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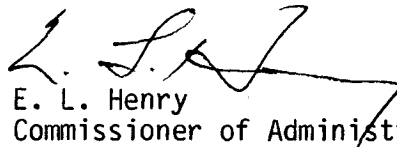
November 3, 1982

Dear Subscribers:

Due to the increased cost of printing, it is advisable to raise the Louisiana Register subscription rates \$5 per year. Beginning January 1, 1983, the regular price will be \$50 annually. The state agency rates will be \$30 per year for additional copies. Individual copies will increase from \$4 to \$4.50 each.

If you have any questions regarding these new rates, please contact Mrs. Mai Abington, Director, Department of the State Register, Box 44095, Baton Rouge, Louisiana 70804.

Sincerely,


E. L. Henry
Commissioner of Administration

ELH/pmm

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Executive Orders

NOW, THEREFORE, pursuant to the authority granted me by R.S. 39:55, I hereby prohibit the allotment and expenditure of \$1,000,000 by the Department of Urban and Community Affairs to the Economic Development Districts.

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 22nd day of October, A.D., 1982.

David C. Treen
Governor of Louisiana

EXECUTIVE ORDER NO. DCT 82-22

WHEREAS, the Governor's Task Force on Deep Draft Vessel Access to the Lower Mississippi River was created by Executive Order 82-5; and

WHEREAS, the purpose and function of that task force is to evaluate the anticipated growth of major bulk commodities that move through the Lower Mississippi River area, evaluate the anticipated savings that would occur if the Lower Mississippi River were dredged to accommodate deep draft vessels, and evaluate the engineering and financial feasibility of such dredging; and

WHEREAS, the work of this task force holds a great potential importance to the economic future of Louisiana;

NOW, THEREFORE, I, DAVID C. TREEN, Governor of the State of Louisiana, by virtue of the authority of power invested in me by the Constitution of and applicable statutes of the State of Louisiana, do hereby recreate the Governor's Task Force on Deep Draft Vessel Access to the Lower Mississippi River.

Such a Task Force shall be placed within and shall utilize the staff and facilities of the Department of Commerce.

The membership and responsibilities of such Task Force shall be those stipulated in Executive Order 82-5.

In addition to those responsibilities included in Executive Order 82-5, the Task Force shall evaluate the engineering feasibility of dredging the lower Mississippi River to accommodate deep draft vessels.

The Task Force shall report its preliminary findings to the Governor not later than six months after the Task Force enters into contracts for necessary technical studies. The Task Force shall report its recommendations to the Governor not later than nine months after entering such contracts.

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 28th day of October A.D., 1982.

David C. Treen
Governor of Louisiana

EXECUTIVE ORDER NO. DCT 82-23

WHEREAS, it has been reported to me by the Commissioner of Administration that the receipts of the Treasury appear likely to fall short of revenue estimates for the fiscal year 1982-83; and;

WHEREAS, continued maintenance of the appropriated level of expenditures will result, assuming the accuracy of current revenue estimates, in a deficit; and

EXECUTIVE ORDER NO. DCT 82-24

WHEREAS, in order for the Louisiana Housing Finance Agency to be able to issue in excess of One Hundred Million Dollars (\$100,000,000) of single family mortgage revenue bonds in calendar year 1982; and

WHEREAS, Section 1102(a) of the Mortgage Subsidy Bond Tax Act of 1980 added Section 103A(g)(6)(B) to the Internal Revenue Code which authorizes the establishment of a different formula from that contained in the Subsidy Act for allocating the state ceiling among the governmental units having authority to issue qualified mortgage bonds; and

WHEREAS, Act 489 of the 1982 Regular Session of the Louisiana Legislature authorizes the Governor of the State of Louisiana to allocate to the Agency all or a part of the state ceiling under the Subsidy Act for bonds which have not been sold by September 1, 1982;

NOW, THEREFORE, I, DAVID C. TREEN, Governor of the State of Louisiana, by virtue of the authority vested in me as Governor, pursuant to the Constitution and applicable statutes of the State of Louisiana and to the provisions of Section 103A of the Internal Revenue Code of 1954, as amended, proclaim the portion of the state ceiling for the calendar year 1982 for the issuance of tax-exempt mortgage subsidy bonds allocated to governmental units in the State of Louisiana other than the Louisiana Housing Finance Agency pursuant to the provisions of Section 103A of the Internal Revenue Code of 1954, except as hereinbelow expressly provided, shall be allocated to the Louisiana Housing Finance Agency effective November 1, 1982. The allocation herein to the Louisiana Housing Finance Agency shall not include any bonds actually sold by the following described issuers prior to November 1, 1982:

ISSUER	MAXIMUM AMOUNT
East Baton Rouge Mortgage Finance Authority	\$30,000,000
Jefferson Parish Home Mortgage Authority	19,175,000
New Orleans Home Mortgage Authority	16,255,000

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 26th day of October, A.D., 1982.

David C. Treen
Governor of Louisiana

Emergency Rules

DECLARATION OF EMERGENCY

Department of Education School of Math, Science and the Arts

Chapter I. Bylaws

Article A.

Part I. Definitions

Section a. Louisiana School of Math, Science and the Arts - The term "school" when used in these bylaws, shall refer to the school governed by the Board of Directors for the Louisiana School of Math, Science and the Arts as established by Acts 1981, No. 932, enacting Part II of Chapter 8, consisting of R.S. 17:1961 through 17:1968, effective September 1, 1982 and any amendments as may be added thereto.

Section b. The Board of directors or the "Board", as used in these laws shall refer to the governing board of the Louisiana School of Math, Science, and the Arts as duly appointed and qualified as provided by law.

Section c. The "State Board" means the State Board of Elementary and Secondary Education.

Section d. The "State Superintendent" means the State Superintendent of Education.

Section e. Chairperson of the Board - The term "Chairperson of the Board" as used by these bylaws shall refer to the Board member who is duly elected Chairperson or Acting Chairperson of the Board.

Section f. Director and Chief Administrative Officer - The Director of the School shall be selected by the Board as provided by law, and shall act as the Chief Administrative Officer of the Board. The State Superintendent of Education shall serve as the Chief Administrative Officer of the Board until such time as the Board selects a Director for the School. The State Superintendent of Education shall relinquish such administrative duties to the Director when such Director officially assumes his duties with the Board as provided by law.

Part 2. Board Officers

Section a. Election of Officers - At the first regular or special meeting of the Board in the month of July, the Board shall elect a Chairperson and a Vice-Chairperson.

The Chairperson and Vice-Chairperson shall be members of the Board.

Each of these officers shall hold office for one year or until a successor has been elected. There will be a two-year limit on the office of Chairperson. No Chairperson or officer shall be allowed to succeed themselves more than two consecutive years.

Section b. Chairperson of the Board - It shall be the duty of the Chairperson to preside at all meetings of the Board, to name the members of all standing and special committees of the Board and to fill all vacancies in the membership of such committees, in accordance with the provisions of these bylaws.

Section c. Secretary of the Board - The Director of the School shall serve as Secretary to the Board. Copies of all minutes, papers and documents of the Board may be certified to be true and correct copies thereof by the Secretary.

Article B.

Part I. Meetings

Section a. Regular Meetings - The Board of Directors for the Louisiana School of Math, Science, and the Arts shall meet at least four times per year at a location to be decided by the said Board at its previous meeting, or as may be changed by the Board by resolution at its pleasure, or on call of the Chairperson at a location to be designated by the Chairperson.

Section b. Special Meetings - A special meeting of the Board may be called by the Chairperson of the Board or upon receipt of a written request signed by nine members specifying the purpose of the desired meeting. Notification shall be sent by mail or wire to each member at least five calendar days before the time of the meeting.

Section c. Quorum - Twelve members of the Board shall constitute a quorum for the transaction of business, and all official action of the Board shall require the favorable vote of a majority of those members present and voting as provided by law.

Section d. Rules of Order - When not in conflict with any of the provisions of this article, Robert's Rules of Order (latest revision) shall constitute the Rules of parliamentary procedure applicable to all meetings of the Board.

Section e. Order of Business - The order of business for regular meetings of the Board shall be as follows:

- (1) Roll call and invocation
- (2) Correction and approval of minutes of preceding regular meeting and of all special meetings held subsequent thereto.
- (3) Reports and recommendations of standing committees.
- (4) Reports and recommendations of special committees.
- (5) Reports and recommendations of the Director of the School.
- (6) New business.

Section f. Meetings - All regular meetings of the Board shall be open except when otherwise ordered by the Board for the consideration of executive matters as prescribed by law. No final or binding action shall be taken in a closed or executive session. At least ten days prior to each regular meeting of the Board, the Chairperson and Director shall prepare and forward to each member of the Board a tentative agenda for the meeting. The above shall place a particular item or subject on the agenda upon the request of any member of the Board.

All matters requiring action of the Board, however, may be acted on even though not carried on the agenda, if agreed upon by two-thirds of the Board members present and voting.

Section g. Compensation of Members - Each member of the Board or the attending designee as stated by him may be paid \$50 for each day of actual attendance at meetings of the Board or of a committee appointed by the Board on which the member serves, or while on business for the Board as assigned by it, plus travel and other expenses incurred in the performance of official duties.

Reimbursement of travel and expenses shall be in conformity with regulations governing such expenses of state officials.

Section h. Minutes - The minutes of the meetings of the Board shall record official action taken upon motions or resolutions which are voted upon by the Board, and may contain a summary or report and pertinent discussion. In all cases when the action is not by a unanimous vote, the "ayes" and "nays" and abstentions of the individual members shall be recorded upon the request of any member of the Board.

The foregoing provisions relative to contents of the minutes shall in general also apply to minutes of committees of the Board. The minutes of the Board become official only when completed by the Secretary and approved by the Board.

Section i. Reference to Committees - In cases where practicable or desirable, before taking action on any subject or matter clearly within the sphere of any standing committee, the

Board may refer such subject or matter to the appropriate committee, which committee shall submit its recommendations in writing together with any appropriate resolutions necessary to implement them.

Section j. Presentation of Materials to the Board - The Director shall be charged with preparing the Board's agenda and materials to be submitted to the Board.

Article C.

Part I. Committees

Section a. Executive Committee - There shall be an Executive Committee consisting of the Chairperson, Vice-Chairperson, and three other members appointed by the Chairperson. The Executive Committee shall consider matters referred to it by the Board, shall execute orders and resolutions assigned to it by the Board, and shall take immediate action if an emergency requiring such action arises between Board meetings. All acts of the Executive Committee shall be submitted to the Board for ratification or rejection, at its next meeting, except in matters in which the Board shall have delegated to the Executive Committee full power to act. Whenever the Board delegates to the Executive Committee full power to act with respect to any matter, affirmative action by a majority of the entire membership of the Executive Committee shall be required.

Section b. Standing Committees - All standing committees shall consist of no less than five voting members of the Board. Unless and until otherwise decided by the vote of a majority of the membership of the Board, the standing committees of the Board shall consist of the following:

(1) Academic Affairs Committee - To this committee may be referred matters concerning academic organization, curricula, scholarships and other academic affairs.

(2) Finance Committee - To this committee may be referred all matters related to the financial and budgetary operations.

(3) Personnel Committee - To consider all matters concerning personnel.

(4) Legislative Committee - To this committee may be referred all matters of legislative nature brought before the Board.

(5) Physical Plants Committee - To this committee may be referred matters relating to physical plants of the School.

(6) Students Affairs Committee - To this Committee may be referred all matters of policy concerning non-academic affairs relating to student welfare.

Section c. Appointment and Term of Committees - Members of all standing committees, one of whom shall be designated as committee chairperson and one of whom shall be designated as committee vice-chairperson, shall be appointed by the Chairperson of the Board within 30 days following his election as Chairperson. The term of committee appointees shall run concurrently with that of the Chairperson. Vacancies occurring among the appointive members of any committees, however arising, shall be filled by the President of the Board for the remainder of the term.

Section d. Meetings of the Standing Committees - It shall be the duty of the chairperson of each committee to call and to preside over the necessary meetings. The Secretary of the Board shall keep minutes of all committee meetings. The minutes of each meeting of the committee, showing its action and recommendation, shall apply with the provisions of Article B, Part I, Section h. above.

Section e. Quorum for Committee Meetings - A majority of the members of any committee of the Board shall constitute a quorum for the transacting of business. A committee chairperson, at any committee meeting, may appoint to membership on the committee in question any Board member in attendance at the committee meeting then being held.

Section f. Special Committee(s) - As need arises, the Board may create special committees with such function, powers

and authority as it may determine. Special committees shall be established for temporary periods not exceeding the term of the Chairperson. Unless otherwise provided by the action of the Board for such a committee, the Chairperson shall determine the number of its members, shall appoint the members and shall designate the Chairperson.

Article D.

Part I. Duties, Powers and Functions of the Board

Section a. General Duties - It shall be the function of the Board of Directors to establish and maintain the Louisiana School of Math, Science, and the Arts and to provide the highest quality of instruction for the children of the School.

Section b. General Statement of Administrative Policy - The Board shall determine broad administrative and educational policies for the conduct of all of its affairs and the affairs of the School and shall provide for the execution of its policies by the Director of the School and all other employees of the School.

Section c. Other Duties, Powers and Functions - In its supervision and management of the School, the Board shall have the authority to:

(1) Accept donations, bequests, or other forms of financial assistance for educational purposes from any public or private person or agency and comply with Rules and Regulations governing grants from the federal government or from any other person or agency, which are not in contravention of the constitution and laws.

(2) Purchase land and equipment and make improvements to facilities necessary for the use of the School, in accordance with applicable law.

(3) Lease land or other property belonging to it or to the School, subject to approval of the Commissioner of Administration and in accordance with law.

(4) Sell or exchange land or other real property not needed for School purposes, but only when specifically authorized by law and then only in accordance with the procedures provided in R.S. 41:982 for the sale of unused school lands. The sale shall be authorized by a resolution adopted by the Board, and the act of sale shall be signed by the Chairperson of the Board or such other person to whom the signing may be delegated by the Board in the authorizing resolution.

(5) Adopt, amend, or repeal Rules, Regulations, and policies necessary or proper for the conduct of the business of the Board.

(6) Award certificates and issue diplomas for successful completion of programs of study. All such certificates and diplomas shall be in addition to a regular high school diploma which shall be issued by the State Board in accordance with the provisions of R.S. 17:6 (11) to any student who successfully completes the program of study adopted by the Board.

(7) Enter into contracts and agreements which have been recommended by the Director, in accordance with applicable law, and to the extent that funds are specifically appropriated therefor, with other public agencies with respect to cooperative enterprises and undertakings related to or associated with an educational purpose or program affecting education in the School. This shall not preclude the Board from entering into other such contracts and agreements that it may deem necessary to carry out its duties and functions.

(8) Perform such other functions as are necessary to the supervision and control of those phases of education under its supervision and control.

(9) The Board shall delegate to the Director such of its powers and duties as it deems appropriate to aid the Director in the efficient administration of his responsibility for the implementation of the policies of the Board.

Section d. In addition to the authorities granted herein and any powers, duties and responsibilities vested by any other applicable laws, the Board shall:

(1) Adopt Rules, Regulations, and policies necessary for the efficient operation of the School.

(2) Establish criteria to be used in determining eligibility of applicants for enrollment.

(3) Determine subjects and extracurricular activities to be offered. Such subjects shall initially be subject to approval by the State Board, and thereafter, changes in the subjects shall be subject to approval by the State Board.

(4) Select a Director who shall be the chief administrative officer of the School and who shall administer the Rules, Regulations, and policies adopted by the Board pursuant hereto.

(5) Determine faculty and staff positions necessary for the efficient operation of the School and select personnel for such positions.

(6) Prepare and adopt an annual budget necessary for the continued operation of the School.

(7) Pay the expenses of the Board and its members and the salaries and expenses, including but not necessarily restricted to facilities, equipment, and supplies of the faculty and staff of the School out of funds appropriated or otherwise made available for the operating and administrative expenses of the Board and the School.

(8) Exercise budgetary responsibility and allocate for expenditure by the School and programs under its jurisdiction all monies appropriated or otherwise made available for purposes of the Board and of such school and programs.

(9) Prescribe and select for use in the School free school books and other materials of instruction for students enrolled in the School and programs under its jurisdiction for which the legislature provides funds. Wherever practical, the Board shall select the same school books and other materials of instruction as are adopted by the State Board.

(10) Prepare and adopt or approve programs of study and rules, bylaws, and regulations for the discipline of students and for the government of the School and programs under its jurisdiction, which shall not be inconsistent with law and which shall be enforced by the staff and faculty of the School. Such programs of study shall initially be subject to approval by the State Board, and thereafter, any changes in such programs of study shall be subject to approval by the State Board.

(11) Prescribe the qualifications for teachers of this School. Such qualifications shall initially be subject to approval by the State Board, and thereafter, any changes in such qualifications shall be subject to approval by the State Board.

(12) Adopt Rules and Regulations under which faculty members may become permanent employees of the School.

(13) Develop and adopt a formula or system under which students shall be admitted. Such formula or system shall be sufficient to insure that at least one qualified applicant for admission from within the geographical boundaries of each city and parish school system shall be admitted to the School each year. If no qualified applicant from a city or parish school system applies for admission, then the slot(s) available to that school system shall be lost to that system for the duration of that student's enrollment.

(14) Adopt Rules and Regulations to provide for the evaluation of any applicant who has not been evaluated but who meets all other criteria for participation in the program.

Section e. And any other Duties, Powers and Functions as granted under R.S. 17:1962 through 1968 inclusive, or as same may be amended.

Article E.

Part I. Board Staff

Section a. The Board may authorize the employment of

such personnel as may be required to carry out the function(s) of the Board. It may assign to the personnel so employed such functions and duties as may be necessary to accomplish the purpose for which it was established.

Section b. The Board may employ on a fee basis such technical and professional assistance, including legal counsel, as may be necessary to carry out the powers, duties and functions of the Board.

Section c. The Board shall utilize the vast potential of the experienced competent professionals associated with the School.

Article F.

Amendment or Repeal of Bylaws

Section a. New Bylaws may be adopted, and bylaws may be amended or repealed, at any meeting of the Board, but no such action shall be taken unless notice of such proposed adoption, amendment, or repeal shall have been given at a previous meeting or unless notice in writing of the proposed change(s) shall have been served upon each member of the Board at least 30 days in advance of the final vote upon such change, provided, however, that by a vote of two-thirds of the **entire** membership of the Board, the requirement for such notice may be waived.

Article G.

Rules and Regulations of the Board

Section a. Any action by the Board establishing policy or methods of procedure, administrative, business, academic, or otherwise, not contained in these bylaws shall be known as "Policies and Procedures of the Board".

Section b. Policies and Procedures of the Board may be adopted by the Board, or may be amended or repealed, in whole or in part, at any meeting of the Board in accordance with law.

Robert A. Alost
Director

DECLARATION OF EMERGENCY

Department of Education School of Math, Science and the Arts

Criteria

A. Current enrollment in the tenth grade — Students who repeat the tenth grade for the expressed purpose of being nominated will not be considered.

B. Legal residency in the State of Louisiana — Legal residency established solely for the purpose of qualifying for admission to the School will not be honored.

C. Permission statement allowing nomination —
1. student 2. parent

D. Nomination form — 1. Student identification data 2. Indicators of potential. This includes transcripts of school performances, recommendations, and other indicators of potential. 3. Assessment of student(s) regarding their perception of contributions they can make to Louisiana School, in addition to their perception of what the Louisiana School experience can do for them.

E. High scores on achievement and/or aptitude tests.

F. Student performance data — 1. Students must demonstrate a sincere desire to attend Louisiana School for Math, Science and the Arts. This may be dealt with through the written application and subsequent interviews. 2. Academic nominees should emphasize scholastic and related achievement. Record of participation in science fairs, math contests, computer camps, etc. 3. Nomination requirements for each visual and performing arts

area are listed as follows: **art** - A portfolio must be submitted. All work must be original. Preferred evidences for initial screening might include drawings and paintings in any medium, photography, crafts, and/or sculptures. **drama** - The submission of a cassette tape demonstrating talent is a requirement for the nomination. **music, voice, dance** - audition cassette tape (music/voice only) — record of performance experience (participation in school music program, participation in community, church music activities, private instruction or other personal musical endeavor) — Recommendations - The applicant should submit at least three letters of recommendation from persons who have first hand knowledge of the applicant's experience and qualifications.

G. Standardized tests — 1. Students are required to take the Scholastic Aptitude Test (SAT). 2. Nationally normed achievement test scores such as the California Achievement Test (CAT) will be requested from school officials, if available. 3. Students will be required to complete Advanced Progressive Matrices (Ravens) and other tests to be administered at regional testing centers operated by the Louisiana School staff.

H. Essays — Essays will provide further evidence of ability to develop and support ideas in a coherent manner.

I. Biographical Inventory — The Biographical Inventory (BI) is a self-reporting instrument used to obtain and analyze information about an individual's characteristics and background.

J. Interview/Audition — Applicants will be asked to respond to a list of questions and to demonstrate potential in a chosen area.

Robert A. Alost
Director

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission has exercised the emergency provisions of the Administrative Procedure Act R.S. 49:953B at its meeting of October 26, 1982, and adopted by resolution the following Emergency Rule:

WHEREAS, the Joyce Foundation has donated outright to the State of Louisiana 12,809.46 acres and leased on a long term basis approximately 850.46 acres of land owned by it to be used as a wildlife management area, as a wetland, and used for public recreational purposes; and

WHEREAS, the acquisition of this property by donation and lease will significantly increase and enhance the availability and management of wildlife aquatic life for public recreational purposes; and

WHEREAS, this property shall be identified by the donor and the donee as the "Joyce Wildlife Management Area" and maintained as such by the State of Louisiana, through the Department of Wildlife and Fisheries, and to that end the State of Louisiana acting through the properly constituted officers, hereby agree that it will immediately declare and publicly proclaim said area to be a wildlife management area and wetland known as the Joyce Wildlife Management Area clothed with all the protection afforded to such areas under the conservation laws of the State of Louisiana; and

WHEREAS, it is necessary to establish Rules and Regulations concerning management of the area for the upcoming seasons,

NOW, THEREFORE BE IT RESOLVED, that this area be managed by the same seasons as the area surrounding the wildlife management area. This includes both hunting and trapping sea-

sons. Further, the area be operated under the same general Rules and Regulations as the Department's other wildlife management areas. Special emphasis should be noted on the following regulations concerning the method of taking game. (1) No permanent blinds or treestands may be constructed on the wildlife management area; (2) Deer hunting on the wildlife management area will be restricted to still hunting only; (3) Airboats, aircraft and hovercrafts will be prohibited on the wildlife management area.

Jesse J. Guidry
Secretary

Rules

RULE

Department of Agriculture Seed Commission

The Louisiana Department of Agriculture, Seed Commission, pursuant to authority granted under LSA 3:1433, et seq. and in accordance with Notices of Intent published on July 20, 1982, and August 20, 1982, adopted the following amendment to its Seed Law Regulations at a public hearing conducted on November 9, 1982, at the State Capitol, which hearing was continued from the hearing conducted on October 13, 1982:

Section VI of the Seed Law Regulations, entitled List and Limitations of Noxious Weed Seed, was amended to read as follows:

	LIMITATIONS on Weed Seed in Certified Seed (by pounds)
1. Field Bindweed (<i>Convolvulus arvensis</i>)	Prohibited
2. Hedge Bindweed (<i>Convolvulus sepium</i>)	Prohibited
3. Nutgrass (<i>Cyperus esulentus</i> , <i>C. rotundus</i>)	Prohibited
4. Itchgrass (<i>Rottboellia exaltata</i> L.)	Prohibited
5. Cocklebur (<i>Xanthium</i> spp.)	5 per lb.
6. Spearhead (<i>Rhynchospora spp.</i>)	5 per lb.
7. Purple Moonflower (<i>Ipomoea turbinata</i>)	9 per lb.
8. Red Rice (<i>Oryza sativa</i> var.)	9 per lb.
9. Wild Onion and/or Wild Garlic (<i>Allium</i> spp.)	9 per lb.
10. Balloon Vine (<i>Cardiospermum halicacabum</i>)	18 per lb.
11. Canada Thistle (<i>Cirsium arvense</i>)	100 per lb.
12. Dodder (<i>Cuscuta</i> spp.)	100 per lb.
13. Johnsongrass (<i>Sorghum halepense</i>)	100 per lb.
14. Quackgrass (<i>Agropyron repens</i>)	100 per lb.
15. Russian Knapweed (<i>Centaurea repens</i>)	100 per lb.

16. Blueweed, Texas (<i>Helianthus ciliaris</i>)	200 per lb.
17. Bermuda Grass (<i>Cynodon dactylon</i>)	300 per lb.
18. Bracted Plantain (<i>Plantago aristata</i>)	300 per lb.
19. Buckhorn Plantain (<i>Plantago lanceolata</i>)	300 per lb.
20. Cheat (<i>Bromus secalinus</i>)	300 per lb.
21. Hairy Chess (<i>Bromus commutatus</i>)	300 per lb.
22. Corncockle (<i>Agrostemma githago</i>)	300 per lb.
23. Darnel (<i>Lolium temulentum</i>)	300 per lb.
24. Dock (<i>Rumex spp.</i>)	300 per lb.
25. Horsenettle (<i>Solanum carolinense</i>)	300 per lb.
26. Purple Nightshade (<i>Solanum elaeagnifolium</i>)	300 per lb.
27. Sheep Sorrel (<i>Rumex acetosella</i>)	300 per lb.
28. Morning Glory (<i>Ipomoea spp.</i>)	Name & No. *
29. Wild Poinsettia (<i>Euphorbia heterophylla, E. dentata</i>)	Name & No. *
30. Wild Mustard and Wild Turnips (<i>Brassica spp.</i>)	300 per lb.
31. Wild Radish (<i>Raphanus raphanistrum</i>)	300 per lb.
32. Wild Carrot (<i>Daucus carota</i>)	300 per lb.
33. Hemp Sesbania (<i>Sesbania exaltata</i>)	300 per lb.
34. Teaweed (<i>Sida rhombifolia</i>)	300 per lb.
35. Curly Indigo (<i>Aeschynomene virginica</i>)	300 per lb.
36. Redroot Pigweed (<i>Amaranthus retroflexus</i>)	300 per lb.
37. Mexican Weed (<i>Caperonia castaneaefolia</i>)	300 per lb.
Sum of total noxious weed seed (subject to limitations above)	500 per lb.

*Tag must indicate, by name of weed, the number of weed seed per pound.

Limitations on noxious and prohibited weeds are listed on individual certified crop seed regulations. Noxious weed seed tolerance of one for regulatory action on certified seed being offered for sale in Louisiana for those noxious weed seed which are prohibited by the Louisiana Certified Seed Regulations for the specific seed kind or variety in question.

At the above public hearing, the Seed Commission also adopted the following comprehensive new seed Certification Standards:

LOUISIANA SEED CERTIFICATION STANDARDS

1.0 Classes of Seed

1.1 Breeder seed: seed directly controlled by the originator or sponsoring plant breeding institution, firm, or individual, which is the source for the production of seed of the certified classes

1.2 Foundation seed: progeny of Breeder or Foundation seed, handled so as to maintain specific genetic purity and identity, production of which must be acceptable to the Department of Agriculture

1.3 Registered seed: progeny of Breeder or Foundation seed, handled under procedures acceptable to the Department of Agriculture to maintain satisfactory genetic purity and identity

1.4 Certified seed: progeny of Breeder, Foundation, or Registered seed, handled under procedures acceptable to the

Department of Agriculture to maintain satisfactory genetic purity and identity

1.5 Tree seed

A. Certified tree seed: seed from trees of proven genetic superiority, produced so as to assure genetic identity. Seeds from interspecific hybrids of forest trees may be included.

B. Selected tree seed: progeny of rigidly selected trees or stands of untested parentage that have promise but not proof of genetic superiority and for which geographic source and elevation is stated on the label.

C. Source-identified tree seed: seed from (1) natural stands with known geographic source and elevation, or (2) plantations of known geographic origin, and which is acceptable to the Department of Agriculture.

2.0 Definitions

2.1 Certification: the process by which official recognition is given to seeds produced under a limited generation system which insures genetic purity and identity and a given minimum level of quality

2.2 Germination: percentage of seeds capable of producing normal seedlings under ordinarily favorable growing conditions

2.3 Hybrid: one or more crosses of inbred lines of the same kind of seed

2.4 Inert matter: all matter not seeds, including pieces of broken and damaged seeds one-half or less than the original size, sterile florets, fungus bodies, stones, and all matter considered as inert by the Association of Official Seed Analysts Rules for Testing Seeds

2.5 Inseparable seeds: seeds that are similar in size, shape, and weight to the seed offered for certification, which are difficult to remove

2.6 Isolation: the distance required between a crop or variety entered for certification and other plantings of the same crop or variety, not entered for certification, which are pollinating at the same time

2.7 Kind: one or more related species singly or collectively known by one common name (Examples: corn, beans, wheat)

2.8 Land requirement: the period of time during which a field entered for certification **cannot** have grown or been seeded to the same species or variety except a certified class of the same species or variety which was equal to or superior to that of the species or variety entered for certification. If a field(s) is (are) entered for certification in the Foundation class, **only** the Foundation class of seeds can have been grown in that field during the time period specified

2.9 Lot of seed: a definite quantity of seeds identified by a lot number or mark, every portion or bag of which is uniform, within permitted tolerances, relative to the factors which appear in the labeling

2.10 Noxious weeds: all weeds designated as "noxious weeds" under Rule 12.0 of these regulations

2.11 Off-type (mutations): plants or seeds which deviate in one or more characteristics from the breeder description filed with the Department of Agriculture

2.12 Originator: person, company, agent, or institution developing a new variety of seed

2.13 Other weeds/weed seeds: all weeds and/or weed seeds which have not been designated as "noxious weeds" by the Seed Commission

2.14 Recertification: official approval of a second or subsequent generation of a certified class of seed

2.15 Roguing: removal from the field of noxious weeds, off-type plants, varietal mixtures, and any other plants producing seeds which are inseparable from seeds of the crop to be certified

2.16 **Species:** plants designated by a common name and having common characteristics

2.17 **Unit of certification:** any clearly defined field(s) or portion(s) of a field entered for certification

2.18 **Variety:** subdivision of a kind, characterized by growth, plant, fruit, seed, or other characteristics by which it can be differentiated from other seeds of the same kind

2.19 **Volunteer plants:** plants of a crop kind or species other than the crop being certified that are present in a field

3.0 General Requirements for Certification

3.1 The crop or variety to be certified must have been approved for certification by the Seed Commission and the LSU Agricultural Experiment Station.

3.2 To be certified, all crops and/or varieties must conform to (A) all general requirements for certification and (B) all specific requirements for certification of a particular crop or variety. (See Rules 16.0 through 45.0 for specific requirements. In Rules 16.0 through 45.0, the percentages shown for pure seed and germination are the **minimum** acceptable levels of performance required for certification; the percentages shown for all other factors are **maximum** allowable percentages.)

3.3 The grower must submit the application described in Rule 4.0 hereof on or before the date specified in Rule 5.0 for the crop or variety to be certified. (See Rules 4.2 and 11.2 for provisions concerning late applications.)

3.4 The crop or variety to be certified must be of Breeder, Foundation, or Registered seed, or seed approved by the Seed Commission.

3.5 The grower must maintain genetic purity during seedling, production, harvesting, storage, conditioning, and labeling.

3.6 The grower must hand-rogue all off-type plants, varietal mixtures, noxious weeds, or any other plants producing seed that are inseparable from seed of the crop or variety to be certified.

3.7 Other varieties or crops, volunteer plants, and/or off-type plants cannot be present in the field, and seeds thereof cannot be present in seed to be certified, unless permitted under the specific certification standards for the crop or variety entered for certification. Noxious weeds are permitted in the field, and seed thereof are permitted in seed to be certified, within the limitations specified in Rule 12.0 hereof, unless a specific limitation on noxious weeds is contained in the specific requirements for the crop or variety entered for certification. (See Rules 16.0 through 45.0 for specific requirements.)

3.8 One or more field inspections will be made to determine genetic identity and purity. The crop or variety to be certified must be standing, reasonably free of weeds, and of relatively uniform maturity at the time of field inspection(s). A copy of the field inspection report will be furnished to the grower.

3.9 All planting, harvesting, bin storage, and cleaning equipment must be free of contamination by other seeds, insects, or plant diseases.

3.10 Storage facilities must be (A) suitable for maintaining germination and varietal purity, and (B) constructed so that a representative sample can be drawn; and all such facilities are subject to approval by the Department of Agriculture.

3.11 Moisture content for all certified seed classes shall not exceed 12.5 percent (Exception: rice and soybeans, 13.5 percent).

3.12 The grower must maintain complete records accounting for all production and final disposition of all certified seeds.

4.0 Application for field certification

4.1 The grower must apply for certification on or before the application deadline shown in Rule 5.0 for the crop or variety to be certified by completing the application form provided by the Department of Agriculture.

4.2 Applications for certification submitted after the deadline specified in Rule 5.0 will not be accepted unless field inspection(s) can be completed prior to harvest.

4.3 Information to accompany application:

A. Name of variety.

B. Copy of the purchase invoice, or statement showing class of seed purchased.

C. One sample tag from each lot number. If the grower plants seed of his own production, the class of seed and lot number shall be identified by documentation acceptable to the Department of Agriculture.

D. A map of each field presented for certification.

4.4 It is the grower's responsibility to notify the Department of Agriculture when the crop or variety to be certified is ready for field inspection.

5.0 Application deadlines

5.1 Corn - a minimum of 30 days prior to pollination

5.2 Onion bulbs and seed, shallots, sweet potatoes, and sweet potato plants - March 1

5.3 Clover (crimson, red, white), rescue grass, harding grass, Irish potatoes - April 1

5.4 Oats, wheat, ryegrass, singletary peas - April 15

5.5 Okra, watermelon - May 1

5.6 Cowpeas - a minimum of 30 days prior to harvest

5.7 Cotton, millet, sesame, rice, sorghum, sunflower, tree - July 15

5.8 Soybeans - August 1

5.9 Bermuda grasses

A. New plantings - minimum of 30 days prior to harvest

B. Established stands (fields certified the previous year) - June 1. Renewal application must be submitted.

5.10 Turf grasses

A. New plantings - at least 15 days prior to land preparation for planting

B. Established stands (fields certified the previous year) - June 1. Renewal application must be submitted.

6.0 Limitations on Generations

6.1 The originator of the variety may specify the number of generations through which a variety may be multiplied.

6.2 No variety may be multiplied more than two generations beyond the Foundation class, except as follows:

A. Older varieties of Certified seed may be recertified when Foundation seed is not being maintained.

B. One additional generation of Certified seed may be permitted on a one-year basis when, prior to planting season, the Seed Commission declares that there are insufficient supplies of Foundation and Registered seed to plant the needed acreage of the Certified variety. Permission of the variety's originator, if existent, must be obtained. In this situation, the additional generation will not be eligible for recertification.

7.0 Lot of Seed

7.1 Each lot of seed shall be limited to 150,000 pounds or 1,500 bags.

7.2 The applicant shall assign a number to each lot of seed when the seed is conditioned.

7.3 Each container in the lot shall be marked with the number assigned to that lot.

7.4 Seed lots may be blended if the variety and class are the same.

7.5 All seed must be bagged in new bags, unless other types of containers are approved by the Department of Agriculture prior to bagging.

8.0 Seed Sampling

8.1 Seed sampling will be performed at the request of the grower.

8.2 Except as provided by Rule 8.4 B, official samples to

determine eligibility for certification shall be drawn only after the seed is conditioned.

8.3 Sampling of bagged seed

A. Each lot of seed must be stacked so as to facilitate sampling.

B. A Department of Agriculture inspector will sample at random, by probing, a specific number of bags from each lot. The number of bags to be sampled from each lot is as follows: 5 bags, plus 10 percent of the total number, not to exceed 30 bags per lot. In lots containing six bags or less, every bag will be sampled.

8.4 Sampling of bulk seed

A. Cleaned seed in bulk

A Department of Agriculture inspector will collect a minimum of four samples, at intervals of four feet, by probing the entire depth of the bin or storage area. All samples will be blended into one representative sample for each bin or storage area.

B. Uncleaned seed in bulk

1. A Department of Agriculture inspector will collect a minimum of four samples, at intervals of four feet, by probing the entire depth of the bin or storage area. All samples will be blended into one representative sample for each bin or storage area. The initial sample will be done only for purposes of determining moisture content and germination. Results of the germination test will be invalid after 60 days in the absence of a second sample.

2. A second representative sample will be drawn within 60 days after the first sample, after conditioning, for determining purity.

8.5 Analysis of samples shall be performed according to the current rules of the Association of Official Seed Analysts.

9.0 Interagency Certification (Out-of-State Seed)

9.1 Seed to be certified by interagency action must meet the Louisiana Seed Certification Standards, or comparable standards of a seed certifying agency recognized by the Louisiana Commissioner of Agriculture.

9.2 Seed to be certified by interagency action must contain, on the package, evidence from another recognized certifying agency that the seed is eligible for certification.

9.3 The following information must accompany each lot of seed:

- A. Kind and variety
B. Quantity (pounds)
C. Class
D. Lot number issued by previous certifying agency

9.4 Tags on seed to be certified by interagency action must be sequentially numbered.

9.5 A Louisiana tag for the appropriate class of seed must be attached to all seed to be certified by interagency action.

10.0 Tagging

10.1 Each container of all classes of certified seed offered for sale must have an official Department of Agriculture tag attached.

10.2 The lot number of the tag attached to each container must be the same as the lot number marked on the container.

10.3 The tag shall contain the following information:

- A. Kind and variety
B. Where grown
C. Percentage of pure seed, crop seed, weed seed, and inert matter
D. Name and number of noxious weed seeds per pound
E. Grower's name and address or code number
F. Germination percentage
G. Hard seed
H. Total germination and hard seed percentage
I. Net weight
J. Lot number
K. Date of test

10.4 Tags will be issued only for seed proven by laboratory analysis to meet required germination and purity standards

10.5 The number of tags issued will be determined by the inspector's estimate of the quantity of seed at the time of sampling. All unused tags must be returned to the Department of Agriculture.

11.0 Fees

11.1 The application fee for certification shall be \$10 for each crop, plus \$2.50 for each additional variety, plus \$.10 per acre inspection fee. The application fee shall be due and payable upon filing of the application for certification.

11.2 The fee for certification on any application submitted after the deadline shown in Rule 5.0 shall be \$100.

11.3 A fee of \$15 shall be charged for each reinspection of a field.

11.4 Fees for issuance of certified seed tags shall be 6 cents each for the following classes of seed:

- A. Breeder (white tag)
B. Foundation (white tag)
C. Registered (purple tag)
D. Certified (blue tag)
E. Selected tree seed (green tag)
F. Source-identified tree seed (yellow tag)

11.5 Fees for sweet potatoes

A. An inspection fee of 3 cents per bushel will be collected on all sweet potatoes inspected in storage for seed certification purposes.

B. A fee of 5 cents per thousand plants will be collected for each thousand sweet potato plants inspected for certification purposes.

11.6 Fees for bulk seed certification

The fee for issuance of a bulk seed certification shall be 6 cents per bushel for each bushel in the lot being certified.

12.0 Noxious Weeds

12.1 The following weeds, together with the specific limitation shown for each weed, are designated as noxious weeds:

Table with 2 columns: Weed Name and Limitations on Weed Seed in Certified Seed (by pounds). Lists 15 weeds including Field Bindweed, Hedge Bindweed, Nutgrass, Itchgrass, Cocklebur, Spearhead, Purple Moonflower, Red Rice, Wild Onion and/or Wild Garlic, Balloon Vine, Canada Thistle, Dodder, Johnsongrass, Quackgrass, and Russian Knapweed.

16. Blueweed, Texas (<i>Melianthus ciliaris</i>)	200 per lb.
17. Bermuda Grass (<i>Cynodon dactylon</i>)	300 per lb.
18. Bracted Plantain (<i>Plantago aristata</i>)	300 per lb.
19. Buckhorn Plantain (<i>Plantago lanceolata</i>)	300 per lb.
20. Cheat (<i>Bromus secalinus</i>)	300 per lb.
21. Hairy Chess (<i>Bromus commutatus</i>)	300 per lb.
22. Corncockle (<i>Agrostemma githago</i>)	300 per lb.
23. Darnel (<i>Lolium temulentum</i>)	300 per lb.
24. Dock (<i>Rumex spp.</i>)	300 per lb.
25. Horsenettle (<i>Solanum carolinense</i>)	300 per lb.
26. Purple Nightshade (<i>Solanum elaeagnifolium</i>)	300 per lb.
27. Sheep Sorrel (<i>Rumex acetosella</i>)	300 per lb.
28. Morning Glory (<i>Ipomoea spp.</i>)	Name & No.*
29. Wild Poinsettia (<i>Euphorbia heterophylla, E. dentata</i>)	Name & No.*
30. Wild Mustard and Wild Turnips (<i>Brassica spp.</i>)	300 per lb.
31. Wild Radish (<i>Raphanus raphanistrum</i>)	300 per lb.
32. Wild Carrot (<i>Daucus carota</i>)	300 per lb.
33. Hemp Sesbania (<i>Sesbania exaltata</i>)	300 per lb.
34. Teaweed (<i>Sida rhombifolia</i>)	300 per lb.
35. Curly Indigo (<i>Aeschynomene virginica</i>)	300 per lb.
36. Redroot Pigweed (<i>Amaranthus retroflexus</i>)	300 per lb.
37. Mexican Weed (<i>Caperonia castaneaefolia</i>)	300 per lb.
Sum of total noxious weed seed (subject to limitations above)	500 per lb.

*Tag must indicate, by name of weed, the number of weed seed per pound.

12.2 Noxious weed seeds are permitted in seed to be certified, within the limitations specified in Rule 12.1, unless prohibited or otherwise limited under the specific rules for the crop or variety entered for certification. (See Rules 16.0 through 45.0 for limitations on each noxious weed for each crop or variety.)

12.3 Limitations on noxious weeds (in the field or in seed to be certified), may be more restrictive for a particular crop or variety to be certified than the limitations shown in Rule 12.1 above. The limitation on noxious weeds stated in Rules 16.0 through 45.0 shall supersede the limitations shown in Rule 12.1 whenever a more restrictive limitation is stated in the specific requirements for the crop or variety.

13.0 Bulk Certification Requirements

13.1 Limitations

A. Bulk certification shall be limited to the Certified class of the following commodities:

1. Wheat
2. Oats

B. Seed eligible for bulk certification shall meet all field and laboratory standards established for Certified seed as specified in these regulations.

C. Seed certified in bulk shall not be eligible for recertification.

D. Seed certified in bulk can be sold **only** to a farmer who will plant the seed.

13.2 Application for bulk certification

The seed owner is responsible for making application for bulk certification and for securing prior approval of the Department of Agriculture for the facility in which the seed will be stored.

13.3 Storage requirements

A. Storage bins must be constructed so that all bin openings can be sealed to prevent contamination and maintain genetic purity. The Department of Agriculture inspector will affix an official seal on all bin openings upon completion of sampling.

B. The identity of all bulk lots must be maintained, by the use of bin designations and lot numbers, until the entire lot is disposed of.

C. No additional seed may be added to any lot after the official seals are affixed.

13.4 Sampling of seed to be certified in bulk

Seed sampling shall be conducted as provided in Rule 8.4, except that, at the option of the applicant, the sample to determine purity may be drawn at the same time that the sample to determine moisture content and germination is drawn.

13.5 Certification

A. No certified seed tags will be issued for seed certified in bulk, except as provided by Rule 13.6.

B. A bulk seed certificate will be issued to cover all bulk seed which meets the general requirements for seed certification and the specific requirements for the crop/variety being certified.

C. The owner of seed covered by a bulk seed certificate must:

1. Issue a Retail Sales invoice, on forms to be provided by the Department of Agriculture, to each purchaser or such seed

2. Provide a copy of each Retail Sales invoice to the Department of Agriculture within ten days after each sale

3. Maintain a copy of each Retail Sales invoice in his file, which invoice shall be available for examination by the Department of Agriculture upon reasonable request

13.6 Subsequent bagging of seed certified in bulk

A. If the owner of seed certified in bulk later elects to bag any remaining portion of a lot, the owner must give prior notification of his intention to bag the seed to the Department of Agriculture.

B. The Department of Agriculture will then issue a number of certified seed tags equal to the unsold portion of the seed covered by the bulk seed certificate as reflected by the Retail Sales invoices.

14.0 Violations

14.1 Any of the following acts shall be considered as violations:

A. Failure to comply with the requirements of the Seed Law (R.S. 3:1431-3:1447) or these Rules and Regulations

B. Any sale or offer for sale of any agricultural seeds that are not properly labelled in accordance with the Rules and Regulations of the Seed Commission

C. Any attempt to mislead or defraud by altering, erasing, destroying, forging, disfiguring, reusing, or substituting in any manner any labels, tags, tape, or certificates which pertain to quality, quantity, or condition of agricultural seeds. This prohibition applies for labels, tags, tape, or certificates issued by any duly constituted seed certifying agency.

D. Any damage or breaking of official seals on containers of certified seeds.

E. Failure to keep accurate records and maintain lot identity

F. Adding any seed of any kind, whether certified or not, to any lot of certified seed (except as permitted under Rule 7.4)

14.2 Each day on which any of the activities listed above occurs shall be considered a separate offense.

15.0 Penalties; adjudicatory hearing required

15.1 Whenever the Chairman of the Seed Commission

has reason to believe that there has been a violation of the Seed Law of any of these Rules and Regulations, he shall notify the person believed to have committed the violation, the notice to be in accordance with the requirements of the Administrative Procedure Act.

15.2 No penalty shall be imposed on any individual, firm, corporation, or other legal entity regulated under the Seed Law until such time as an adjudicatory hearing is conducted, such hearing to be conducted in accordance with the requirements of the Administrative Procedure Act.

15.3 Whenever the Seed Commission determines that a violation has occurred, the Seed Commission may impose any of the following penalties:

- A. Withdraw from the offender the right to have seed certified under these procedures
- B. Destroy any seed which is not in compliance with the requirements of the Seed Law or the requirements of these regulations
- C. Impose a penalty not to exceed \$100 for each offense.

PART II: REQUIREMENTS FOR CERTIFICATION OF
SPECIFIC CROPS/VARIETIES

16.0 Bahia Grass Seed Certification Standards

16.1 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	5 yr.	1 yr.	1 yr.
Isolation	1,320 ft.	660 ft.	330 ft.
Other varieties	None	None	5 plants per acre
Other grass with inseparable seed	10 plants per acre	10 plants per acre	25 plants per acre
Other crops	Other crops with seed that can be separated will be permitted in the field.		

16.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	98.0%	98.0%	98.0%
Inert matter	2.0%	2.0%	2.0%
Other varieties	0.1%	0.1%	0.25%
Noxious weeds	None	None	None
Other weeds	0.5%	0.5%	1.0%
Germination	80.0%	80.0%	80.0%

17.0 Bermuda and Zoysia Grass Seed Certification Standards

17.1 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	5 yr.	1 yr.	1 yr.
Isolation	33 ft.	33 ft.	33 ft.
*Other varieties (per 1,000 plants)	None	1 plant	3 plants
Noxious weeds: Johnsongrass, Cheat & Nutgrass	None	None	None
*Including all other Bermuda and Zoysia grass that can be differentiated from the variety to be certified.			

17.2 Planting Stock Standards

Factor	Foundation	Registered	Certified
Pure live sprigs containing roots (minimum by count)	90.0%	90.0%	90.0%
Other living plants (maximum by count)	2.0%	2.0%	2.0%
Noxious weeds: Johnsongrass, Cheat & Nutgrass	None	None	None

18.0 Crimson Clover Seed Certification Requirements

18.1 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	5 yr.	3 yr.	2 yr.
Isolation	1,000 ft.	1,000 ft.	600 ft.
Other varieities	None	0.2%	0.5%

18.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	98.0%	98.0%	98.0%
Inert matter	2.0%	2.0%	2.0%
Other crops	None	45 seed/lb.	90 seed/lb.
Noxious weeds	None	None	None
Other weeds	50 seed/lb.	180 seed/lb.	360 seed/lb.
Germination	85.0%	85.0%	85.0%

19.0 Louisiana White, Louisiana White S 1, Ladino and Other White Clover Seed Certification Standards

19.1 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	5 yr. ¹	3 yr. ¹	2 yr. ²
Isolation	1,320 ft.	660 ft.	330 ft.
Other varieties and/or species that can be differentiated from the variety being certified	None	None	None
Other crops (inseparable)	10 plants per acre	50 plants per acre	100 plants per acre

¹A Foundation and/or Registered field may produce only two successive seed crops following seeding except that each may be reclassified to the next lower class after being harvested for seed for two years. A stand will not be eligible to produce any class of seed after four successive seed crops.

²A Certified field on which a stand of perennial plants is maintained may produce a maximum of four successive seed crops following seeding.

19.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	98.0%	98.0%	98.0%
Inert matter	2.0%	2.0%	2.0%
Other crops	None	45 seed/lb.	100 seed/lb.
Other varieties	None	None	10 seed/lb.
Other kinds	None	45 seed/lb.	90 seed/lb.
Sweet Clover	None	45 seed/lb.	80 seed/lb.
Other clovers	None	None	None
Noxious weeds:			
Bracted plantain			
Buckhorn plantain			
Wild carrot	None	None	None
Other weeds	0.04%	0.07%	0.14%
Germination	85.0%	85.0%	85.0%

20.0 Red Clover Seed Certification Standards

20.1 Field Standards

Factor	Foundation	Registered	Certified
*Land requirement	5 yr.	3 yr.	2 yr.
Isolation	1,320 ft.	660 ft.	330 ft.
Other varieties	None	0.2%	0.5%

*No stand of Red Clover will be eligible to produce any class of certified seed after two successive seed crops. These seed crops may be produced in the same or consecutive years.

20.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	99.0%	99.0%	99.0%
Inert matter	1.0%	1.0%	1.0%
Other crops	18 seed/lb.	90 seed/lb.	180 seed/lb.
Noxious weeds:			
Dock, Cheat, Darnel, Johnsongrass, Wild Mustard	45 seed/lb.	90 seed/lb.	100 seed/lb.
Dodder	None	None	None
Other weeds	0.15%	0.15%	0.25%
Germination	85.0%	85.0%	85.0%

21.0 Cottonseed Seed Certification Standards

21.1 Field Standards

Factor	Foundation	Registered	Certified
*Isolation	100 ft.	100 ft.	50 ft.
Other varieties & Off-type plants	None	1 plant per acre	5 plants per acre
Noxious weeds:	5 plants	8 plants	10 plants
Cocklebur	per acre	per acre	per acre

*Fields entered for certification must be isolated at least 600 feet from Sea Island cotton, red leaf cotton, or other cottons which vary greatly in plant characteristics from the variety entered for certification; and at least one-half mile from G. barbadense and inter-specific hybrids involving G. barbadense.

21.2 Handling and Storage Requirements

A. Ginning

Cottonseed entered in all classes of certification shall be ginned on a thoroughly cleaned, one-variety gin approved by the Department of Agriculture prior to ginning seed to be certified. With special permission of the Department of Agriculture, cottonseed for all classes of certification may be ginned on thoroughly cleaned, mixed-variety gins.

B. Delinting

Delinters must conform to the same requirements set forth for ginners. No cottonseed entered for certification may be delinted outside the State of Louisiana except by special permission of the Department of Agriculture.

21.3 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	99.0%	99.0%	99.0%
Inert matter	1.0%	1.0%	1.0%
Other crops	None	3 seed/lb.	5 seed/lb.
Noxious weeds:			
Cocklebur	None	1 seed/2 lbs	1 seed/2 lbs
Germination	70.0%	70.0%	70.0%

22.0 Dallis Grass Seed Certification Standards

22.1 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	5 yr.	3 yr.	3 yr.
Isolation	60 ft.	50 ft.	50 ft.
Other crops	10 plants per acre	10 plants per acre	10 plants per acre

22.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	40.0%	40.0%	40.0%
Inert matter	60.0%	60.0%	60.0%
Other crops	None	None	10 seed/lb.
Noxious weeds	None	None	None
Germination	50.0%	50.0%	50.0%

23.0 Gulf Ryegrass Seed Certification Standards

23.1 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	5 yr.	1 yr.	1 yr.
Isolation	900 ft.	900 ft.	350 ft.
Other varieties	None	1.0%	2.0%
Other crops	0.1%	0.2%	0.3%

23.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	97.0%	97.0%	96.0%
Inert matter	3.0%	3.0%	4.0%
Other crops	0.1%	0.25%	0.25%
Noxious weeds	None	None	None
Other weeds	0.25%	0.25%	0.25%
Germination	85.0%	85.0%	80.0%

24.0 Harding Grass Seed Certification Standards

24.1 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	5 yr.	1 yr.	1 yr.
Isolation	60 ft.	30 ft.	15 ft.

24.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	99.0%	97.0%	95.0%
Inert matter	1.0%	3.0%	5.0%
Other crops	1.0%	1.0%	1.0%
Other grasses	0.1%	0.1%	0.25%
Noxious weeds	None	None	None
Germination	70.0%	70.0%	70.0%

25.0 Hybrid Seed Corn Certification Standards

25.1 Eligibility Requirements

The double-cross hybrid, which is the first generation of a cross between two single crosses, the single-cross hybrid, the three-way hybrid, and the modified single hybrid will be eligible for certification.

25.2 Field Inspection

A. Seed fields shall be inspected at least once prior to the pollination period for purity as to plant type. Any off-type or doubtful plants must be destroyed before they shed pollen.

- B. At least three field inspections shall be made during the pollinating period, said inspections to be made without previous notification to the grower.

25.3 Field Standards

A. Unit of certification

The entire acreage of any one specific commercial hybrid must be entered for certification.

B. Isolation Requirements

Fields in which commercial hybrid corn is being produced must be so located that the female parent is not less than 600 feet in all directions from other corn of a different kernel color or type (sweet, pop, flint, white, red, etc.)

C. Border Rows

When the kernel type and color of the corn in the contaminating field are the same as those of the parents in the crossing field, the isolation distance may be modified by the planting of border rows of the pollen parent. The following table indicates the minimum number of border rows required for fields of various sizes when located at different distances from other corn:

When the number of acres in the crossing field is:

9 or less	10-24	15-19	20-24	25-29	30-34	35-39	40 or over	Then at least this number of border rows is required
660	643	627	610	594	577	560	544	1
628	602	585	569	552	536	519	503	2
577	561	544	528	511	495	478	462	3
536	519	503	486	470	453	437	420	4
495	478	462	445	429	412	396	379	5
453	437	420	404	387	371	354	338	6
412	396	379	363	346	330	313	297	7
371	354	338	321	305	288	272	255	8
330	313	297	280	264	247	231	214	9
288	272	255	239	222	206	189	173	10
247	231	214	198	181	165	148	132	11
206	189	173	156	140	123	107	90	12
165	148	132	115	99	82	66	49	13

The above isolation requirements do not apply to crossing fields when the same male or pollen parent is used

in each. In such cases the two fields must be clearly divided by use of an area not less than fourteen (14') feet or a natural boundary which is permanent and distinctive e.g., ditch, road, headland, etc.

D. Detasseling

1. A commercial hybrid will be disqualified for certification, when five percent or more of the female seed parent plants have receptive silks:
 - a) if more than one percent of the male seed parent plants have shed pollen on one inspection, or
 - b) if a total of two percent of the male seed parent plants have shed pollen on three inspections.
2. Sucker tassels, portions of tassels, or tassels on main plants will be counted as shedding pollen when two (2") inches or more of the central stem, the side branches, or a combination of the two have anthers extended from the glumes. In cases where a few silks are out and tassels of the seed parent have begun to shed pollen, the field can be approved by immediate and complete detasseling of the seed parent and removal of the ear shoots with exposed silks, if done to the satisfaction of the Department of Agriculture.

25.4 Seed Standards

	<u>Certified</u> <u>Class</u>
Pure seed	98.0%
Inert matter	2.0%
Other varieties	0.5%
Noxious and other weeds	None
Off-color, off-type kernels	0.1%
Germination	90.0%

26.0 Seed Corn (Open-Pollinated) Seed Certification Standards

26.1 Field Standards

Factor	Foundation	Registered	Certified
*Isolation	1,200 ft.	1,200 ft.	1,200 ft.
Varietal mixture	None	None	0.5%
Off-type plants	0.2%	0.2%	0.5%

*Does not apply to other corn with different maturity dates.

26.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	98.0%	98.0%	98.0%
Inert matter	2.0%	2.0%	2.0%
Other crops	None	None	5 seed/lb.
Other varieties	None	None	3 seed/lb.
Noxious & other weeds	None	None	None
Germination	90.0%	90.0%	90.0%

27.0 Millet Seed Certification Standards

27.1 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	1 yr.	1 yr.	1 yr.
Isolation	1,320 ft.	1,320 ft.	1,320 ft.
Other varieties	None	1 plant per acre	10 plants per acre

27.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	99.0%	98.0%	97.0%
Inert matter	1.0%	2.0%	3.0%
Other crops	None	5 seed/lb.	10 seed/lb.
Other varieties	None	None	9 seed/lb.
Noxious weeds	None	None	None
Other weeds	None	0.1%	0.1%
Germination	80.0%	80.0%	70.0%

28.0 Okra Seed Certification Standards

28.1 Field Standards

Factor	Foundation	Registered	Certified
*Land requirement	1 yr.	1 yr.	1 yr.
Isolation	300 ft.	300 ft.	300 ft.
Other varieties	None	None	0.1%
Off-type plants	None	1.25%	1.25%

*Requirement can be waived if previous crop was grown from certified seed of the same variety.

28.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	98.0%	98.0%	98.0%
Inert matter	2.0%	2.0%	2.0%
Other crops	None	5 seed/lb.	10 seed/lb.
Noxious weeds	None	None	None
Other weeds	5 seed/lb.	5 seed/lb.	5 seed/lb.
Germination	75.0%	75.0%	75.0%

29.0 Onion Bulbs and Seed Certification Standards

29.1 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	1 yr.	1 yr.	1 yr.
Isolation	5,280 ft.	5,280 ft.	1,320 ft.
Varietal mixtures & Off-type plants	2.0%	2.0%	2.0%
Diseases:			
Onion mosaic	1.0%	1.0%	1.0%
Pink root	10.0%	10.0%	10.0%
Onion smut	2.0%	2.0%	2.0%
Mildew	5.0%	5.0%	5.0%

29.2 Field Inspections

Two field inspections shall be made, one after seed heads are formed and one at harvest.

29.3 Handling and Storage of Bulbs

A. Bulbs must be inspected once at harvest and once in a storage house prior to planting, except that when a grower follows a seed-to-seed system, no bulb inspection shall be necessary.

B. Bulbs of any class must be free from decay; uniform in size, shape, and color; and not to exceed 0.5% varietal mixture.

29.4 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	99.5%	99.5%	98.0%
Inert matter	0.5%	0.5%	2.0%
Other crops	0.2%	0.2%	0.2%
Noxious weeds	None	None	None
Germination	80.0%	80.0%	80.0%

30.0 Rescue Grass Seed Certification Standards

30.1 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	5 yr.	2 yr.	2 yr.
*Isolation	900 ft.	900 ft.	330 ft.
Other crops (inseparable)	10 plants per acre	10 plants per acre	100 plants per acre

*A portion of a field may be certified, provided that an adequate boundary of at least seven (7') feet is established by disking or mowing before harvesting the certified portion of the field.

30.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	98.0%	98.0%	95.0%
Inert matter	2.0%	2.0%	5.0%
Other crops	None	None	10 seed/lb.
Noxious weeds	None	None	None
Other weeds	50 seed/lb.	50 seed/lb.	360 seed/lb.
Germination	80.0%	80.0%	80.0%

31.0 Rice Seed Certification Standards

31.1 Isolation Requirements

Fields offered for certification must be clearly separated from other fields by a ditch, levee, roadway, fence, or

barren strip a minimum of ten (10') feet if the adjoining crop is the same variety of similar purity. If another variety, seeded by air parallel to the edge of the field being certified, at least one hundred (100') feet shall separate the two crops; if seeded by air at right angles to the field being certified, a minimum of one-fourth mile (1,320 feet) shall separate the fields.

31.2 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	1 yr.	1 yr.	1 yr.
Other varieties	None	10 plants per acre	25 plants per acre
*Harmful diseases	None	None	None
Noxious weeds:			
Red Rice (including Black Hull Rice) & Spearhead	None	None	4 plants per acre
Curly Indigo & Mexican Weed	None	4 plants per acre	4 plants per acre
*Diseases seriously affecting quality of seed and transmissible by planting stock			

31.3 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	98.0%	98.0%	98.0%
Inert matter	2.0%	2.0%	2.0%
Other crops, including other varieties	None	None	2 seed/lb.
Off-color grains, if of similar size, quality and maturity	5 seed/lb.	10 seed/lb.	20 seed/lb.
Noxious weeds:			
Red Rice (including Black Hull Rice)	None	None	1 seed/4 lbs
Spearhead			
Itchgrass			
Curly Indigo			
Mexican Weed	None	None	None
Other weeds	0.05%	0.05%	0.1%
Germination	80.0%	80.0%	80.0%

32.0 Seed Irish Potato Certification Standards

32.1 Inspections

- A. At least two field inspections shall be made.
- B. An inspection shall be made of the tubers at the time of shipment.

32.2 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	1 yr.	1 yr.	1 yr.
Isolation	10 ft.	10 ft.	10 ft.
Other varieties & Off-type plants	None	None	0.1%
*Diseases	0.2%	0.2%	0.2%
Mild Mosaic	0.5%	0.5%	5.0%
Sclerotium Rolfsii wilt	0.5%	0.5%	1.0%
Potato Wart, Ring Rot, Late Blight	None	None	None
Total Diseases	0.3%	0.3%	0.3%
Harmful Insects:			
Tuber moth	None	None	None
*Rugose Mosaic, Leafroll, Spindle Tuber, Yellow Dwarf, Witches' Broom, Haywire, Giant Hill, Rosette, Spinach Leaf, Curly Dwarf			

32.3 Tuber Standards

Factor	Foundation	Registered	Certified
Stem End Discoloration	2.5%	2.5%	5.0%
Hair Sprout	0.5%	0.5%	5.0%
Spindle Tuber	0.2%	0.2%	1.0%
*Scab & Rhizoctonia	6.0%	6.0%	6.0%
Net Necrosis	0.5%	0.5%	5.0%
Late Blight, Golden & Potato Rot, Potato Wart, and Ring Rot	None	None	None
Tuber Moth	None	None	None
Sclerotium Rolfsii Wilt	0.5%	0.5%	1.0%
**Nematodes (Root-Knot)	1.0%	1.0%	1.0%
*6.0% of tubers by weight have more than 5% of the surface covered by Scab or Rhizoctonia			
**1.0% of tubers by weight showing nematode (root-knot) infection			

33.0 Seed Irish Potato Certification Standards (Out-of-State)

33.1 Out-of-State Seed Irish potatoes must be free of the following:

Nematodes	Net Necrosis
Late Blight	Potato Wart
Stem End Discoloration	Tuber Moth
Spindle Tuber	Mosaic (Rugose)
Scab	Yellow Dwarf
Rhizoctonia	Curly Dwarf
Sclerotium Rolfsii wilt	Hair Sprout
Leafroll	Ring Rot
Giant Hill	Rosette
Spinach Leaf	Witches' Broom
Haywire	Mild Mosaic

- 33.2 The shipper must register with the Department of Agriculture, on a form to be furnished by the Department, before making shipments into Louisiana.
- 33.3 On or before the date of shipment, the shipper must notify the Department of Agriculture of each shipment or movement into Louisiana, using a notification form to be furnished by the Department of Agriculture.
- 33.4 A certificate from the authorized certification agency of the State or territory of origin must be attached securely to the inside and near the top of the door in refrigerated cars in which the seed Irish potatoes are shipped, or mailed to the Department of Agriculture, certifying that:
- A. The area in which the seed Irish potatoes were produced is apparently free of late blight infection, or
 - B. The Irish potatoes were produced in a field apparently free of late blight infection, and the tubers on bin or tuber inspection were apparently free of late blight infection.

33.5 Transit Inspection

- A. Certified seed Irish potatoes shipped into Louisiana must be inspected by a representative of the Louisiana Department of Agriculture. Requests for inspection shall be made prior to shipment by contacting the Louisiana Department of Agriculture.
- B. A Louisiana Department of Agriculture certificate of inspection must be attached to the bill of lading accompanying each load of potatoes.

34.0 Seed Sweet Potatoes and Sweet Potato Plant Certification

34.1 Seed Bed Inspection and Standards

- A. Seed sweet potatoes must be treated with an approved pesticide prior to planting.
- B. Seed beds shall be located at least 100 feet from the previous two years' seed beds, and in such manner that there will be no wash from the previous two years' seed beds, or treated in a manner satisfactory to the Department of Agriculture.
- C. Inspections shall be made to determine that quality plants, apparently free of insects and diseases, are being produced.

34.2 Field Inspections

At least two field inspections shall be made each year.

34.3 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	2 yr.	2 yr.	2 yr.
*Isolation	20 ft.	20 ft.	20 ft.
Other varieties	None	None	10 plants per acre
Mutations (current season)	5 plants per acre	5 plants per acre	10 plants per acre
Harmful insects:			
Sweet potato weevil (<u>Cylas formicarius</u> Fab. var. <u>elegantus</u> Summers)	None	None	None
Harmful diseases:			
Stem Rot (<u>Fusarium hyperoxysporum</u> f. <u>batatas</u>)	None	None	5 plants per acre
Soil Rot (<u>Actinomyces ipomoea</u>)	70 plants per acre	70 plants per acre	140 plants per acre
Other harmful diseases	None	None	None

*In sweet potato plant certification, the unit of certification shall be a seed bed or seed row, and such unit cannot be divided for the purpose of certification.

34.4 Storage and Grading Requirements

- A. Before sweet potatoes grown for certification can be stored, the storage house must be cleaned and disinfected in a manner approved by the Department of Agriculture.
- B. Sweet potatoes grown for certification shall be stored in new standard crates, or used containers that have been treated with an approved pesticide.
- C. Each unit of sweet potatoes that passed field inspection shall be:
 1. Marked or labelled to correspond with the field unit
 2. Treated with an approved pesticide
 3. Separated in storage by an aisle at least two (2') feet wide
- D. Sweet potatoes entered for certification must be well shaped. The minimum size shall be one (1") inch in diameter and four (4") inches in length, thirty (30) ounces maximum weight.

E. Specific grades of sweet potatoes in accordance with Federal regulations shall be optional to the grower and purchaser.

34.5 Tuber Standards

Factor	Foundation	Registered	Certified
Off-type (mutations)	0.2%	0.2%	0.5%
Harmful insects:			
Sweet potato weevil (<u>Cylas formicarius</u> Fab. var. <u>elegantus</u> Summers)	None	None	None
Harmful diseases:			
Soil Rot (<u>Actinomyces ipomoea</u>)	5.0%	5.0%	10.0%
Black Rot (<u>Ceratomyces fimbriata</u>)	None	None	0.2%
Scurf (<u>Monilochaetes infuscans</u>)	1.0%	1.0%	2.0%
Surface Rot (<u>Fusarium oxysporum</u>)	None	None	5.0%

There shall not be more than 10% of sweet potatoes of poor quality and/or poor condition, brought about by internal breakdown, lack of latex, excessive bruising, chilling, or any other factor, and not more than a total of 15% of the foregoing factors that would cause the sweet potatoes to be of poor quality and/or condition.

34.6 Tagging and Certificate Tape

A. Each container of seed sweet potatoes and all certified sweet potato plants shall be tagged as follows:

1. Foundation (white tag)
2. Registered (purple tag)
3. Certified (blue tag)

B. Each tag shall contain the following:

1. Kind and variety
2. Year in which grown
3. Grower's name and address
4. Lot number

C. Sweet potato plants shall be tied in bundles of approximately 100 each with official tape issued by the Department of Agriculture.

D. All seed sweet potatoes and sweet potato plants moved into Louisiana from out-of-state shall be required to comply with all provisions of Rule 9.0 of these regulations.

34.7 Sweet Potato Weevil Quarantine Area

A. Sweet potato plants grown in a sweet potato weevil quarantine area will be approved for seed or plant sources within the quarantined area only if:

1. All requirements for certification are met;
2. There are no sweet potato weevils within a two-mile radius of the field or storage house; and
3. All seed and/or plants are fumigated in an approved manner.

B. No certified seed tags or sweet potato tape will be issued to cover sweet potatoes grown in a sweet potato weevil quarantine area.

35.0 Sesame Seed Certification Standards

35.1 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	1 yr.	1 yr.	1 yr.
Isolation	1,200 ft.	1,200 ft.	600 ft.
Other varieties	5 plants per acre	7 plants per acre	10 plants per acre

35.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	98.0%	98.0%	98.0%
Inert matter	2.0%	2.0%	2.0%
Other varieties	10 seed/lb.	50 seed/lb.	100 seed/lb.
Noxious weeds:			
Cheat & Darnel	6 seed/lb.	6 seed/lb.	12 seed/lb.
Germination	80.0%	80.0%	80.0%

36.0 Small Grain (Oats, Wheat, Rye) Seed Certification Standards

36.1 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	1 yr.	1 yr.	1 yr.
Isolation	10 ft.	10 ft.	10 ft.
Other crops	None	10 plants per acre	30 plants per acre
Other varieties	None	10 plants per acre	30 plants per acre
Diseases:			
Loose smut	1.0%	1.0%	1.0%

36.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	98.0%	98.0%	97.0%
Inert matter	2.0%	2.0%	3.0%
Other crops	5 seed/lb.	5 seed/lb.	10 seed/lb.
Other varieties	1 seed/lb.	5 seed/lb.	10 seed/lb.
Noxious weeds:			
Johnsongrass	None	None	None
Cheat & Darnel	6 seed/lb.	6 seed/lb.	12 seed/lb.
Other weeds	.01%	.02%	.03%
Germination	85.0%	85.0%	85.0%

37.0 Shallot Seed Certification Standards

37.1 Land Requirement

The unit of certification shall be a field, which must be at least three hundred (300') feet from garlic, onions, or uncertified shallots and shall not have been planted to shallots for two (2) previous years.

37.2 Field Inspections

Three or more inspections shall be made of the shallots while growing:

- A. The first inspection shall be in the seed bed, between November 15th and December 15th. On first inspection, more than five (5%) percent severe Yellow Dwarf shall cause the shallots in the entire plot to be ineligible for certification.
- B. The second inspection shall be after transplanting, during March or April. On second inspection, Yellow Dwarf infection shall not exceed one (1%) percent in any area of a unit plot.
- C. The third inspection shall be just prior to or at harvest time, generally around May 1 through May 15. A field having in excess of three (3%) percent plants of irregular growth and maturity and/or more than three (3%) percent pink root infection shall be ineligible for certification.

37.3 Storage Requirements

- A. There shall be at least one inspection of the seed while in storage between June 15 and July 15.
- B. The identity of shallot seed produced in each unit plot must be maintained by the grower.

C. Shallot seed with more than three (3%) percent storage rot and/or pink root infection shall not be eligible for certification.

D. Seed severely infested with bulb mites shall not be eligible for certification. Seed lightly infested with bulb mites must be treated in a manner prescribed by the Department of Agriculture before certified permit tags will be issued.

37.4 Use of Certified Tags for Shallots

Shallot certificate permit tags shall be valid only during the season (June 1 of one year through May 31 of the succeeding year) in which issued and shall be invalid after being used one time only.

38.0 Singletary Pea Seed Certification Standards

38.1 Field Standards

Factor	Foundation	Registered	Certified
*Land requirement	1 yr.	1 yr.	1 yr.
Isolation	12 ft.	12 ft.	12 ft.
Other varieties	3 plants per acre	3 plants per acre	6 plants per acre

*Land must be free from vetch.

38.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	97.0%	97.0%	97.0%
Inert matter	3.0%	3.0%	3.0%
Other crops	2 seed/lb.	2 seed/lb.	3 seed/lb.
Other varieties	2 seed/lb.	2 seed/lb.	5 seed/lb.
Noxious weeds	None	None	None
Other weeds	10 seed/lb.	10 seed/lb.	10 seed/lb.
Germination	80.0%	80.0%	80.0%

39.0 Sorghum Seed Certification Standards

39.1 Field Standards

Factor	Foundation	Registered	Certified
*Land requirement	1 yr.	1 yr.	1 yr.
Isolation	1,300 ft.	1,300 ft.	1,300 ft.
Other varieties	None	1 head per 5 acres	1 head per 2 acres
Head smut	None	1 head per acre	1 head per acre
Kernel smut	None	None	1 head per 2500 heads

*No field will be eligible for certification if it grew sudan grass, broomcorn, or sorghum of another variety the previous year.

39.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	98.0%	98.0%	98.0%
Inert matter	2.0%	2.0%	2.0%
Other varieties	None	None	9 seed/lb.
Other crops	None	5 seed/lb.	5 seed/lb.
Noxious weeds	None	None	None
Germination	80.0%	80.0%	80.0%

40.0 Soybean Seed Certification Standards

40.1 Field Standards

Factor	Foundation	Registered	Certified
*Land requirement	1 yr.	1 yr.	1 yr.
Isolation	10 ft.	10 ft.	10 ft.
Noxious weeds:			
Purple Moonflower (<i>Ipomoea turbinata</i>) & Balloon Vine (<i>Cardiospermum</i> <i>halicacabum</i>)	None	5 plants per acre	10 plants per acre

*Land requirement will be waived if the previous crop was grown from certified seed of the same variety having different plant pubescence or hilum color than the variety to be certified.

40.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	98.0%	98.0%	98.0%
Inert matter	2.0%	2.0%	2.0%
Other crops	2 seed/lb.	2 seed/lb.	5 seed/lb.
Other varieties	2 seed/lb.	2 seed/lb.	5 seed/lb.
Noxious weeds	None	None	None
Other weeds	10 seed/lb.	10 seed/lb.	10 seed/lb.
Germination	80.0%	80.0%	80.0%

41.0 Southern Field Pea (Cowpea) Seed Certification Standards

41.1 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	1 yr.	1 yr.	1 yr.
Isolation	10 ft.	10 ft.	10 ft.
Other varieties & Off-type plants	3 plants per acre	3 plants per acre	6 plants per acre

41.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	98.0%	98.0%	98.0%
Inert matter	2.0%	2.0%	2.0%
Other crops	None	None	1 seed/lb.
Other varieties	None	None	1 seed/lb.
Noxious weeds	None	None	None
Other weeds	None	None	1 seed/lb.
Germination	80.0%	80.0%	80.0%

42.0 Sunflower Seed Certification Standards

42.1 Field Inspections

Two inspections shall be made of the growing crop, the first at early blooming stage and the second just before harvest. Only one inspection shall be required in the case of open-pollinated varieties.

42.2 Field Standards

A. Sunflower seed grown for certification shall not be on land that was planted the previous year to sunflower of another variety.

B. The isolation distance between varieties for all classes shall be at least 2,640 feet.

C. Flowering

In a crossing field for the production of hybrid sunflower seeds, the male parent must be in bloom and producing pollen at the time the female parent is in bloom. If the female sunflower heads produce pollen before the male parent heads, then the female pollen must be removed to prevent cross-pollination.

D. Maximum Impurity Tolerances (maximum limits per 1,000 plants)

Hybrid Production Foundation and Certified	Female Seed Parent	Male Pollinating Parent
Maximum (including Off-types)	1	1
Wild-type branching	1	1
Purple plants	1	1
White seeded	1	0
Obvious off-types	4	4

42.3 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	99.0%	99.0%	98.0%
Inert matter	1.0%	1.0%	2.0%
Other crops	None	None	1 seed/lb.
Other varieties	1 seed/lb.	1 seed/lb.	1 seed/lb.
Weed seeds	None	None	None
Germination	90.0%	90.0%	90.0%

43.0 Tall Meadow Fescue Seed Certification Standards

43.1 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	5 yr.	2 yr.	2 yr.
Isolation	900 ft.	330 ft.	330 ft.
Other varieties	10 plants per acre	10 plants per acre	100 plants per acre

43.2 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	98.0%	98.0%	95.0%
Inert matter	2.0%	2.0%	5.0%
Other crops	None	None	10 seed/lb.
Noxious weeds	None	None	None
Other weeds	50 seed/lb.	50 seed/lb.	360 seed/lb.
Germination	80.0%	80.0%	80.0%

44.0 Tree Seed Certification Standards

44.1 Classes of Seed

A. Only the following classes of tree seed shall be recognized in tree seed certification:

1. Certified (blue tag)
2. Selected (green tag)
3. Source-Identified (yellow tag)

B. For all classes of forest tree seed, the exact geographic source of the parent trees and the stand must be known. Location of the source shall be given at least down to the section or comparable land survey unit. (Alternatively, in the case of seed from seed orchards containing selected stocks from a number of separate sections, the location of the orchard shall be given and the exact sources of its individual components shall be kept on file and furnished on request.)

44.2 Land Requirements

Elevation to the nearest 500 feet of the original geographic source and the average height and age of the trees from which seed has been collected shall be shown on the tag for all forest tree seed. If available, site index (the capacity of a given site to produce trees as measured by the height of the trees at a specified age) may be recorded instead of tree height and age.

44.3 Field Inspection

A field inspection must be made prior to flowering.

44.4 Field Standards

A. Unit of certification

An individual tree, clone, or stand of trees may be certified in producing certified or selected seed.

B. Isolation

For certified or selected seed, an adequate isolation zone shall be maintained free of off-type plants and other species which might cross-pollinate producing trees. There shall be no isolation requirements for source-identified trees.

C. Progeny testing

All clones used in seed orchards shall be progeny tested.

44.5 Seed Standards

Factor	Certified	Selected	Source Identified
Pure seed	98.0%	98.0%	98.0%
Inert matter	2.0%	2.0%	2.0%
Other species	.01%	.01%	.5%
Germination	85.0%	85.0%	85.0%

45.0 Watermelon Seed Certification Standards

45.1 Field Inspections

- A. The initial inspection will be made before the first blooms are open. At this time, volunteer plants and citron must be removed from the field to be certified and the isolation zone by the grower.
- B. The second inspection will be made when the melons are ready to harvest. The presence of any citron plants within 2,640 feet of a unit entered for Foundation or Registered classes or within 1,320 feet of a unit entered for Certified class will disqualify the unit for certification.

45.2 Field Standards

Factor	Foundation	Registered	Certified
Land requirement	1 yr.	1 yr.	1 yr.
Isolation	2,640 ft.	2,640 ft.	1,320 ft.
At harvest time:			
Citron	None	None	None
White heart fruits	None	2.0%	5.0%
Total off-type plants or varietal mixtures	None	None	2 plants per acre
*Plants free from fusarium wilt	93.0%	93.0%	90.0%
Plants free from anthracnose	95.0%	95.0%	90.0%

*Applies to wilt-resistant varieties only.

45.3 Seed Standards

Factor	Foundation	Registered	Certified
Pure seed	98.0%	98.0%	98.0%
Inert matter	2.0%	2.0%	2.0%
Other crops	None	2 seed/lb.	5 seed/lb.
Other varieties	None	None	4 seed/lb.
Citron	None	None	None
Weed seeds	None	None	0.05%
Germination	80.0%	80.0%	80.0%

PART III: REPEAL OF PRIOR SEED CERTIFICATION RULES AND REGULATIONS

46.0 Repeal of Prior Rules and Regulations of the Seed Commission

Upon promulgation of these Rules and Regulations, the following rules and regulations previously adopted by the Seed Commission shall be repealed in their entirety:

1. Regulation 1 - Cottonseed (revised effective January 15, 1967)
2. Regulation 2 - Seed Oats (revised effective May 15, 1963)
3. Regulation 3 - Louisiana White, Louisiana White S 1, Ladino and Other White Clover Seed (revised effective August 1, 1964)
4. Regulation 4 - Soybean (revised effective January 1, 1968)
5. Regulation 5 - Seed Corn (Open-Pollinated) (revised effective September 1, 1958)
6. Regulation 6 - Okra (revised effective June 25, 1958)
7. Regulation 7 - Onion Bulbs and Seed (revised effective September 1, 1958)
8. Regulation 8 - Hybrid Seed Corn (revised effective September 1, 1958)
9. Regulation 9 - Seed Sweet Potatoes and Sweet Potato Plants (revised effective September 1, 1958)
10. Regulation 10 - Seed Rice (revised effective September 15, 1964)
11. Regulation 11 - Shallot Seed (revised effective September 1, 1958)
12. Regulation 12 - Crimson Clover Seed (revised effective August 1, 1964)
13. Regulation 13 - Tall Meadow Fescue Seed (revised effective September 1, 1958)
14. Regulation 14 - Dallis Grass Seed (revised effective September 1, 1958)
15. Regulation 15 - Seed Irish Potatoes (revised effective September 1, 1958)
16. Regulation 16 - Wheat Seed (revised effective July 1, 1968)
17. Regulation 17 - Red Clover Seed (revised effective August 1, 1964)

18. Regulation 18 - Singletary Pea Seed (revised effective September 1, 1958)
19. Regulation 19 - Rescue Grass Seed (revised effective September 1, 1958)
20. Regulation 20 - Watermelon Seed (revised effective September 1, 1958)
21. Regulation 21 - Tiflawn, Tiffine, Coastal and Suwanee Bermudas and Emerald Zoysia
22. Regulation 22 - Sorghum Seed (revised effective September 1, 1958)
23. Regulation 23 - Harding Grass (revised effective September 1, 1958)
24. Regulation 24 - Millet Seed (revised effective September 1, 1968)
25. Regulation 25 - Sesame Seed (revised effective November 1, 1958)
26. Regulation 26 - Bahia Grass Seed (revised effective September 1, 1958)
27. Regulation 27 - Gulf Ryegrass Seed (revised effective April 1, 1960)
28. Regulation 28 - Tree Seed (revised effective September 1, 1966)
29. Regulation 29 - Southern Field Pea (Cowpea) Seed (effective January 1, 1968)
30. Regulation 30 - Sunflower Seed (effective October 7, 1968)
31. Non-numbered Regulation - Seed Irish Potatoes (Out-of-State) (effective January 14, 1952)
32. Regulation 28 - (duplicate numbering; not the same as Regulation 28 for Tree Seed) Bulk Sampling of Certified Small Grain, Soybean and Rice Seed (effective May 20, 1979)
33. Regulation 29 - (duplicate numbering; not the same as Southern Field Pea (Cowpea) Seed) Tagging of All Classes of Certified Seed

The above amendment to the Seed Law Regulations and the new Seed Certification Standards will become effective on January 1, 1983.

Bob Odom
Commissioner

RULE

**Department of Culture, Recreation and Tourism
Office of the State Library**

The Department of Culture, Recreation and Tourism, Office of the State Library, pursuant to the authority in R.S. 25:14, and in accordance with the Notice of Intent published on October 20, 1982, has adopted an amendment regarding State Aid to Public Libraries Grant.

IV. Maintenance of local effort

D. For each item of library material purchased and added to the library's shelf-list, up to two dollars in local funds is allowable to use in covering processing costs of shelf-listed items. Local funds, for the purpose of this paragraph, are those which are used to "maintain local effort" through the purchase of library materials.

Thomas F. Jaques
State Librarian

RULE

Board of Elementary and Secondary Education

Rule 3.01.05

The Board adopted the Louisiana State Plan for the Nutrition Education and Training Program, FY 1983.

Rule 3.01.70.v(27)(a)

The Board adopted an amendment to Bulletin 746, page 74, paragraphs (2) and (3) to revise the wording in the certification requirements for Parish or City School Supervisors of Special Education as follows:

Page 74

Parish or City School Supervisor/Director of Special Education**

2. Must have graduate training in special education, including at least one course in administrative/supervision of special education, and hold generic certification in special education and/or fulfill certification requirements in two areas of exceptionality as specified in Bulletin 746. In lieu of the second area of exceptionality, a person must be certified or hold a license or credential requirements in a related service area as noted in the Regulations of Act 754.

3. Have had five years of successful professional experience, at least three of which must have been in special education. For the purpose of this part, special education shall be defined as experience in any of the identified positions recognized by the State Board of Elementary and Secondary Education in Appendix I of Act 754 Regulations. The classroom experience shall have been as itinerant, resource or self-contained special class teacher as verified on the annual school report.

The Board adopted an amendment to Bulletin 746, page 75, paragraph (3) to revise the wording in the certification requirements for Special School Principal as follows:

Page 75

Special School Principal

3. Have had five years of successful professional experience, at least three of which must have been in special education.

** This title will apply to all persons, regardless of title, who serve in this capacity.

Rule 6.03.49

The Board adopted a policy that the Civil Service approval date for reclassified personnel shall be the effective date of salary adjustment for the new position.

Rule 5.00.80(1)

The Board adopted the 1982-83 revisions to Bulletin 1533: Regulations, Tuition Exemption Continuing Education Program.

James V. Soileau
Executive Director

RULE

**Office of the Governor
Division of Administration
Office of Contractual Review**

Regulations for the Procurement of
Professional, Personal, and Consulting Services

All Contracts for Personal, Professional
or Consulting Services

I

Delegation of Authority

The Director of Contractual Review may delegate in writing certain responsibilities set forth herein; however, he shall review any actions taken by his designee.

II

Definitions and Classes of
Contractual Services

The following services shall be contracted out in accordance with these regulations:

A. "Personal Service" means work rendered by an independent contractor which requires the use of creative or artistic skills, such as, but not limited to, graphic artists, sculptors, musicians, photographers, and writers, or which requires the use of highly technical or unique individual skills or talents, such as, but not limited to, paramedicals, therapists, handwriting analysts, and expert witnesses for adjudications or other court proceedings.

B. "Professional Service" means work rendered by an independent contractor who has a professed knowledge of some department of learning or science used by its practical application to the affairs of others or in the practice of an art founded on it including, but not limited to lawyers, doctors, dentists, veterinarians, architects, engineers, landscape architects, and accountants. A profession is a vocation founded upon prolonged and specialized intellectual training which enables a particular service to be rendered. The word "professional" implies professed attainments in special knowledge as distinguished from mere skill.

C. "Consulting Service" means work, other than professional or personal service, rendered by an independent contractor who possesses specialized knowledge, experience, and expertise to investigate assigned problems or projects and to provide counsel, review, design, development, analysis, or advice in formulating or implementing programs or services or improvements in programs or services, including, but not limited to, such areas as management, personnel, finance, accounting, planning and feasibility studies, data processing, advertising and public relations.

D. Interagency contracts between state departments, agencies, boards, commissions, colleges or universities for any of the services enumerated in A, B, or C above shall be governed by these regulations, except that contracts between boards of higher education and their respective institutions shall be exempt.

III

Contracts for \$5,000 or Less

A. The Director of the Office of Contractual Review may, in accordance with R.S. 39:1488, 1490B(3), and 1508, delegate to other state using agencies certain responsibilities in the review

and approval process of professional, personal and consulting service contracts, to specifically include contracts for professional, personal and consulting services for \$5,000 and under. Such delegations of authority may be made upon written request by the head of the using agency and shall be provided for in a written Memorandum of Agreement between the Office of Contractual Review and each using agency receiving such a delegation. All provisions of law and of these regulations not delegated remain applicable. Upon execution of the Memorandum of Agreement as herein provided, such delegation of authority shall remain in full force and effect, until it may be cancelled in writing, by the Director of the Office of Contractual Review.

B. A contract meeting the definition of "small purchase" under R.S. 39:1508 may be approved by the agency director without the necessity of forwarding a copy to the Office of Contractual Review. The agency shall maintain a file for all small purchase contracts. This file shall be available for inspection by the Director of the Office of Contractual Review or his designee upon request.

C. The using agency shall submit a quarterly report to the Office of Contractual Review and to the Division of Administration Budget Office. This report shall contain a listing of all small purchase contracts to include: the name of contractor, amount of contract, specific nature of services rendered, date of contract, and total dollar amount of all small purchase contracts entered into by the using agency for that quarter. If no such contracts have been entered into during this period, a report still shall be submitted notifying the Office of Contractual Review of same. See Attachment E for format of report.

IV

Contract Contents

A. Each contract for professional, personal, and consulting services shall follow the provisions of R.S. 39:1498.1.

B. Contracts funded fully or in part by federal funds, in addition to meeting all the requirements of these guidelines and R.S. 39:1428-1473, shall meet all applicable federal standards and shall contain all necessary clauses required by federal statutes, Rules or Regulations. The burden of complying with federal regulations shall rest with the using agency.

C. Travel expenses shall be reimbursed in accordance with Division of Administration Policy and Procedure Memorandum 49 (the State General Travel Regulations).

D. When a contract is to include travel and/or other reimbursable expenses, it shall contain language to effect the following:

1. Travel and other reimbursable expenses shall constitute part of the total maximum payable under the contract; or
2. No more than (a certain sum) of the total maximum amount payable under this contract shall be paid or received as reimbursement for travel and other reimbursable expenses.

V

Modification of Contract

All amendments to contracts for professional, personal and consulting services shall be submitted to the Office of Contractual Review and shall become effective only upon approval by the Director of the Office of Contractual Review. If an amendment extends a contract beyond one year, justification for a multi-year contract must be submitted with said amendment in accordance with Part XII, and if an amendment increases the amount of a contract to \$25,000 or more, an extra copy of the contract and amendment must be submitted in accordance with Part VII.

VI

Termination of Contract

Whenever a contract is terminated prior to the termination date stated in the contract, the Office of Contractual Review shall be notified in writing by the using agency of such prior termination, and the reasons therefor.

VII

Submission of Contracts

The original contract and two copies of said contract and attachments shall be submitted to the Office of Contractual Review for contracts less than \$25,000. Contracts for \$25,000 or more must be submitted with three copies (the extra copy will be forwarded to the Legislative Fiscal office). The Office of Contractual Review will not accept for review and approval any contract that is not accompanied by the necessary attachments and copies as required herein. (Attachments being submittal letters, R.S. 39:1497 certification, BA-22, etc.)

VIII

Contractual Review Process

A. Contracts arriving in the Office of Contractual Review will be date stamped and logged in. Contracts should be submitted prior to their effective dates and no contract shall be approved which has been submitted 60 days after its effective date, unless written justification is provided by the using agency and approval granted by the Director of Contractual Review or his designee. All submittals will be required to have a cover letter attached thereto in conformity with Attachment D.

B. If a contract does not appear to be out of the ordinary and appears to have the necessary attachments and inclusions, it will be routed to the appropriate Budget Analyst for the submitting agency. A BA-22, or its equivalent, shall be submitted with every contract submitted to the Office of Contractual Review.

C. Contracts that are incomplete as to form may be returned to the submitting agency. If a contract is merely missing an attachment then the necessary attachment may be secured from the submitting agency.

D. Contracts returned from Budget

1. Not Recommended for Approval - If a contract is not recommended for approval, the Office of Contractual Review shall discuss the reason with the Budget Analyst. If the problem cannot be resolved the contract shall be returned to the submitting agency with a letter explaining the problem.

2. Recommended for Approval - If a contract is recommended for approval the review process shall continue.

E. Legal and content review. There are a number of different types of contracts, and content requirements may vary a little. All contracts shall contain the following:

1. Signatures of both the head of the using agency or his designee and the contractor. At least one submitted copy of each contract shall bear an actual, nonfacsimile signature of each party.

2. Scope of services that clearly and completely identifies the work to be performed and products to be delivered.

3. Beginning and termination dates for the contract. Normally, such contracts should be for a term no longer than one year, although the Director of Contractual Review may approve contracts with terms up to three years. Contracts shall not include a clause permitting automatic renewal or extension of the original beyond a three year period.

4. The maximum amount of compensation to be paid under the contract. This maximum must be inclusive of all payment, fees, travel expenses, etc. When applicable the amounts shall be stated by category and then given as a comprehensive total.

5. A statement giving the Legislative Auditor authority to audit the financial records of the contractor relative to work done under the contract.

6. A clause providing that the contractor shall not assign any interest in this contract, and shall not transfer any interest in the same (whether by assignment or novation), without the prior written consent of the submitting agency thereto, provided, however, that claims for money due or to become due to the contractor from the using agency under this contract may be

assigned to a bank, trust company, or other financial institution without such approval. Notice of any such assignment or transfer shall be furnished promptly to both the using agency and the Director of the Office of Contractual Review.

7. A statement giving the contractor the responsibility for paying any taxes which may be due as a result of the contract. The taxes could include state or federal income taxes or payroll taxes.

F. Each contract submitted for approval shall be accompanied by a certification letter as described in R.S. 39:1497, signed by the using agency's representative (See Attachment B).

G. Proof of review and approval by other agencies shall accompany submitted contracts as follows; or contracts will be returned to the submitting agency without final approval:

1. Civil Service - All contracts must have Civil Service approval except agreements between state agencies. If a non-state agency is involved, the contract must have Civil Service approval.

2. Attorney General - contracts for legal services that are not consulting work and that do involve or lead to litigation must be reviewed by the Attorney General for approval of the fee structure. Approval of the Attorney General can be evidenced by the signature on the contract documents or by a letter from the Attorney General. Contracts with Louisiana District Attorneys do not require this approval.

3. Legislative Auditor - Contracts for financial auditing of state agencies must have prior written approval of the Legislative Auditor.

4. Office of Data Processing - The Office of Data Processing shall review and recommend any contract containing data processing elements before returning it to Contractual Review for completion of the review process.

5. If the contractor is a corporation not incorporated under the laws of the State of Louisiana, then the contractor must secure a certificate of authority pursuant to R.S. 12:301 from the Secretary of State of Louisiana and a copy of such certificate must be attached to the contract.

6. The Office of Telecommunications Management shall review and recommend any contract containing elements of telecommunication services before returning it to the Office of Contractual Review for completion of the analysis.

H. Consulting Services Contracts for \$75,000 or more. If a contract is for services defined as consulting in R.S. 39:1484(4) and is for an amount equal to or exceeding \$75,000, it must have been awarded pursuant to the requirements of R.S. 39:1503, unless exempt by Section XV(A) or (B). Failure to so comply shall result in the using agency having to reconduct the process. A statement in accordance with R.S. 39:1503 C as to why the award was made must be submitted with the contract.

I. When a contractor is a corporation, a formal, dated, Board Resolution must be secured and attached to the contract indicating that the signatory is a corporate representative and authorized to sign said contract.

J. When it has been determined that a contract is complete, the contract shall be returned to the submitting agency with an approval letter attached and signed by the Director of Contractual Review.

IX

Exempt Occupations

The following list of occupations shall be construed as falling within the definition of medical, nursing or allied health fields given in R.S. 39:1498.2. Personnel employed in these fields would therefore be exempt from the prohibition contained in R.S. 39:1498(4) which disallows personal, professional or consulting service contracts between the State of Louisiana and state employees:

Audiologist, Clinical Psychologist, Dental Assistant, Dentist, Electroencephalograph Technician, Inhalation Therapist,

Medical Laboratory Technologist, Nurse Anesthetist, Occupational Therapist, Optometrist, Osteopath, Pharmacist, Physical Therapist, Physician, Podiatrist, Practical Nurse, Professional Dietitian, Psychiatrist, Radiologic Technologist, Radioisotope Technologist, Registered Nurse, Respiratory Therapy Technician, Respiratory Therapy Technologist, Social Worker, Speech Pathologists and Ultrasonography Technologist.

Other Specialists as may be included later by the Director of the Office of Contractual Review.

X

Delegation of Signature Authority

R.S. 39:1502 requires that the head of the using agency or his designee shall sign all contracts for personal, professional or consulting services. All delegations of signature authority by the head of the using agency must be in writing and must be approved by the Office of Contractual Review. Normally, delegations of signature authority to the level of Assistant Secretary or equivalent will be approved if circumstances warrant the delegation. Delegations of signature authority to a level below that of Assistant Secretary may be granted in unusual situations - for example, where the volume of contracts is very heavy.

In addition, autonomous or semi-autonomous boards or commissions may sign their own contracts if such authority is granted them by their enabling legislation or by the heads of the agency in which they are placed.

XI

Confidentiality of Technical Data or Trade Secrets

The using agency shall be responsible for protecting technical data, financial information, overhead rates, and trade secrets which may come into their possession from individuals and businesses doing business with the State. Any such information received by the Office of Contractual Review shall be returned to the using agency upon completion of said review.

XII

Multi-Year Contracts

All contracts in excess of one year shall be submitted to the Office of Contractual Review with written reasons why a multi-year contract is needed. Justification of multi-year contracts shall be submitted in accordance with R.S. 39:1514 in compliance with the Delegation of Authority from the Commissioner of Administration.

XIII

Determination of Responsibility

A. In order to qualify as responsible, an offerer must meet the following standards as they relate to the particular procurement under consideration:

1. Has adequate financial resources for performance, or has the ability to obtain such resources as required during performance.

2. Has the necessary experience, organizations, technical qualifications, skills, and facilities, or has the ability to obtain them (including probable subcontractor arrangements).

3. Is able to comply with the proposed or required time of delivery or performance schedule.

4. Has a satisfactory record of integrity, judgment, and performance (contractors who are seriously delinquent in current contract performance, considering the number of contracts and the extent of delinquencies of each, shall in the absence of evidence to the contrary or evidence of compelling circumstances, be presumed to be unable to fulfill the requirement).

5. Is otherwise qualified and eligible to receive an award under applicable laws and regulations.

B. An offerer shall present acceptable evidence of financial resources, experience, organization, technical qualifications, skills, and facilities, to perform the service called for by the contract.

C. No contract for consulting services for \$75,000 or more shall be awarded to any person or firm unless the head of the using

agency has first determined that such person or firm is responsible within the meaning of Sections A and B.

D. In any case where a contract for consulting services is for \$75,000 or more, the head of the using agency shall prepare, sign, and place in the contract file a statement of the facts on which a determination of responsibility was based. Any supporting documents or reports and any information to support determinations of responsibility of the offerer or potential subcontractors should be kept on file with the agency, subject to inspection upon the request by the Director of Contractual Review or his designee.

E. Before making a determination of responsibility, the head of the using agency shall have sufficient current information to satisfy himself that the prospective contractor meets the standards in Sections A and B. Information from the following sources shall be utilized before making a determination of responsibility:

1. Information from the prospective contractor, including representations and other data contained in proposals, or other written statements or commitments, such as financial assistance and subcontracting arrangements.

2. Other existing information within the agency, including financial data, the list of debarred and ineligible bidders and records concerning contractor performance.

3. Publications, including credit ratings and trade and financial journals.

4. Other sources, including banks, other financial companies, and state departments and agencies.

F. To the extent that a prospective contractor cannot meet the standard in Section A.2 except by means of proposed subcontracting, the prospective prime contractor shall not be considered to be responsible unless recent performance history indicates an acceptable subcontracting system or prospective major subcontractors are determined by the head of the using agency to satisfy that standard.

XIV

Suspension, Debarment and Reinstatement

A. Authority. After reasonable notice to the person involved and reasonable opportunity for that person to be heard, the Director of the Office of Contractual Review shall have authority to suspend or debar a person for cause from consideration for a contract, provided that doing so is in the best interest of the State.

B. Suspension. The Director of the Office of Contractual Review may suspend a person from consideration for a contract if he determines in writing that there is probable cause to believe that such person has engaged in any activity which might lead to debarment. Said suspension shall not exceed 60 days if debarment is not forthcoming.

C. Causes for Debarment. The causes for debarment include, but are not limited to, the following:

1. Conviction for a criminal offense as an incident to obtaining or attempting to obtain a public or private contract or subcontract, or in the performance of such contract or subcontract.

2. Conviction under state or federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or any other offense indicating a lack of business integrity or business honesty which currently, seriously, and directly affects responsibility as a state contractor:

3. Conviction under state or federal antitrust statutes arising out of the submission of bids or proposals:

4. Violation of contract provisions, or a recent record of failure to perform, or of unsatisfactory performance in accordance with the terms of one or more contracts; provided that failure to perform or unsatisfactory performance caused by acts beyond the control of the contractor shall not be considered to be a basis for debarment; and

5. Any other cause the Director of Contractual Review determines to be so serious and compelling as to affect responsibility

as a state contractor, including debarment by another governmental entity for any cause listed in regulations.

D. Decision. The Director of the Office of Contractual Review shall issue a written decision stating his reasons and findings therein.

E. Notice of decisions. A copy of the decisions under Subsection D of this Section shall be mailed or otherwise furnished immediately to the debarred or suspended person and any other party intervening.

F. Finality of decision. A decision under Section D of this Part shall be final and conclusive, unless appealed as provided for in Section G.

G. Appeal. The Contractor or business who is directly affected by the decision of the Director of Contractual Review may appeal in writing to the Commissioner of Administration within ten days of the receipt of said decision.

H. Reinstatement. If the Commissioner finds that the Director of Contractual Review was in error, then he may reinstate said individual or business. If the Commissioner affirms the decision of the Director of Contractual Review, that decision is final and conclusive.

1. The Director of Contractual Review, upon request of a debarred contractor, shall review the requesting debarred contractor's file on an annual basis, and may reinstate said contractor for future consideration if he believes the circumstances warrant reinstatement and it would be in the best interest of the state. A list of debarred contractors shall be kept by the Office of Contractual Review and made available upon request to our state agencies.

Contracts for Consulting Services Where Compensation equals or exceeds \$75,000

XV

Source Selection Methods

Pursuant to R.S. 39:1496, professional or personal services contracts for any amount, and consulting services contracts less than \$75,000 may be awarded without competitive negotiation or bidding, therefore this part shall be applicable to consulting services contracts for \$75,000 or more.

A. Emergency Purchases. An emergency situation must be determined in writing by the Director of Contractual Review or his designee. The using agency which requests an emergency procurement must indicate in writing the basis of the emergency.

B. Sole Source Procurement. A determination in writing, supported by using agency documentation, must be made by the Director of Contractual Review or his designee that only one source exists for the services requested by the using agency.

C. A determination by the Director of Contractual Review that contracts are necessary under Sections A and B above will dispense with the requirement of a Request for Proposal pursuant to 39:1496(B).

D. Record. A record of emergency procurements and Sole Source Procurements shall be maintained by the Office of Contractual Review, and shall contain:

1. Contractor's name

2. The amount of contract

3. Services to be rendered

4. Reason for the emergency or sole source procurement

XVI

Request for Proposals

A. Prequalification of Offerers. A using agency which intends to issue a Request for Proposal (RFP) shall request the Prequalified Offerers list, as described below, prior to issuing an RFP. A using agency shall forward a request for proposals to those businesses on said list who offer the services requested in the RFP.

1. The Office of Contractual Review shall prepare and maintain a prequalified list of offerers to be used in the Request for Proposal procedure as provided for in R.S. 39:1506.