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Executive Orders

EXECUTIVE ORDER DCT 82-11

WHEREAS, the private lending institutions in Louisiana who participate in the Guaranteed Student Loan Program have expressed considerable interest in exploring the possibilities of using the Student Loan Marketing Association as a secondary market for guaranteed student loans;

NOW, THEREFORE, I, DAVID C. TREEN, Governor of the State of Louisiana, by virtue of the authority vested in me, pursuant to the Constitution and applicable statutes of the State of Louisiana, do hereby rescind and declare null and void Executive Order 80-2 issued February 26, 1980.

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 May, A.D., 1982.

David C. Treen
Governor of Louisiana

EXECUTIVE ORDER DCT 82-12

WHEREAS, the Governor's Task Force on Drinking and Driving was created by the authority of Executive Order 82-2 and amended by Executive Orders 82-3, 82-6 and 82-10; and

WHEREAS, it is within the best interest of the people of our state that this task force recommend specific legislation to alleviate this severe problem;

NOW, THEREFORE, I, DAVID C. TREEN, Governor of the State of Louisiana, by virtue of the powers vested in me as Governor, pursuant to the constitution and the applicable statutes of the State of Louisiana, do hereby direct the Governor's Task Force on Drinking and Driving to study these problems and make specific recommendations.

The Task Force shall continue under the jurisdiction of the Department of Public Safety and shall be composed of 21 members rather than the 20 as previously stipulated. The additional member shall be appointed at large.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this the 27th day of May, A.D., 1982.

David C. Treen
Governor of Louisiana

EXECUTIVE ORDER DCT 82-13

This Executive Order is issued by virtue of authority vested in me by law, in accordance with the provisions of R.S. 39, Chapter 17:1551-1736, with reference to the subject matter covered herein. Effective as of the date of my signature below, this

Order revokes and supersedes Executive Order 80-17 dated October 20, 1980.

R.S. 39:1596: **Small Purchases**

"Any procurement not exceeding the amount established by Executive Order of the Governor may be made in accordance with Small Purchase Procedures prescribed by such Executive Order, except that procurement requirements shall not be artificially divided so as to constitute a Small Purchase under this Section."

Therefore, pursuant to the above authority, in order to discharge my duty and responsibility as directed by the above-quoted Section of the State Statutes, it is hereby ordered that all state of Louisiana agencies shall observe and abide by the following Rules and Regulations, and provided further that all purchases shall be made through the State Purchasing Office in the Division of Administration except where specific authority to purchase any materials or supplies has been delegated in writing by the Commissioner of Administration.

Therefore, pursuant to the authority vested in me by R.S. 39:1596, all departments, institutions, boards, commissions, budget units, and any other agencies under the jurisdiction of the Executive Department of the state government shall be required to observe and be guided by the following specific directives.

Small Purchases: Any procurement not exceeding Five Thousand Dollars (\$5000) may be made in accordance with the following small purchase procedures, except those services defined in sub parts g which shall be small purchases regardless of price and further that procurement requirements shall not be artificially divided so as to constitute a small purchase.

1. All agencies of the State Government except those exempted under R.S. 39:1572, are authorized to purchase tagable equipment where the cost does not exceed either \$500 or the amount of the agencies purchasing authority, whichever is lower. All other tagable equipment shall be requisitioned through the State Purchasing Office of the Division of Administration, with the provision that the only exceptions shall be by written permission of the Commissioner of Administration. This in no way eliminates the requirement of purchasing equipment from State Contracts in areas where those contracts exist.

2. All agencies of the state government covered by R.S. 39: Chapter 17, wherever the cost is estimated to be above \$100, regardless of whether purchases are made by the State Purchasing Office or agencies to whom purchasing has been delegated, shall observe the following Rules and Regulations on small purchases, but maximum competitive bidding shall be obtained in all cases in accordance with R.S. 39:1655. **This Executive Order in no way affects or changes the purchasing authority which has been delegated to your agency.**

a. Purchases under \$100. No competitive bidding is required.

b. Purchases over \$100 but under \$500 shall be made by receiving price quotations wherever time permits, or if time does not permit, telephone and telegraph quotations may be obtained and purchases made on the basis of the lowest quotation received, however, it shall be determined in writing why time did not permit written quotations.

c. Purchases over \$500 but under \$2,000 shall be made by soliciting written quotations from at least five (5) bonafide prospective bidders using DA 101 and FACS 101 forms.

d. Purchases over \$2,000 but under \$5,000. No purchases where the estimated cost is over \$2,000 but under \$5,000 shall be made except by sending out written invitations for bids to at least eight (8) bona fide, qualified bidders. In addition, the agency may advertise at their discretion. Written invitations for bids shall contain complete specifications, the quantity required, and shall stipulate that bids will be publicly opened and read at a

EXECUTIVE ORDER DCT 82-14

specific date and time, as well as such other pertinent information such as the delivery point and other information sufficient for a supplier to make an acceptable bid. Agencies shall follow the requirements of the Purchasing Rules and Regulations established by the Commissioner of Administration in all other aspects of purchasing except as indicated above.

e. Purchases over \$5,000. No purchases where the estimated cost is over \$5,000 shall be made except by advertising in accordance with R.S. 39:1594C and sending out written invitations for bids to at least eight (8) bona fide, qualified bidders and where feasible use should be made of State Purchasing's computerized vendor list. In addition, all purchases must be made in accordance with the Purchasing Rules and Regulations established by the Commissioner of Administration.

f. Automotive, Machinery and Equipment Parts and

Repairs and parts associated with those repairs for Automobiles and Machinery shall be obtained by either:

(1) The use of an "Authorized Dealer". (An "Authorized Dealer" is defined as a dealer certified by the manufacturer to perform maintenance on their equipment.)

(2) Obtaining competitive bids as indicated above.

g. Exceptions to minimum competitive requirements:

(1) Federal Government surplus property.

(2) Livestock for slaughter when purchased at public auction sale.

(3) Purchasing or selling transactions between State budget units.

(4) Textbooks, newspapers, subscriptions, or foreign publications, and memberships.

(5) Repairs and parts associated with those repairs for heavy equipment, airplanes, and large boats shall be obtained by the use of an authorized dealer.

Repairs and parts associated with those repairs for other equipment in excess of \$5,000 require prior approval of the Chief Procurement Officer.

(6) All public utilities, governed by Louisiana Public Service.

(7) All services provided by local government. Example: Garbage Pick-up

h. Telephone or telegraph quotations should be obtained for the following from at least three (3) bona fide, qualified bidders wherever possible.

(1) Farm products which include, but may not be limited to, fresh vegetables, milk, eggs, fish, or other perishable foods.

(2) Food, materials, and supplies needed for the operation of boats in isolated localities where only limited outlets of such supplies are available.

(3) Food purchased and used in Home Economics colleges courses where purchasing, preparing, and serving is part of the regularly prescribed course.

(4) Food purchases and other materials and supplies required by juvenile Detention homes where the number of the inmates is unstable and unpredictable.

(5) Convention and meeting facilities.

(6) Gasoline and fuel purchases unless covered by a competitive contract. Gasoline and fuel purchases in excess of \$5,000, unless covered by a competitive contract, require prior approval of the Chief Procurement Officer.

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 May, A.D., 1982.

David C. Treen
Governor of Louisiana

WHEREAS, in the response to the medical malpractice insurance crisis which became manifest in 1975 with the ever increasing cost of medical malpractice insurance coverage and the unavailability of coverage due to the threatened exodus of all medical malpractice insurance carriers from the State of Louisiana, the Legislature of Louisiana enacted Act 817 of 1975, the Medical Malpractice Act; and

WHEREAS, by the enactment of Act 817 of 1975, the Legislature of Louisiana intended to encourage the prompt settlement of valid medical malpractice claims and the abandonment of invalid claims; and

WHEREAS, the Patient's Compensation Fund was established as an integral part of Act 817 of 1975; and

WHEREAS, the Legislature of Louisiana in 1975 provided the procedure for those health care providers qualified under Act 817 to fund through individual medical malpractice insurance surcharge contributions the Patient's Compensation Fund; and

WHEREAS, the balance of the Patient's Compensation Fund for the protection of the patients of the State of Louisiana presently exceeds \$15 million; and

WHEREAS, the Legislature established the medical review panel process to provide a body of experts assembled to evaluate the patient's claim and to provide the courts and the parties with an expert medical opinion; and

WHEREAS, during the seven years of Louisiana experience under Act 817 of 1975, the medical malpractice claims filed under the provisions are reaching full maturation; and

WHEREAS, both the legal and medical professions of the state have identified and recognized certain aspects of the medical review panel process which impede the legislative intent of expeditious resolution of claims and as such are in need of study and review to adequately assure the protection of all patients of Louisiana; and

WHEREAS, the integrity of the concept and the actuarial soundness of the Patient's Compensation Fund to assure a continuing source of compensation for patient claims arising out of medical malpractice must be maintained; and

WHEREAS, both the legal and medical professions of the state desire to continue to support the expressed legislative goals of prompt resolution of medical malpractice claims and the continued availability of professional medical services to the people of Louisiana; and

WHEREAS, it is in the best interests of the people of our state to undertake this worthy pursuit;

NOW, THEREFORE, I, DAVID C. TREEN, Governor of the State of Louisiana, by virtue of the authority vested in me by the Constitution of Louisiana and applicable statutes, do hereby create the Governor's Commission on Medical Malpractice.

Said commission shall study problems related to medical review panel procedures in order to assure the adequate protection of all medical patients. Said commission shall make proposals for legislation to the Governor prior to the first day of March of 1983.

BE IT FURTHER RESOLVED, the commission shall be located within the Office of the Governor and shall be composed of the following persons:

Gerald R. La Nasa, M.D., Past President, Louisiana State Medical Society;

Donald J. Palmisano, M.D., J.D., First Vice-President, Louisiana State Medical Society;

John C. Cooksey, M.D., Fifth District Counselor, Louisiana State Medical Society;

Henry Alsobrook, J.D., President, Louisiana Bar Association;

A. Kennon Goff, III, J.D., President, Louisiana Trial Lawyers Association;

William R. Carruth, Assistant Attorney General, Louisiana Department of Justice.

BE IT FURTHER RESOLVED, that the members of the commission shall receive no compensation for their service on the commission.

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 3rd day of June, A.D., 1982.

David C. Treen
Governor of Louisiana

EXECUTIVE ORDER DCT 82-15

WHEREAS, rape is an act of violence which has become a problem of tragic national proportions; and

WHEREAS, in 1980, over 82,000 cases of rape were reported in the United States, 1,867 of those in Louisiana; and

WHEREAS, this problem deserves the special attention and response of the people of Louisiana;

NOW, THEREFORE, I, DAVID C. TREEN, Governor of the State of Louisiana, by virtue of the authority vested in me, pursuant to the Constitution and applicable statutes of the State of Louisiana, do hereby create the Governor's Task Force on Rape. Said Task Force shall be composed of:

- one member representing the District Attorney's Association who shall be designated by the Governor;
- one member representing the Coroners Association who shall be designated by the Governor;
- one member representing the Stop Rape Crisis Center of Baton Rouge who shall be designated by the Governor;
- one member representing the executive director of the Louisiana Commission on Law Enforcement and Administration of Criminal Justice who shall be designated by the Governor;
- one member representing the Commander of the Louisiana State Police who shall be designated by the Governor;
- one member representing the Louisiana Sheriff's Association who shall be designated by the Governor;
- one member representing the Louisiana Association of Chiefs of Police who shall be designated by the Governor;
- one member representing the Special Agent in charge of the Federal Bureau of Investigation for Louisiana who shall be designated by the Governor;
- one member representing the Speaker of the House of Representatives from among the membership of that body;
- one member to be designated by the President of the Senate from among the membership of that body;
- one member to be designated by the Superintendent of Education;
- one member who shall be designated by the Governor from among the faculties of the public colleges and universities in Louisiana; and
- additional members who shall serve at-large and shall be designated by the Governor.

Said task force shall be located within the Department of Public Safety and shall study the facts surrounding this problem and make specific recommendations for legislation to combat this problem.

Said task force shall make recommendations to the Governor prior to September 30, 1982 and shall disband at that time unless specifically recreated by executive order.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this the 4th day of June, A.D., 1982.

David C. Treen
Governor of Louisiana

EXECUTIVE ORDER DCT 82-16

WHEREAS, due to the catastrophe which occurred on July 9, 1982 at 4:10 p.m., because of the crash of Pan American World Airways Flight 759, causing the loss of life of all of the passengers and crew of Flight 759, and causing the loss of the lives of a number of persons who resided in the City of Kenner, Parish of Jefferson, Louisiana; and

WHEREAS, severe damage was caused to property and possessions owned by citizens of the City of Kenner, Parish of Jefferson; and

WHEREAS, substantial disruption of public services and utilities in the City of Kenner, and the Parish of Jefferson, Louisiana, have occurred as a result of this catastrophe; and

WHEREAS, the Chief Executive of Louisiana is required to act in the public interest in times of emergency, catastrophe, and disaster; and

WHEREAS, it is necessary and appropriate under the Constitution and the laws of this State, for the Governor, to take such action as he considers necessary and appropriate to protect lives and property to the end that existing hazards and dangers will be decreased and hopefully eliminated; and

WHEREAS, such conditions exist and valid requests have been made to him by the City of Kenner, Louisiana;

NOW, THEREFORE, by virtue of the powers vested in me to preserve law and order and to curtail and reduce the injury and danger and damage to persons and property resulting from catastrophe and disaster, I, DAVID C. TREEN, acting under the authority granted to me and the duties imposed upon me by Article 4, Section 5(A) and (J) of the Louisiana Constitution of 1974, Act 636 of 1974 as amended by Section 1 of Act 645 of 1975 (The Louisiana Disaster Act of 1974), do hereby, and for an indefinite period not to exceed 30 days from this date, order and proclaim that a state of emergency exists in the City of Kenner, Parish of Jefferson, State of Louisiana, and that the resources of all of the departments of the State of Louisiana to the extent necessary be utilized in assisting with this emergency.

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 10th day of July, A.D., 1982.

David C. Treen
Governor of Louisiana

EXECUTIVE ORDER DCT 82-17

WHEREAS, the Governors of Kansas, Missouri, Arkansas, Louisiana and Oklahoma created a nonprofit corporation to act as a regional council for the purpose of performing regional planning and implementing regional governmental functions previously performed by the Ozarks Regional Commission and to perform additional future governmental functions relating to regional de-

velopment as is hereafter and from time to time authorized by the Governor members of the regional council; and

WHEREAS, the regional council created is performing functions and acting on behalf of all five member states; and

WHEREAS, the members of the organization consist exclusively of the Governors of the five states and the Board members appointed by the Governors are from among members of the Governor's cabinet or his personal staff; and

WHEREAS, there will be no private interests involved whatsoever in the control or management or decision making authority of the regional council; and

WHEREAS, the control and supervision of this organization are vested solely in the Governor members and their designated representatives; and

WHEREAS, the Governors as state members and their designated representatives have complete financial control and autonomy over the regional council and its expenditure of program and administrative funds;

NOW, THEREFORE, BE IT RESOLVED, that as of July 31, 1981, the Council of Ozarks Governors, Inc., was created to assist in developing, executing and coordinating regional programs for the states of Kansas, Missouri, Arkansas, Louisiana and Oklahoma.

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 2nd day of August, A.D., 1982.

David C. Treen
Governor of Louisiana

EXECUTIVE ORDER DCT 82-18

WHEREAS, by Public Law 97-35, Congress established the Community Services Block Grant Program for the purpose of providing funds to the state so that it can provide a range of services having a measurable and potentially major impact on the causes of poverty; and

WHEREAS, The Congressional Act mandates that each state will provide activities designed to assist participants including the elderly poor to secure meaningful employment; to attain an adequate education; to make better use of available income; to attain adequate housing and a suitable living environment; to obtain emergency assistance through loans or grants to meet immediate needs; to remove obstacles which block self-sufficiency; and to achieve greater participation in the affairs of the community; and

WHEREAS, the Congressional Act further mandates that: the state will provide on an emergency basis supplies as may be necessary to counteract conditions of starvation among the poor; linkages with other social services programs must be established; states will encourage the private sector to help in efforts to ameliorate poverty; and

WHEREAS, all of the aforementioned are national goals and state goals which can best be accomplished by full cooperation and coordination of efforts of the federal government, the governments of the participating states, the private sector, i.e., business, industry and the communities; and

WHEREAS, this administration is aware of the urgent need to provide some coordination of the various entities involved in the attainment of these goals; and

WHEREAS, the funds have been appropriated by Congress to fund the Community Services Block Grant Program; and

WHEREAS, by participating in this program, the State of Louisiana will realize many benefits, including improved assistance to the needy and improved communications between the communities and state government;

NOW, THEREFORE, I, DAVID C. TREEN, Governor of the State of Louisiana, by the power and authority vested in me by the Constitution and laws of the state, do hereby create and establish the Department of Labor Advisory Committee on Community Services Block Grant. Fiscal responsibility shall be vested in the State Department of Labor. The Committee shall be an inter-agency public body composed of the Secretary of Labor or his designee and approximately 23 representatives from labor, business and community based organizations/community action agencies. Selections from these groups shall be made by the Governor of the State of Louisiana;

The Committee shall:

1) Develop a mechanism by which regulations may be implemented without such regulations adversely affecting those employees and participants they seek to assist;

2) Provide a useful and viable forum for input into the regulatory and procedural processes of the Louisiana Department of Labor Community Services Block Grant;

3) Divide into subcommittees to discuss and make recommendations to the general body on specific areas so as to further promote the efficiency of the program and the committee;

4) Meet at least bi-monthly at a time to be determined by the committee to discuss and deal with any problems within the program;

5) Have as its chairperson the Secretary of Labor or he in his discretion may designate a chairperson to serve in his absence.

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 11th day of August, A.D., 1982.

David C. Treen
Governor of Louisiana

Emergency Rules

DECLARATION OF EMERGENCY

Department of Agriculture Warehouse Commission

In accordance with the provisions of LSA 49:953 B and LSA 49:954 B (2), the Commissioner of Agriculture and the State Warehouse Commission hereby jointly give notice that the enactment of Act 657 of 1982, which became effective upon signature by the Governor, has created an emergency affecting the public welfare of the state insofar as the provisions of said Act necessitate emergency rule-making to implement the collection of assessments required under said Act.

Therefore, in order to carry into effect the provisions of Act 657 of 1982, the Commissioner of Agriculture and the State Warehouse Commission have each adopted the relevant provisions of the following Rule on an emergency basis:

1) The following assessments shall be collected by licensed grain dealers when commodities are purchased from producers and by licensed warehouses when commodities are removed from storage:

Rough rice - \$.005 per hundredweight
Sugar - \$.005 per hundredweight
Corn - \$.003 per bushel
Soybeans - \$.003 per bushel
Oats - \$.003 per bushel
Milo or sorghum - \$.003 per bushel
Wheat - \$.003 per bushel
Cotton - \$.10 per bale, 1st 5,000 bales; \$.05 per bale, all over 5,000 bales
Canned/frozen
 fruits/juices/vegetables - \$.015 per case/carton
Molasses/syrup - \$.05 per 100 gallons
Oil - \$.10 per 100 gallons
Pecans
 Shelled - \$.01 per 30# carton
 Unshelled - \$.20 per 130#

Peppers

Barrels - \$.24 per barrel
Cisterns - \$.20 per barrel

2) The assessments collected as provided above by licensed grain dealers and licensed warehouses shall be due to the Louisiana Department of Agriculture no later than the fifteenth day after the close of each quarter.

3) Each licensed grain dealer and each licensed warehouse shall file a report of all assessments collected, on forms to be furnished by the Louisiana Department of Agriculture, at the same time as the assessments are due.

Bob Odom
Commissioner

DECLARATION OF EMERGENCY

Board of Elementary and Secondary Education

The State Board of Elementary and Secondary Education, at its meeting of July 22, 1982, exercised those powers conferred by the emergency provisions of the Administrative Procedure Act, R.S. 49:953B, and adopted the following as an Emergency Rule:

"Regulations, Tuition Exemption Continuing Education Program for Teachers, Bulletin 1533, Revised 1982-83."

This emergency adoption is necessary because the Department of Education must print and distribute these Regulations in order to allow teachers to return to colleges and universities in the fall semester of 1982 under this program as provided by the Louisiana legislature. The effective date of this Emergency Rule is July 22, 1982.

James V. Soileau
Executive Director

DECLARATION OF EMERGENCY

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, is exercising the emergency provision of the Administrative Procedure Act, R.S. 49:953B, to implement a Rule, effective September 1, 1982. The Rule will exclude the deeming of income and resources from parents and spouses to applicants who utilize any of the three Home and Community based services (Homemaker, Habilitation and Adult Day Care) in lieu of care in a Skilled Nursing Facility (SNF) or Intermediate Care Facility (ICF) (including Intermediate Care for the Mentally Retarded (ICF/MR)) which would otherwise be required. The applicants must meet all other eligibility conditions as specified in current policy.

This Rule applies only to those individuals using one of the three home and community based services who would otherwise require SNF/ICF services.

This Rule will:

- 1) Allow the provision of Medical Assistance to individuals determined to be in need of home and community based services for which they would otherwise be ineligible, because of deeming of income and resources of parents or spouse; and
- 2) Allow this agency to utilize provisions for alternative care to eliminate unnecessary utilization and reduce the cost of institutional care for eligible individuals.

Implementation of this Rule is based on a requested amendment to the approved waiver document (Section 2176 of Public Law 97 - 35) and is conditional upon approval by Health Care Financing Administration of the requested amendment to the waiver.

Roger P. Guissinger
Secretary

DECLARATION OF EMERGENCY

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, has exercised those powers conferred by the emergency provision of the Administrative Procedure Act, R. S. 49:953B, to adopt the following as an Emergency Rule:

Effective August 12, 1982, the new Maximum Allowable Cost (MAC) determinations outlined below will be in effect for the following drugs:

Acetaminophen w/codeine, oral tablet 300 mg./60 mg.	0.1458
Ampicillin, oral capsule, 250 mg.	0.0422
Ampicillin, oral liquid, 125 mg/5 ml.	0.0114
Penicillin, VK, oral tablet, 250 mg.	0.0417
Penicillin, VK, oral tablet, 500 mg.	0.0649
Penicillin, VK, oral liquid, 125 mg./5 ml.	0.0109
Tetracycline HCl, oral capsule, 500 mg.	0.0394

In no case may a recipient be required to provide payment for any difference in a prescription price that may occur with the implementation of MAC, nor may our office use a cost which exceeds the established maximums except as follows. DHHR's Regulations provide that when a physician certifies that a specific brand is medically necessary for a particular patient then the MAC limitations for that medication will not apply. In this case, their specific guidelines provide that:

- (1) the certification must be in the physician's handwriting;
- (2) the certification may be written directly on the prescription, or on a separate sheet which is attached to the prescription;
- (3) a standard phrase written on the prescription, such as "brand necessary" will be acceptable;
- (4) a printed box on the prescription blank that could be checked by the physician to indicate brand necessity is *unacceptable*;
- (5) a handwritten statement transferred to a rubber stamp and then stamped on the prescription blank is *unacceptable*.

This action will allow the Medical Assistance Program to be in compliance with Federal Regulation 45 CFR 19.5, effective August 12, 1982, which was published in the June 28, 1982, *Federal Register* (Volume 47, Number 124, pages 27968 through 27973). Compliance with these Regulations assures continued Federal financial participation in Louisiana's Medical Assistance Program.

Roger P. Guissinger
Secretary

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby exercise the emergency provision of the Administrative Procedure Act (R.S. 49:953B) to adopt, effective September 4, 1982 the following Rules and Regulations:

The Louisiana Department of Wildlife and Fisheries recommends that an alligator season be hereby established in accordance with the following regulations: No exceptions of these procedures will be permitted, and anyone taking alligators contrary to these regulations will be charge in accordance with Title 56 of the Louisiana Revised Statutes, appropriate federal laws and/or Wildlife and Fisheries Commission regulations:

1. Open Area - Alligator habitat in the State of Louisiana. Harvest quotas being rigidly controlled according to alligator population estimates within all of the state's wetland habitat types. A minimum of 620,000 alligators are present in this area outside of refuges.

2. Harvest season - The open season shall run for a 30-day period beginning on September 4, 1982, and continue through October 3, 1982. Size - no alligators under four feet in length may be taken.

3. Harvest methods - Alligators may be taken only during daylight hours, between one-half hour before official sunrise to one-half hour after sunset. Special instructions will be issued to the holders of alligator hunter licenses shortly before the opening of the season describing detailed methods regarding the skinning of alligators. Skins processed contrary to the specific requirements of the department will be considered illegal and will be confiscated by department personnel. Pole hunting is prohibited to protect the nesting female population. Hooks and lines may be set no more than one day prior to the season opening. No hook and line shall remain set after the closing day of the alligator season. All alligator hooks and lines must be checked daily and all hooks and lines must be removed when a hunter's tag quota is reached. Alligators can not be cut loose from hooks and lines for purposes of selecting larger alligators.

4. Licenses - An Alligator hunter must have in possession a valid commercial alligator hunter license to take or attempt to take, transport, or sell alligators or their skins. The fee for the resident license is \$25 per year and for the non-resident \$150. These licenses are non-transferable. In order to obtain a resident license, the hunter must have resided within the state for a period of 90 days immediately preceding the season and established bona fide residence in the state. A hunter must complete application forms provided by the department and furnish proof that he owns the land or has an agreement with the landowner or another authorized hunter to hunt alligators on the specified property. Information as to the location and acreage of the property must be provided (all land descriptions must include parish, township, range, and section delineation figures). Applications must be submitted beginning August 1, 1982. Property ownership and description requirements do not apply to public lake hunters. The alligator hunter license will be issued only after the hunter has satisfactorily

complied with the above requirements. Non-resident hunters and resident sport hunters must coordinate their hunt through land-owners and licensed resident hunters. A non-resident hunter may take no more than three alligators per season. A fur buyer license or fur dealer license is required for purchasing and handling raw alligator skins in Louisiana. An alligator parts dealer license is required of anyone purchasing alligator parts (other than hides) for resale, manufacturing, processing, and distribution; excluding a retailer selling canned alligator parts or a retailer purchasing alligator parts from a licensed alligator parts dealer. A restaurant selling prepared alligator meat for human consumption is not classified as an alligator parts dealer. The fee for the parts dealer license is \$50 per year. Persons or firms entering alligators or alligator skins and/or parts in interstate/foreign commerce in the course of a commercial activity must be licensed in accordance with state and federal regulations. Person shipping alligators, or alligator skins and/or parts to another state must do so in accordance with the regulations of that state.

5. Tagging - In addition to a valid commercial alligator hunting license, the hunter must also obtain from the department, and have in his possession while hunting, official tags which must be firmly attached to each alligator skin immediately upon taking. Numbered tags will be issued to license holders for a sum of \$5 (one fee charged regardless of the number of tags involved). The tags must be attached in the last six inches of the tail. The tag must remain attached to the skin until finally processed by the fabricator. It shall be illegal to possess alligator skins in Louisiana without valid official tags attached. Official alligator tags will be issued only to alligator hunters, and farmers and only to those who have authorized applications. The number of tags will be issued on the basis of the quantity and quality of the habitat, and the rate per acre will be fixed based on extensive population estimates. Tags will be issued for alligator habitat only, based on final decision of department biologists. Tags issued on public lakes are non-transferable and limited to two per hunter. No more than this fixed number of tags will be issued. Each official tag will bear a characteristic number, and the tag numbers issued to each hunter will be recorded. *Unused tags must be returned by the hunter to the department no later than 15 days following the close of the season.* Lost or stolen tags will not be replaced but must be reported within 15 days of close of season. Tags can be used only on the lands applied for and approved on the application. Tags furnished by the Louisiana Department of Wildlife and Fisheries must be attached to all alligators meat/parts upon transfer by a hunter or farmer.

6. Alligator Farmers and Breeders - Licensed alligator farmers or breeders will be issued permits to kill and skin their alligators but must follow the same Rules and Regulations which apply to wild alligators (except farm alligators can be harvested during closed season with department approval).

7. Harvest Rates - Tags will be issued on the following basis, with the exception of alligator farmers, breeders and the nuisance complaint program. (See following pages.)

8. Sale of Alligator Skins - All alligator skins taken during the alligator season must be validated by personnel of the Louisiana Department of Wildlife and Fisheries prior to the hides leaving the state. Special skinning instructions will be verified, and any skins not prepared according to instructions issued in advance of season will be considered illegal. Buyers/dealers must abide by special skinning instructions or be subject to forfeiture of improperly skinned hides.

9. Buyer/Dealer Hide Records - All buyers and dealers

making purchases of alligator hides shall maintain a complete set of records of all purchases and sales. Such records will include names and addresses of buyers and/or sellers, alligator hide tag number and length, and date purchased. Dealers will submit reports as required by the department for all hides purchased/sold. Every buyer or dealer having raw alligator hides in his possession shall file with the department within sixty days after the close of the alligator season, or prior to shipping out of state, a complete report as specified on forms provided by the department.

10. Shipment - All interstate shipments of raw alligator skins must be tagged with official out-of-state shipping tags provided by the department. All shipments of skins within the state must be tagged with official Louisiana Department of Wildlife and Fisheries in-state shipping tags. A severance tax of 25¢ per hide must be paid on all out-of-state shipments at the time skins are transported or shipped.

11. Sale of Meat and Parts - Meat and other parts from lawfully taken alligators can only be sold according to Louisiana Health Department regulations, Louisiana Department of Wildlife and Fisheries regulations, and federal laws. Alligator meat sold for human food must be processed in a facility approved by the Louisiana Health Department. Alligator hunters, farmers, and parts dealers shall maintain records of all transactions, purchases, and sales on forms provided by the department. These forms shall be submitted to the department within 30 days following the close of the season and thereafter at 60-day intervals until all parts are sold. All alligator meat and parts, excluding hides, shall be tagged with an official alligator parts tag (Color: Blue) to be furnished by the department. Hunters, farmers, and dealers shall furnish a bill of sale to all retailers and restaurants purchasing alligator parts. This bill of sale shall be maintained for a period of six months.

12. Nuisance Removal Program - A statewide alligator nuisance removal program will be administered on an annual basis. This program will allow the taking of problem alligators within the confines of municipal, ward, parish, or state responsibility where there are alligator-people conflicts. Alligators taken under this program must be taken in accordance with state regulations and local regulations/ordinances. Skinning instructions issued by the department will be for one calendar year. This nuisance removal program depends upon close cooperation of state, parish, and local authorities. Tags may be issued by the department to an approved licensed hunter who has been designated by department supervisory personnel or officials of a local governing body. The number of tags issued will be based on the number of complaints received and the quantity and quality of alligator habitat involved. The commission is hopeful this program will lessen the threat to people and property by reducing human/alligator contact.

13. Hunting on Public Lakes - The department may select public lakes for an experimental alligator hunting program. The harvest will be controlled by a tag allotment for each lake as determined by population surveys by department personnel. An alligator hunter can receive tags for and hunt on only one public lake each season. The tag quota for a public lake is two per hunter. Alligator tags issued on public lakes are non-transferable. In the event that the number of applicants for any particular public lake exceeds the number of allowable hunters, a public drawing will be held to select hunters. Applications for public lake hunting must be received at least 10 days prior to the season opening date.

Jesse J. Guidry
Secretary

Parish	Tag Allotment/Marsh Type		
	Brackish	Intermediate	Fresh
Cameron Calcasieu	1:200	1:100	1:100
Jeff Davis			1:100
Vermilion	1:150	1:100	1:225
Iberia St. Mary	1:200	1:200	1:200
Terrebonne	1:250	1:125	1:150
Lafourche	1:400	1:225	1:100
St. Charles	1:400	1:100	1:100
St. John the Baptist			1:100
Jefferson	1:250	1:225	1:150
Orleans	1:500	1:225	1:225
Plaquemines	1:400	1:225	1:225
St. Bernard	1:475	1:225	
St. Tammany	1:150	1:150	1:150
Tangipahoa			1:200
Swamp	1:320		
Dewatered Marsh	1:500		

1982 NON-MARSH ALLIGATOR TAG ALLOTMENT BY DISTRICT AND PARISH
LAKE REGION¹

DISTRICT	PARISH	HABITAT	ACRES OF HABITAT	TAG ALLOTMENT	ACRES/TAG	REMARKS
I	Caddo	Cross Lake	500	10	50	Experimental Harvest
	Bossier	Flag Lake	500	10	50	"
	DeSoto	*Clear Lake	1,500	50	30	"
		**Smithport Lake	1,500	50	30	"
		Bayou Pierre Brake	3,000	30	100	Private Property
	DeSoto-Caddo	Wallace Lake	2,000	20	100	Experimental Harvest
II	Ouachita	Black Bayou Lake	720	15	50	Experimental (Private)
		Cheniere Brake	1,000	10	100	Experimental
III	Grant	Iatt Lake	3,000	20	150	Experimental Harvest
	Rapides	Indian Creek	500	10	50	"
		Cotile Lake	400	10	40	"
		Kincaid Lake	550	10	55	"
	Rapides- Evangeline	Cocodrie Lake	4,000	20	200	"
	Natchitoches	Black Lake	2,400	12	200	"
	Winn	Saline Lake	2,400	12	200	"

DISTRICT	PARISH	HABITAT	ACRES OF HABITAT	TAG ALLOTMENT	ACRES/TAG	REMARKS
III	Vernon	Anacoco Lake	1,000	10	100	Experimental Harvest
		Vernon Lake	400	8	50	"
IV	Caldwell	Horseshoe Lake	300	10	30	Experimental Harvest
		Jones Brake	200	10	20	"
		Dizzy Brake	160	10	16	Experimental (Private)
	Concordia	Lower Sunk Lake	600	12	50	"
	Tensas	Lake St. Joseph	500	26	20	"
402 V	Beauregard	Bundick Lake	1,750	12	150	Experimental Harvest
	Evangeline	Chicot Lake	1,625	16	100	"
		Miller's Lake	3,000	30	100	Experimental (Private)
VI	Avoyelles	Grassy Lake W.M.A.	760	15	50	Experimental Harvest
		Spring Bayou W.M.A.	3,240	32	100	"

¹Any private alligator habitat determined by Dept. personnel to have a reproducing population may be issued tags at the rate of one tag per 75 acres of habitat.

*North of La. 509 Bridge

*South of La. 509 Bridge

1982 NON-MARSH ALLIGATOR TAG ALLOTMENT BY PARISH

CYPRESS-TUPELO SWAMP REGION

DISTRICT	PARISH	ACRES OF HABITAT	TAG ALLOTMENT	ACRES/TAG	REMARKS
VI	Iberville	29,880	93	320	Tag allotment based upon night counts, alligator model and harvest rate of 7% of harvestable size animals.
	Lafayette	1,200	4	320	
	Pointe Coupee	1,000	3	320	
	W. Baton Rouge	7,040	22	320	
VII	Ascension	40,320	126	320	
	E. Baton Rouge	2,000	6	320	
	Livingston	66,720	208	320	
	St. Tammany	28,457	89	320	
	Tangipahoa	36,181	113	320	
VIII	Assumption	98,560	308	320	
	Iberia	31,550	99	320	
	LaFourche	112,350	351	320	
	St. Charles	39,340	123	320	
	St. James	76,960	241	320	
	St. John	104,320	326	320	
	St. Mary	60,190	188	320	
	Terrebonne	43,014	134	320	

1982 NON-MARSH ALLIGATOR TAG ALLOTMENT BY PARISH
 ATCHAFALAYA BASIN REGION

DISTRICT	PARISH	ACRES OF HABITAT	TAG ALLOTMENT	ACRES/TAG	REMARKS
VI	Iberville	86,540	115	750	Tag allotment based upon night counts, alligator model and harvest rate of 7% of harvestable size animals.
	Pointe Coupee	3,700	5	750	
	St. Landry	17,240	23	750	
	St. Martin	113,550	151	750	
VIII	Iberia	39,980	53	750	
	St. Martin	80,000	107	750	
	St. Mary	13,560	18	750	

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission hereby exercises the emergency provision of the Administrative Procedure Act (R.S. 49:953B) to adopt, effective September 8, 1982 the following Rules and Regulations:

WHEREAS, the natural oyster reefs (oyster seed grounds) under the managerial supervision of the Louisiana Wildlife and Fisheries Commission must open on the first Wednesday following Labor Day, September 8, 1982, as provided for by Louisiana Law Title 56, Section 433, which also authorized the Commission to regulate the size limit and area closures after January 1 of each year on state controlled grounds, and

WHEREAS, "Oyster Seed Reservations" are small portions of the "Oyster Seed Grounds" managed and controlled for seed oyster production which are opened on alternate years.

NOW THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby open the "Hackberry Bay (Du Chene) Oyster Seed Reservation" and the "Sister Lake (Caillou Lake) Oyster Seed Reservation" in accordance with Louisiana Law Title 56, Section 433, which opens said season one-half hour before sunrise on the first Wednesday following Labor Day, September 8, 1982. Said season shall remain open with the same regulations as the regular oyster season; however, the secretary shall be authorized and empowered to close the two areas if it is deemed necessary by biological investigations and sampling.

BE IT FURTHER RESOLVED that the "Sister Lake Oyster Seed Reservation" will be operated utilizing a permit system.

Jesse J. Guidry
Secretary

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The Louisiana Wildlife and Fisheries Commission does hereby exercise the emergency provision of the Administrative Procedure Act (R.S. 49:953B) to adopt the following Rules and Regulations:

WHEREAS, The Louisiana Department of Wildlife and Fisheries owns the Pointe au Chein Wildlife Management Area located in Lafourche and Terrebonne Parishes, and

WHEREAS, Edaphic conditions have gradually changed to one of a more saline condition, and

WHEREAS, A water area known as Wonder Lake near the community of Montegut, Louisiana, has converted from a fresh water to a salt water lake, and

WHEREAS, This lake does support large numbers of marine organisms such as shrimp, and

WHEREAS, A portion of the lake is on private property and is open for shrimp trawling, and

WHEREAS, It is difficult to determine the boundary lines between the private property and the Department-owned property, and

WHEREAS, The harvest of shrimp from the portion of the lake on the Department of Wildlife and Fisheries' property would not adversely affect the overall management of the area, and

WHEREAS, To permit public utilization of this portion of the Game Management Area for the 1982 Fall shrimp season, scheduled to open on the third Monday of August, 1982, emergency provisions are hereby invoked:

NOW THEREFORE, BE IT RESOLVED, That the Louisiana Wildlife and Fisheries Commission does hereby amend its regulations pertaining to the Pointe au Chein Wildlife Management Area to permit daytime trawling in that portion of the Game Management Area known as Wonder Lake.

BE IT FURTHER RESOLVED, That this action is being taken under the emergency procedure provisions in order to make the area available to the public for the 1982 Fall shrimp season.

Jesse J. Guidry
Secretary

Rules

RULE

Department of Commerce Racing Commission

LAC 11-6:53.37.1

The following procedure is hereby established for the testing of a split or referee sample.

After a horse has voided and its urine collected for testing, the volume of urine collected shall be split or divided into approximately equal parts, one being processed for initial laboratory testing for the detection of the presence of prohibited drugs or substances therein. The remaining part shall be identified as the split or referee sample to be processed for future testing under the procedures hereby established. Both parts shall be treated with a proper amount of ascorbic acid to preserve the sample against deterioration of the sample ingredients.

Should blood be drawn at the test or retaining barn for testing, it shall be split or divided in approximately equal parts to be processed for testing by the initial test and the split is referee test if timely requested. If the blood is from a two year old horse, the specimen tag shall so indicate.

The veterinarian in charge of the test barn shall indicate on the specimen or sample tag sent to the chemical testing laboratory along with any sample the fact that the specimen was taken from a two year old horse.

Within five days from the date the stewards notify a trainer that the initial laboratory test on a urine or blood specimen from a horse entered and raced by him was positive for the presence of a prohibited drug or substance, the trainer must request the stewards to have the split or referee sample tested by an alternate laboratory as provided herein. At the time of his request the trainer must deposit the sum of \$300 with the stewards to cover all expenses to be incurred in testing the split or referee sample. The stewards shall forward the \$300 deposit to the state chemical testing laboratory. Failure of a trainer to make a timely request to the steward constitutes a waiver of any and all rights to have the split or referee sample tested.

A trainer timely requesting a testing of a split or referee sample may select any one of the laboratories, classified and designated as alternate laboratories, to perform the testing.

Ray Vanderhider
Chairman

RULE

Board of Elementary and Secondary Education

Rule 4.01.93(1)

The Board adopted the *Standards for Compliance and Accreditation Program* for public elementary and secondary education.

Rule 4.03.01

The Board adopted the Louisiana Program Plan for the Administration of Vocational Education - Five Year Plan, 1983 - 1987.

Rule 9.00.50

The Board adopted Revised Bulletin 1191, *School Transportation Handbook* (1982).

James V. Soileau
Executive Director

RULE

Board of Trustees for State Colleges and Universities

8.5D Class Attendance Regulations for the Colleges and Universities Under the Control of the Board

D. When a freshman or sophomore student receives excessive unexcused absences (ten percent of the total classes), the instructor may recommend to the student's academic dean that he be withdrawn from the rolls of that class and given an appropriate grade.

Bill Junkin
Executive Director

RULE

Office of the Governor Division of Administration

[Policy & Procedure Memorandum No. 49 (Revised) 8-82]

Subject: General Travel Regulations

In accordance with the authority vested in the Commissioner of Administration by Section 231 of Title 39 of the Revised Statutes of 1950 and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:951-968 as amended, notice is hereby given of the revision of Policy and Procedures Memorandum No. 49, the State General Travel Regulations, effective August 20, 1982. These amendments are both technical and substantive in nature and are intended to clarify certain portions of the previous regulations or provide for more efficient administration of travel policies. These regulations apply to all State departments, boards, and commissions created by the Legislature or Executive Order, with the exceptions noted below,

and operating from funds appropriated, dedicated, or self-sustaining; federal funds; or funds generated from any other source.

Legal Basis - L.R.S. 39:231 - "The Commissioner, with the approval of the Governor, shall prescribe Rules defining the conditions under which each of various forms of transportation may be used by State officers and employees and used by them in the discharge of the duties of their respective offices and positions in the State service and he shall define the conditions under which allowances will be granted for all other classes of traveling expenses and the maximum amount allowable for expenses of each class."

I. Definitions: For the purpose of this Section, the following words have the meaning indicated.

A. State Officer

1. State Elected Officials

2. Department Head as defined by Title 36 of the Louisiana Revised Statutes. (secretary, deputy secretary, under-secretary, assistant secretary, and the equivalent positions in Higher Education and the Offices of Elected Officials.)

B. State Employee - Employees below the level of state officer

C. Authorized Persons

1. Advisors and consultants who are called upon to contribute time and services to the state who are not otherwise required to be reimbursed through a contract for professional, personal, or consulting services in accordance with R.S. 39:1481 et. seq.

2. Members of boards, commissions, and advisory councils required by federal or state legislation or regulation. Travel allowance levels for all such members and any staff shall be those authorized for state employees unless specific allowances are legislatively provided.

3. Other persons performing official state business who have prior approval for travel from the Commissioner of Administration.

D. Official Domicile

1. Except where fixed by law, the official domicile of an officer or employee assigned to an office shall be, at a minimum, the city limits in which the office is located. The Department head or his designee should determine the extent of any surrounding area to be included, such as parish or region. As a guideline, a radius of at least 30 miles is recommended. The official domicile of an authorized person shall be the city in which the person resides, except when the department head has designated another location (such as the person's workplace).

2. The official domicile of a person located in the field shall be the city or town nearest to the area where the majority of work is performed, or such city, town, or area as may be designated by the department head, provided that in all cases such designation must be in the best interests of the agency and not for convenience of the person.

3. Every state officer, employee, and authorized person, except those on temporary assignment, shall be assigned an official domicile, and no travel or subsistence expenses shall be allowed at the place of official domicile unless granted under the provisions of Section II or IV. Documentation of official domicile assignments shall be readily available in the department's travel reimbursement files.

E. Temporary Assignment - Any assignment made for a period of less than thirty-one consecutive days at a place other than the official domicile.

F. Traveler - A state officer, state employee, or authorized person when performing authorized travel.

G. Travel Period - A period of time between the time of departure and the time of return.

H. In-State Travel - All travel within the borders of

Louisiana or travel through adjacent states between points within Louisiana when such is the most efficient route.

I. Out-of-State Travel - Travel to other states within the continental United States. Travel through an adjacent state when this is the most efficient route between points within Louisiana is not considered out-of-state travel for the purpose of these regulations.

J. International Travel - All travel outside the 48 contiguous states.

K. Special Meals - Reimbursement designed for those occasions when, as a matter of extraordinary courtesy or necessity, it is appropriate and in the best interest of the state to use public funds for provision of a meal to a person who is not otherwise eligible for such reimbursement. Examples include:

1. Visiting dignitaries or executive-level persons from other governmental units, and persons providing identified gratuity services to the State, when such persons are not being reimbursed from other sources for the expenditure directly or indirectly. This explicitly does not include normal visits, meetings, reviews, etc. by federal or local representatives.

2. Bona-fide official business meetings at which a meal is served and it is required to meet during a meal hour.

3. Extraordinary situations when state employees are required by their supervisors to work more than a twelve hour weekday or six hour weekend day (when such are not normal working hours) to meet crucial deadlines or to handle emergencies.

II. Exceptions to Regulations: The Travel Regulations established by the Commissioner of Administration shall govern reimbursement of travel expense (transportation, meals, lodging, and miscellaneous expenses) for all travelers with the following exceptions.

A. Where allowances are fixed by law.

B. Where the best interests of the state call for exceptions; however, no change from the established regulations will be allowed without first securing prior written approval from the Commissioner of Administration. After-the-fact approvals will be granted only under the most unusual of circumstances.

C. Department heads may establish travel regulations within their respective agencies, but such regulations shall not exceed the maximum limitations established by the Commissioner of Administration. Three copies of such regulations shall be submitted for prior review and approval by the Commissioner of Administration.

D. Department heads, may, in special instances, allow their employees to exceed the lodging and meal provisions of these regulations by no more than twenty percent on a case-by-case basis. Each case must be fully documented as to necessity (e.g., proximity to meeting place) and cost effectiveness of alternative options. Documentation must be readily available in the department's travel reimbursement files. This authority shall not be delegated to any other person.

III. Eligibility for Reimbursement of Travel Expenses:

A. Travelers are eligible to receive reimbursement for travel only when away from "official domicile" or on temporary assignment unless reimbursed under provisions of Section II or IV. Temporary assignments will be deemed to have ceased after a period of thirty-one calendar days, and after such period the place of assignment shall be deemed to be his/her official domicile. He/she shall not be allowed travel and subsistence unless permission to extend the thirty-one day period has been previously secured from the Commissioner of Administration.

B. A traveler whose residence is other than the official domicile of his/her office shall not receive travel and subsistence while at his/her official domicile nor shall he/she receive reimbursement for travel to and from his/her residence, unless exception has

been granted under Section II.

C. State Officers and others so authorized by statute or individual exception will be reimbursed on an actual expenses basis for all reasonable travel expenses except in cases where other provisions for reimbursement have been made by statute. In cases where actual expenses are claimed, all state officers and others so authorized will cooperate to the extent that all records of travel will be clear and complete. The request for reimbursement must be accompanied by a receipt or other supporting document for each item claimed, with the exceptions noted in Section VI.H. The "actual expense" status relates only to meal and lodging limitations. All other limitations, procedures, and allowances in these regulations apply to all elected and appointed state officials, unless exception has been granted by the Commissioner of Administration. Any prior exception granted is declared null and void.

IV. Authority to Incur Traveling Expenses:

A. All travel must be authorized and approved in writing by the head of the department, board, or commission from whose funds the traveler is paid. A department head may delegate this authority in writing to one designated person, except as noted in Sections II.D, IV.D and V.B.6. Additional persons within a department may be designated with approval from the Commissioner of Administration. A file shall be maintained on all approved travel authorizations.

B. Traveling expenses of travelers shall be limited to those expenses necessarily incurred by them in the performance of a public purpose authorized by law to be performed by the agency, and must be within the limitations prescribed.

C. The department head may approve an authorization for routine travel for an employee who must travel in the course of performing his/her duties; this may include domicile travel if such is a regular and necessary part of the employee's duties, but not for attendance at infrequent or irregular meetings, etc. *Within the city limits where his/her office is located, the employee may be reimbursed for mileage only. The Department head shall determine the appropriateness of reimbursement for meals if travel is outside the city limits but within the domicile and otherwise meeting the requirements of Sections VI. B. and C. This should be noted on the routine travel authorization for the employee or approved on a case by case basis.*

An authorization for routine travel shall not cover travel between an employee's home and workplace, out-of-state travel, or travel to conferences or conventions and must be renewed each fiscal year.

D. All international travel must be approved by the Commissioner of Administration prior to departure, unless specific authority for approval has been delegated to a department head pursuant to Section II.C of these regulations. Requests for approval must be accompanied by a detailed account of expected expenditures (such as room rate/day, meals, local transportation, etc.), the funding source from which reimbursement will be made, and an assessment of the adequacy of this source to meet such expenditures without curtailing subsequent travel plans. Reimbursement for international travel will not exceed the high cost area rates unless prior approval is specifically sought and granted by the Commissioner of Administration. Such requests must be documented as to the necessity to incur such expenses. (See VI.I)

E. All special meals must have prior approval from the Commissioner of Administration in order to be reimbursed, unless specific authority for approval has been delegated to a department head for a period not to exceed six months (which may be rescinded at any time). In such cases, the department head will report on a monthly basis to the Commissioner of Administration all special meal reimbursements made during the previous month. These reports must include, for each special meal, the name and title of the person requesting reimbursement, the name and title of