in commerce, in the course of such commerce, to pay or grant, or to receive or accept, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, except for services rendered in connection with the sale or purchase of goods, wares, or merchandise, either to the other party to such transaction or to an agent, representative, or other intermediary therein where such intermediary is acting in fact for or in behalf, or is subject to the direct or indirect control, of any party to such transaction other than the person by whom such compensation is so granted or paid.

(d) It shall be unlawful for any person engaged in commerce to pay or contract for the payment of anything of value to or for the benefit of a customer of such person in the course of such commerce as compensation or in consideration for any services or facilities furnished by or through such customer in connection with the processing, handling, sale, or offering for sale of any products or commodities manufactured, sold, or offered for sale by such person, unless such payment or consideration is available on proportionally equal terms to all other customers competing in the distribution of such products or commodities.

(e) It shall be unlawful for any person to discriminate in favor of one purchaser against another purchaser or purchasers of a commodity bought for resale, with or without processing, by contracting to furnish or furnishing, or by contributing to the furnishing of, any services or facilities connected with the

processing, handling, sale or offering for sale of such commodity so purchased upon terms not accorded to all purchasers on proportionally equal terms.

(f) It shall be unlawful for any person engaged in commerce, in the course of such commerce, knowingly to induce or receive a discrimination in price which is prohibited by this section.

(g) It shall be unlawful for any person engaged in commerce, in the course of such commerce, to be a party to, or assist in, any transaction of sale, or contract to sell, which discriminates to his knowledge against competitors of the purchaser, in that, any discount, allowance, or advertising service charge is granted to the purchaser over and above any discount, rebate, allowance, or advertising service charge available at the time of such transaction to said competitors in respect of a sale of goods of like grade, quality, and quantity; to sell, or contract to sell, goods in any part of Louisiana at prices lower than those exacted by said person elsewhere in Louisiana for the purpose of destroying competition, or eliminating a competitor in such part of Louisiana or, to sell, or contract to sell, goods at unreasonably low prices for the purpose of destroying competition or eliminating a competitor.

(h) Nothing in this rule shall prevent a cooperative association from returning to its members, producers, or consumers the whole, or any part of the net earnings or surplus resulting from its trading operations, in proportion to their purchases or sales from, to, or through the association.

C. James Gelpi, Director-Attorney  
Dairy Stabilization Board

## RULES

### Board of Elementary and Secondary Education

(The following rules were duly advertised for consideration, and after the appropriate waiting period, acted upon favorably by the Board at the regularly scheduled meeting of December 16, 1976.)

#### Rule 3.01.70.u(3)

#### Certification and Supervision Requirements for Providers of Psychological Services in School Settings

##### I. School Psychological Assistants

###### Entry Master's Level

#### Level E: School Psychological Assistant I: (Three years, nonrenewable)

##### 1. Certification requirements:

- a. Master's degree in psychology, educational psychology, or school psychology of thirty or more graduate semester hours from a regionally accredited college or university.
- b. Course work at the graduate level must include:
  - (1) Six semester hours in diagnostic individual tests and measurements. This must include experience in the administration of individual intelligence tests.
  - (2) A minimum total of fifteen semester hours including course work in at least three of the following six general areas:
    - (a) Developmental psychology
    - (b) Educational psychology or the psychology of learning
    - (c) Theory and construction of tests or statistical methods
    - (d) Behavior modification, motivation, counseling, or intervention
    - (e) Personality, abnormal psychology, or psychodiagnostic techniques
    - (f) Psychology of exceptionality—e.g. of the mentally retarded, of the gifted and talented, of the learning disabled, or of the emotionally disturbed.
  - (3) Six semester hours of supervised practicum or equivalent supervised experience.

##### 2. Supervisory requirements:

The Certified (Level A) School Psychologist must:

- a. Supervise very closely.
- b. Demonstrate, observe, and evaluate work done.
- c. Review work performance on a regular basis.

Level D: School Psychological Assistant II: (Three years, renewable upon verification of twelve semester hours from areas specified under Level E—beyond the forty-two hours required for the initial certificate or twelve hours since the last renewal.)

1. Certification requirements:
  - a. Meet requirements of Level E.
  - b. Show evidence of twelve additional graduate semester hours in the areas specified under Level E from a regionally accredited college or university.
  - c. Have at least two years of supervised experience in the delivery of psychological services in an appropriate setting.
2. Supervisory requirements:  
The Certified (Level A) School Psychologist must:
  - a. Hold periodic discussion of cases.
  - b. Consult on special problem cases as needed.
  - c. Review work performance on a regular basis.

#### Advanced Master's Level

Level C: School Psychological Assistant III:  
(Three years, renewable)

1. Certification requirements:
  - a. Meet requirements of Level E.
  - b. Show evidence of thirty additional (to Level E for sixty total) graduate semester hours in the areas specified under Level E from a regionally accredited college or university.
  - c. Have at least five years of supervised experience in the delivery of psychological services in an appropriate setting.
2. Supervisory requirements and functions:  
The Certified (Level A) School Psychologist must:
  - a. Hold periodic discussion of cases.
  - b. Consult on special problem cases as needed.
  - c. Periodically review the work of the School Psychological Assistant III.

School Psychological Assistants III may assist the Certified (Level A) School Psychologist in the supervision of School Psychological Assistants I and II.

## II. School Psychologists

### License-Eligible Psychologist Level

Level B: School Psychologist: (Three years,

nonrenewable. Loss of applicant status with Louisiana State Board of Examiners of Psychologists results in immediate suspension of certification.)

1. Certification Requirements
  - a. Doctoral degree in psychology with a major in School, educational, clinical, counselling, or developmental psychology.
  - b. Applicant status for licensure in psychology in Louisiana.
  - c. Graduate curriculum must include coursework requirements of Level E.
2. Supervisory requirements and functions:
  - a. The Certified (Level A) School Psychologist must carry out the supervision in accordance with the requirements of applicant status for licensure in Louisiana.
  - b. The Level B School Psychologist may assist the Certified (Level A) School Psychologist in the supervision of School Psychological Assistants I, II, and III.

### Intermediate Master's Level

### Licensed Psychologist Level

Level A: School Psychologist: (Three years, renewable. Revocation or suspension of license as psychologist in Louisiana automatically and immediately suspends certificate.)

1. Certification requirements:
  - a. Licensure as a psychologist in Louisiana.
  - b. Registration and verification of specialty competence with Louisiana State Board of Examiners of Psychologists in school, educational, clinical, counseling, or developmental psychology.
  - c. Two years of appropriate experience in rendering psychological services.
  - d. Graduate curriculum must include coursework requirements of Level E.
2. Supervisory functions and responsibilities:  
The Level A School Psychologist must supervise all psychological work done by unlicensed persons in the schools he or she has agreed to supervise and be on record with the State Department of Education as a supervising psychologist with a listing of

the persons whom he or she is supervising, including the level of certification of these supervisees.

Rule 6.03.60e

Prior Experience as it Applies to Vocational-Technical Employees.

Instructors: Teaching experience should be allowed on a year for year basis.

Counselors: Counselors should get year for year credit for previous experience in guidance and counseling.

Assistant Directors: Assistant directors should get year for year credit for previous department head experience and for supervisory experience in all school systems approved by the Board.

Directors: Chief administrative officers experience including elementary, secondary, vocational-technical, universities, and deans of colleges should be used in determining merit increments on a year for year basis.

Experience in the State Department of Education at the level of section chief and above should be used in determining merit increments on a year for year basis.

Existing personnel should be brought on a step according to these recommendations.

Rule 3.01.70 u(4)

Restricted Certification for Speech Therapists.

The individual applying for certification must present to the Bureau of Teacher Certification a statement from the American Speech and Hearing Association (ASHA), or from the Director of an ASHA certified training program in which the applicant has completed his or her master's program, that ASHA requirements for the certificate of clinical competence in speech pathology (with the possible exception of the clinical fellowship year--which, when excepted, shall be noted on the certificate, with encouragement to the person and the school system this be completed) have been met.

Earl Ingram, Director  
Board of Elementary and Secondary  
Education

**RULES**

**Forestry Commission  
Tax Commission**

**Timber Stumpage Values  
Calendar Year 1977**

Listed below are the timber stumpage values set by the Louisiana Tax Commission and the Louisiana Forestry Commission December 13, 1976, as provided by law. These values are for the calendar year 1977.

The unit values were determined by the Commissions following an examination of stumpage price information collected directly from sawmills, pulpmills, and pulpwood procurement centers processing more than 95% of the wood harvested in Louisiana. The information was gathered by Forestry Commission foresters and other competent personnel.

The sawtimber values are based on Doyle Log Rule and the pulpwood values are based on a standard cord (128 cu. ft.).

Cypress	\$ 40.00 per M Bd. Ft.
Pine	100.00 per M Bd. Ft.
All Gums	40.00 per M Bd. Ft.
All Oaks	40.00 per M Bd. Ft.
Cottonwood & Willow	45.00 per M Bd. Ft.
Ash	50.00 per M Bd. Ft.
Other Hardwoods	45.00 per M Bd. Ft.
Pine Pulpwood	6.50 per Cord
Hardwood Pulpwood	3.00 per Cord

The regular severance tax rate is two and one-quarter percent of the above sawtimber stumpage values and five percent of the above pulpwood values.

The severance tax rate on timber conservation contract lands is six percent of all above stumpage values, both sawtimber and pulpwood.

Effective date: January 1st--December 31st, 1977.

The above values are based on Doyle Log Rule for sawtimber and standard cords for pulpwood.

All other forest products (fence posts, ties, poles,

piling, etc.) to be computed on basis of Doyle Log Rule or standard cords (128 cu. ft.) as applicable.

James E. Mixon  
State Forester

C. Gordon Johnson, Chairman  
Tax Commission

## RULES

### Department of Health and Human Resources Office of Hospitals Bureau of Substance Abuse

The Louisiana Department of Health and Human Resources, Bureau of Substance Abuse, has adopted a standards manual for the licensing of substance abuse programs. It becomes effective upon publication of this notice in the Louisiana Register.

The Department of the State Register has exercised its prerogative under R.S. 49:954.1C to withhold publication of the manual in the Register. Copies will be made available to interested parties upon request addressed to: Mr. Cal Bankston, Bureau of Substance Abuse, P. O. Box 44215, Baton Rouge, Louisiana 70804.

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

## RULES

### Racing Commission LAC 11-6:1 Definitions

**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 or a permittee as reflected by his account with the horsemen's book-keeper, 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 are applicable.

**S. 1.7 Authorized Agent:** Any person currently licensed as an agent for a licensed owner 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 or permittee 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, partnership, corporation, or business entity receiving a license, permit, or privilege from the Commission to conduct a race meeting or meetings.

**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 racing official who writes and publishes the conditions of each race to be

run at any race meeting, and also performs such other duties as may be assigned to him in these rules or by the Commission.

**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:** The stewards of the meeting or their duly appointed deputies.

**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 or to start unless transferred by a bona fide sale or 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 the 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.

## LAC 11-6:3 Health Rules

**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 a 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 it was examined.

**S. 3.4** The association conducting 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 manner approved by the Commission.

**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 while on any racing premises.

**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, blood, and urine 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 by the association in cooperation with the Louisiana Livestock Sanitary Board.

#### **LAC 11-6:4 Racing Officials**

**S. 4.1** Persons nominated 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.

**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 nominate a successor, subject to approval of the Commission. In the event the association does not nominate 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, appointment of agents, adoption of racing colors or stable name, and determine the eligibility and appropriateness thereof for participation in racing.

F. They shall require 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.

**S. 5.10** The State Steward is the presiding steward at all race tracks under the jurisdiction of the Louisiana State Racing Commission. All other stewards shall report all their actions to the State Steward.

#### **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.

#### **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 racing program.

#### **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, subject to approval of the stewards.

**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 race do not exceed the capacity of the track but do exceed the capacity of the gate, the surplus shall 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 person 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 Commission. This rule shall apply to veterinarians treating horses stabled off the association grounds and registered to race at any track in the State of Louisiana under supervision of the 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** Owners and/or trainers must report personnel 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, except as may be provided in LAC 11-6:45. 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 and permittees 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 or revocation 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 by the written statements 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 the license of an applicant 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 con-

sidered 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 may recognize any disciplinary 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 a horse has been registered with the racing secretary, listing the owner, no horse will be transferred, unless claimed, without permission of the stewards and 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 change 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, claim, or public auction, does not guarantee the new owner a stall for such horse unless approved by the stewards. The association 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 from a 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 a declaration from a partnership, he may authorize a horse involved in a partnership to enter and to start in a stakes race without a declaration from a 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 of the authority of his agent must be filed in writing with the Commission and shall be effective on the day of filing.

### **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 have 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 an 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 his 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, 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 is 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, except as permitted in LAC 11-6:54. 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 has the qualification of a permittee and has 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 permittees, an applicant for 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, after which, if he has not ridden forty winners in the year following the date of his fifth winner, he shall continue the allowance for a period not to exceed three years from the date of his first winner or until he has ridden forty winners, whichever occurs first.

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 owner or trainer and a 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 owner or trainer who owns or trains at least three horses eligible to race at the time of execution of such contract.

B. The owner or trainer 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 owner or trainer 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 owner or trainer in a race against a horse owned or trained by his contract owner or trainer.

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

C. Share any money earned from riding with his contract owner or trainer.

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

**S. 20.11** An apprentice shall not be permitted to ac-

quire 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 with the horsemen's bookkeeper 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 or stable of the horse he is to ride, white or light breeches, top boots, safety helmet approved by the Commission, and a number on his right shoulder corresponding to his mount's number as shown on the saddle cloth and daily race program. The clerk of