

Potpourri

POTPOURRI

Department of Agriculture and Forestry Horticulture Commission

Landscape Architect Registration Exam

The next landscape architect registration examination will be given December 3-4, 2001, beginning at 7:45 a.m. at the College of Design Building, Louisiana State University Campus, Baton Rouge, Louisiana. The deadline for sending the application and fee is as follows:

New Candidates: September 7, 2001
Re-Take Candidates: September 21, 2001
Reciprocity Candidates: November 16, 2001

Further information pertaining to the examinations may be obtained from Craig Roussel, Director, Horticulture Commission, P.O. Box 3596, Baton Rouge, LA 70821-3596, phone (225) 952-8100.

Any individual requesting special accommodations due to a disability should notify the office prior to September 7, 2001. Questions may be directed to (225) 952-8100.

Bob Odom
Commissioner

0108#030

POTPOURRI

Department of Agriculture and Forestry Horticulture Commission

Retail Floristry Examination

The next retail floristry examinations will be given October 22-26, 2001, 9:30 a.m. at the 4-H Mini Farm Building, Louisiana State University Campus, Baton Rouge, LA. The deadline for sending in application and fee is September 7, 2001. No applications will be accepted after September 7, 2001.

Further information pertaining to the examinations may be obtained from Craig Roussel, Director, Horticulture Commission, Box 3596, Baton Rouge, LA 70821-3596, phone (225) 952-8100.

Any individual requesting special accommodations due to a disability should notify the office prior to September 7, 2001. Questions may be directed to (225) 952-8100.

Bob Odom
Commissioner

0108#031

POTPOURRI

Department of Health and Hospitals Office for Citizens with Developmental Disabilities

Hearing Notice Community and Family Support System Cash Subsidy (LAC 48:I.1603-16121)

Editor's Note: The referenced Notice of Intent may be viewed on pages 909-912 of the June 20, 2001 edition of the *Louisiana Register*.

As described in R. S. 49:472, this proposed rule will have a positive effect on the stability, functioning, behavior and personal responsibility of recipient families and children, as well as the earnings and budget of such families and children with severe/profound levels of exceptionalities through the award of a cash subsidy to assist families with the extraordinary expenses of maintaining their child at home. It will have no effect on the authority and rights of parents regarding supervision and education of their children. In addition, the proposed rule has no effect on the ability of local governments to perform its function.

The Department of Health and Hospitals will conduct a public hearing at 9:30 a.m. on Monday, September 24, 2001 in the First Floor Auditorium of the Department of Transportation and Development at 1201 Capitol Access Road, Baton Rouge, LA 70802. All interested persons are invited to attend and to present data, views, comments, or arguments, orally and in writing. In addition, all interested persons are invited to submit written comments on this proposed rule. Such comments must be received no later than Thursday September 20, 2001 by the close of business, 4:30 p.m. Comments should be submitted to Raymond A. Jetson, Assistant Secretary, Office for Citizens with Developmental Disabilities, Department of Health and Hospitals, P. O. Box 3117, Baton Rouge, LA 70802-3117 or faxed to (225) 342-8823.

David W. Hood
and
J. Renea Austin-Duffin
Secretary

0108#081

POTPOURRI

**Department of Insurance
Office of the Commissioner**

Directive Number 157C Pharmacy Fees

To: Insurers, Health Maintenance Organizations,
Third Party Administrators, And Self- Insurance
Funds

Senate Resolution Number 53 passed in the 2001 Regular Session directs the Louisiana Department of Insurance to investigate reimbursement of provider fees by insurance or third party payors to pharmacy providers as mandated in LSA-R.S. 46: 2625. In order to assure compliance with LSA-R.S. 46: 2625 and Senate Resolution Number 53, the Department of Insurance hereby issues this directive.

All insurers, health maintenance organizations, third party administrators and self-insurance funds providing coverage of prescription drugs are hereby directed to comply and provide written confirmation to the Department of Insurance, Office of Health, that they are in compliance with LSA-R.S. 46: 2625.

LSA-R.S. 46: 2625 provides for fees on health care services provided by the Medicaid Program, and states the following:

A. 1. The Department of Health and Hospitals is hereby authorized to adopt and impose fees for health care services provided by the Medicaid program on every nursing facility, every intermediate care facility for the mentally retarded, every pharmacy in the state of Louisiana and certain out-of-state pharmacies, dispensing physicians, and medical transportation providers. The amount of any fee shall not exceed the total cost to the state of providing the health care service subject to such fee. In addition, the amount of the fees imposed under the rules and regulations adopted shall not exceed the following:

- a. ten dollars per occupied bed per day for nursing facilities
- b. thirty dollars per occupied bed per day for intermediate care facilities for the mentally retarded.
- c. ten cents per outpatient prescription.
- d. ten cents per outpatient out-of-state prescription.
- e. ten cents per out-patient prescription dispensed by dispensing physicians
- f. seven dollars and fifty cents per medical service trip for medical transportation providers.

2. Any fee authorized by and imposed pursuant to this Section shall be considered an allowed cost for purposes of insurance or other third party reimbursements and shall be included in the establishment of reimbursement rates.

Any of the above entities failing to comply with this directive shall be reported to the legislature in a report issued by the Department of Insurance. Please be guided accordingly.

J. Robert Wooley
Acting Commissioner

0108#063

POTPOURRI

**Department of Labor
Office of Workers' Compensation**

Average Weekly Wage Rate

Pursuant to Act 583 of the Regular Session of the 1975 Louisiana Legislature, this state's average weekly wage upon which the maximum workers' compensation weekly benefit amount will be based, effective September 1, 2001, has been determined by the Department of Labor to be \$530.43.

Gary Forster
Secretary

0108#033

POTPOURRI

**Department of Labor
Office of Workers' Compensation**

Weekly Compensation Benefit Limits

Pursuant to R.S. 23:1202 and based on the statewide average weekly wage as determined by the Department of Labor, the following limits shall apply to weekly compensation benefits for claimants injured during the period September 1, 2001 through August 31, 2002.

| Average Weekly Wage | Maximum Compensation | Minimum Compensation | Mileage Reimbursement |
|---------------------|----------------------|----------------------|-----------------------|
| \$530.43 | \$398.00 | \$106.00 | 30 cents per mile* |

*Effective July 1, 2001, the mileage reimbursement is 30 cents per mile pursuant to LA R.S. 23:1203 D.

Gary Forster
Secretary

0108#034

POTPOURRI

**Department of Natural Resources
Office of Conservation**

Orphaned Oilfield Sites

Office of Conservation records indicate that the Oilfield Sites listed in the table below have met the requirements as set forth by Section 91 of Act 404, R.S. 30:80 et seq., and as such are being declared Orphaned Oilfield Sites.

| Operator | Field | District | Well Name | Well Number | Serial Number |
|---------------------------|-----------|----------|-----------------------|-------------|---------------|
| Bagby Operating Co., Inc. | Big Creek | M | Knight | 001 | 184045 |
| Bagby Operating Co., Inc. | Big Creek | M | Knight | 002 | 186610 |
| Bagby Operating Co., Inc. | Big Creek | M | GR RA SUEE; Christian | 001 | 187067 |
| Bagby Operating Co., Inc. | Big Creek | M | GR RA SUC;W E Stewart | 001 | 187072 |

| | | | | | |
|---------------------------|-----------|---|----------------------------------|-----|--------|
| Bagby Operating Co., Inc. | Big Creek | M | GR RA SUYY; Lois Cox | 001 | 194263 |
| Bagby Operating Co., Inc. | Big Creek | M | GR RA SU3; L H Medlin | 001 | 194264 |
| Bagby Operating Co., Inc. | Big Creek | M | GR RA SUG; R V Smith | 001 | 194651 |
| Bagby Operating Co., Inc. | Big Creek | M | GR RA SUUU; Irma Medlin | 001 | 194815 |
| Bagby Operating Co., Inc. | Big Creek | M | GR RA SUH; Fred C Norman | 003 | 195171 |
| Bagby Operating Co., Inc. | Big Creek | M | GR RA SU7; Ratcliff | 001 | 201363 |
| Bagby Operating Co., Inc. | Big Creek | M | GR RA SUWW;C B Smith | 001 | 201389 |
| Bagby Operating Co., Inc. | Big Creek | M | GR RA SU9; Ratcliff | 002 | 201594 |
| Bagby Operating Co., Inc. | Big Creek | M | GR RA SUDD; Hartley | 001 | 203798 |
| Bagby Operating Co., Inc. | Big Creek | M | GR RA SU10; Ratcliff | 003 | 203921 |
| Bagby Operating Co., Inc. | Big Creek | M | GR RA SUN; Fred C Norman et ux | 002 | 203995 |
| Bagby Operating Co., Inc. | Big Creek | M | GR RA SU1; Fred C Norman et ux | 001 | 204006 |
| Bagby Operating Co., Inc. | Big Creek | M | GR RA SUO; Fred C Norman et ux | 004 | 204199 |
| Bagby Operating Co., Inc. | Big Creek | M | GR RA SU4; Lawrence Medlin et ux | 003 | 205189 |
| Bagby Operating Co., Inc. | Big Creek | M | GR RA SUP; Fred C Norman | 007 | 205313 |
| Bagby Operating Co., Inc. | Big Creek | M | GR RA SUF;R V Smith | 002 | 205314 |
| Bagby Operating Co., Inc. | Monroe | M | Pickett C | 001 | 141013 |
| Bagby Operating Co., Inc. | Monroe | M | Ethel Pickett | 001 | 142945 |
| Bagby Operating Co., Inc. | Monroe | M | W B Williams | 001 | 143271 |
| Bagby Operating Co., Inc. | Monroe | M | W B Williams | 002 | 143817 |
| Bagby Operating Co., Inc. | Monroe | M | W B Williams | 003 | 143818 |
| Bagby Operating Co., Inc. | Monroe | M | Ollie White | 001 | 144065 |
| Bagby Operating Co., Inc. | Monroe | M | Ollie White | 002 | 144253 |
| Bagby Operating Co., Inc. | Monroe | M | W B Williams | 004 | 173150 |
| Bagby Operating Co., Inc. | Monroe | M | W B Williams | 005 | 173151 |
| Bagby Operating Co., Inc. | Monroe | M | Madison | 004 | 187269 |
| Bagby Operating Co., Inc. | Monroe | M | H SU724; Brown | 001 | 187609 |
| Bagby Operating Co., Inc. | Monroe | M | C W Smith | 002 | 188427 |
| Bagby Operating Co., Inc. | Monroe | M | Cole | 001 | 142839 |
| Bagby Operating Co., Inc. | Monroe | M | L Ramsey | 001 | 142849 |
| Bagby Operating Co., Inc. | Monroe | M | John Landrum | 001 | 143006 |
| Bagby Operating Co., Inc. | Monroe | M | Stella O'Neal | 003 | 143123 |

| | | | | | |
|---------------------------------|----------------------|---|---------------------------|-----|-------------|
| Bagby Operating Co., Inc. | Monroe | M | Cole | 003 | 143265 |
| Bagby Operating Co., Inc. | Monroe | M | Cole | 002 | 143304 |
| Bagby Operating Co., Inc. | Monroe | M | Cole | 006 | 143306 |
| Bagby Operating Co., Inc. | Monroe | M | Laverne Ramsey | 001 | 144462 |
| Bagby Operating Co., Inc. | Monroe | M | Buckley | 003 | 145915 |
| Bagby Operating Co., Inc. | Monroe | M | Maude Harris | 001 | 148774 |
| Bagby Operating Co., Inc. | Monroe | M | E D Carter | 001 | 149041 |
| Bagby Operating Co., Inc. | Monroe | M | Arveal B Smith | 001 | 187390 |
| Bagby Operating Co., Inc. | Monroe | M | Arveal B Smith | 002 | 187391 |
| Bagby Operating Co., Inc. | Monroe | M | Arveal B Smith | 003 | 187392 |
| Birthright Oil & Gas Co. | Stella | L | Numa C Hero et al | 001 | 149727 |
| Continental Communications Inc. | Caddo Pine Island | S | F J Smith | 006 | 109458 |
| Dean Petroleum | Bayou Middlefork | S | Christel Meadows Cowser | 001 | 131084 (30) |
| Energy Corp. of America, Inc. | Delta Farms | L | C W Hopkins SWD | 002 | 29008 |
| John C. Head | Little Creek | M | Gilmore Fee | 001 | 92277 |
| Chas. R. Lawrence, Jr. | Lockport | L | Lock Moore & Co Ltd Lease | 001 | 042483 |
| Manorado Oil Company | Colgrade | S | Browning | 010 | 184968 |
| Maximum Energy, Inc. | South Grand Cheniere | L | Estate of M O Miller MD | 001 | 215814 |
| Mettz & Carmody | Longwood | S | Beard-Sharp | 001 | 085552 (23) |
| Charles A. O'Niell, Jr. | Golden Meadow | L | Ozeme Cheramie | 001 | 036227 |
| Roy Reese | Wildcat | S | Elizabeth Harp et al | 001 | 024533 |
| Louis J. Roussel | Golden Meadow | L | Inez Pierce | 007 | 039624 |
| Todd Oil Production Co. | Caddo Pine Island | S | Taylor | 001 | 095591 |
| Todd Oil Production Co. | Caddo Pine Island | S | Taylor | 002 | 096889 |
| Todd Oil Production Co. | Caddo Pine Island | S | Taylor | 003 | 097690 |
| Todd Oil Production Co. | Caddo Pine Island | S | Taylor | 004 | 099259 |
| Todd Oil Production Co. | Caddo Pine Island | S | Wells | 006 | 179964 |
| Todd Oil Production Co. | Caddo Pine Island | S | Wells | 001 | 179992 |
| Todd Oil Production Co. | Caddo Pine Island | S | Wells | 002 | 179993 |
| Todd Oil Production Co. | Caddo Pine Island | S | Wells | 003 | 179994 |
| Todd Oil Production Co. | Caddo Pine Island | S | Wells | 004 | 179995 |
| Todd Oil Production Co. | Caddo Pine Island | S | Wells | 005 | 180253 |
| Todd Oil Production Co. | Caddo Pine Island | S | Wells | 007 | 181616 |
| Todd Oil Production Co. | Caddo Pine Island | S | Wells | 009 | 183181 |
| Todd Oil Production Co. | Caddo Pine Island | S | Wells | 008 | 183184 |
| Todd Oil Production Co. | Caddo Pine Island | S | Wells SWD | 006 | 970926 |
| Todd Oil Production Co. | Caddo Pine Island | S | Lavine | 001 | 052295 |
| Todd Oil Production Co. | Caddo Pine Island | S | Lavine | 002 | 053296 |
| Todd Oil Production Co. | Caddo Pine Island | S | Taylor A | 001 | 101226 |

| | | | | | |
|-------------------------|-------------------|---|---------------------|------|--------|
| Todd Oil Production Co. | Caddo Pine Island | S | Taylor A | 002 | 101227 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | A-41 | 90952 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 044 | 92661 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 045 | 99946 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 046 | 105187 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 050 | 139945 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 053 | 139946 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 067 | 139948 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 070 | 139949 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 057 | 140200 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 058 | 140201 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 059 | 140202 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 052 | 140549 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 062 | 140550 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 063 | 140551 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 064 | 140552 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 069 | 140553 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 051 | 140765 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 068 | 140766 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 074 | 168617 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 075 | 168618 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 076 | 168619 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 077 | 176661 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 078 | 176662 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 022 | 176663 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 080 | 176664 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 081 | 176684 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal SWD | 018 | 194209 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Co SWD | 024 | 971607 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 003 | 990206 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 007 | 990207 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 009 | 990208 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 010 | 990209 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 011 | 990210 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 018 | 990213 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 082 | 990215 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 023 | 990216 |

| | | | | | |
|-------------------------|-------------------|---|---------------------|-----|--------|
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 040 | 990218 |
| Todd Oil Production Co. | Caddo Pine Island | S | Crystal Oil Company | 041 | 990219 |

Philip N. Asproditis
Commissioner of Conservation

0108#071

POTPOURRI

**Department of Revenue
Policy Services Division**

Possible Amendments to Sales Tax Definition
of Leases and Rentals

Under the authority granted to the Secretary of Revenue by R.S. 47:1511, and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Revenue is contemplating amendments to LAC 61:I.4301.C relative to the definition of a *lease or rental* for sales tax purposes to better reflect current practices in the lease and rental industry.

In Louisiana, the lease or rental of tangible personal property for consideration is subject to the sales or use tax. *Lease or rental* is defined by R.S. 47:301(7) as the purchase of the right to possess or use tangible personal property owned by another party without the transfer of title to the property. Re-leases or sub-leases and re-rentals or sub-rentals are also considered leases or rentals. The following and similar transactions are being evaluated to determine if they meet the definition of a *lease or rental*:

- the furnishing of scaffolding;
- the furnishing of lighted construction barricades;
- the furnishing of refuse dumpsters by refuse service companies;
- the furnishing of ornamental plants by an owner who agrees to water, fertilize, prune, and otherwise care for the plants;
- the furnishing of gas compression services;
- the furnishing of portable toilet facilities;
- cylinder retention (demurrage) charges in connection with the sale of compressed gases; and
- the furnishing of fishing tools for oil and gas drilling rigs.

Interested persons are requested to submit data, views, or arguments, regarding the tax treatment of these and similar transactions, in writing, to Raymond E. Tangney, Senior Policy Consultant, Policy Services Division, P.O. Box 15409, Baton Rouge, LA 70895-5409 or by fax to (225) 925-3855. Comments should be submitted by 4:30 p.m., Friday, September 28, 2001.

Cynthia Bridges
Secretary

0108#076