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Executive Orders

EXECUTIVE ORDER EWE-76-17

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

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

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

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

WHEREAS, all the activities of the Criminal Justice

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

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

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

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

EDWIN EDWARDS

Governor of Louisiana

EXECUTIVE ORDER EWE-76-18

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

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

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

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

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

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

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

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

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

EDWIN EDWARDS
Governor of Louisiana

EXECUTIVE ORDER EWE-77-1

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

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

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

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

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

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

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

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

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

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

EDWIN EDWARDS
Governor of Louisiana

EXECUTIVE ORDER EWE-77-2

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

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

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

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

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

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

EDWIN EDWARDS

Governor of Louisiana

EXECUTIVE ORDER EWE-77-3

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

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

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

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

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

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

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

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

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

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

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

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

EDWIN EDWARDS
Governor of Louisiana

Policy and Procedure Memoranda

OFFICE OF THE GOVERNOR
DIVISION OF ADMINISTRATION

Policy and Procedure Memorandum
No. 62 (Revised)

Subject: Printing Procedures
Effective Date: December 1, 1976

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

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

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

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

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

Example:

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

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

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

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

Suspension

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

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

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

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

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

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

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

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

**Standard Specifications
State Publications**

Size: 6 x 9, 6½ x 8½, 8½ x 11, or 9 x 12
Paper: Text 50 lb. or 60 lb. white offset
Cover 65 lb. No. 1 Antique cover (standard colors)
Ink: Text one color
Cover one color
Binding: On individual basis
Copy:

1. Camera-ready:
Typed, computer printout, or previously printed book, unless it has been copyrighted.
2. Set-type for 6 x 9 or 5½ x 8½
10-point on 12-point slug by 25 picas wide by 45 picas deep including folio. Agency may select type faces from those available. Smaller type may be used in tabular matter to save on the number of pages.
Set-type for 8½ x 11
10-point on 12-point slug by 42 picas (2 columns with 2-pica gutters) wide by 56 picas deep including folio. Agency may select type face from those available. Smaller type may be used in tabular matter to save on the number of pages.

The method of printing would determine the feasibility of photographs.

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

Newsletters, Leaflets, Etc.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Emergency Rules

DECLARATION OF EMERGENCY

Department of Health and Human Resources
Office of Family Services

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

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

I. Employment or Training Requirements

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

II. Sanctions

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

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

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

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

III. Training Requirements for Employed Refugee Recipients

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

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

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

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

IV. Receipt of Assistance While Attending School

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

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

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



Rules

RULES

Board of Trustees for Colleges and Universities

Part IX Athletic Policies, and specifically:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

RULES

Licensing Board for Contractors

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

Emery L. Villar, Executive Director
Licensing Board for Contractors

RULES

Dairy Stabilization Board

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

Distribution Stabilization Plan No. 1

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

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

Loss Leader Permitted

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

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

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

* * * *

Sales at Less Than Cost Prohibited

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

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

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

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

* * * *

Discrimination Prohibited

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

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

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

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

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

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

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

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

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

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

C. James Gelpi, Director-Attorney
Dairy Stabilization Board

RULES

Board of Elementary and Secondary Education

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

Rule 3.01.70.u(3)

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

I. School Psychological Assistants

Entry Master's Level

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

1. Certification requirements:

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

2. Supervisory requirements:

The Certified (Level A) School Psychologist must:

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

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

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

Advanced Master's Level

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

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

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

II. School Psychologists

License-Eligible Psychologist Level

Level B: School Psychologist: (Three years,

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

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

Intermediate Master's Level

Licensed Psychologist Level

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

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

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

Rule 6.03.60e

Prior Experience as it Applies to Vocational-Technical Employees.

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

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

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

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

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

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

Rule 3.01.70 u(4)

Restricted Certification for Speech Therapists.

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

Earl Ingram, Director
Board of Elementary and Secondary
Education

RULES

**Forestry Commission
Tax Commission**

**Timber Stumpage Values
Calendar Year 1977**

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

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

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

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

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

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

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

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

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

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

James E. Mixon
State Forester

C. Gordon Johnson, Chairman
Tax Commission

RULES

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

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

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

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

RULES

Racing Commission LAC 11-6:1 Definitions

S. 1.1 The following words and phrases, irrespective of literal meaning as defined in recognized dictionaries, have assumed special meanings and connotations as used in racing, and in the context of these rules shall be construed as having the following special meanings:

S. 1.2 Accredited Louisiana Bred: A Thoroughbred, Quarter Horse, or Appaloosa Horse foaled in Louisiana in conformity with the respective breed or breeders association and recognized by the Commission.

S. 1.3 Added Money: Cash, exclusive of trophy or other award, added by the association to stakes fees paid by subscribers to form the total purse for a stakes race.

S. 1.4 Age: The number of years since a horse was foaled, reckoned as if such horse were foaled on January 1 of the year in which such horse was foaled.

S. 1.5 Arrears: All sums due by a licensee or a permittee as reflected by his account with the horsemen's book-keeper, including subscriptions, jockeys' fees, forfeitures, and any default incident to these rules.

S. 1.6 Association: Any person, or persons, or legal entity, required to be licensed under the Louisiana State Racing Commission to conduct a race meeting, and when used herein, the association conducting a race meeting where such rules are applicable.

S. 1.7 Authorized Agent: Any person currently licensed as an agent for a licensed owner by virtue of notarized appointment of agency lodged with the Commission.

S. 1.8 Betting interest: A single horse, or more than one horse joined in the "mutuel field," on which a single pari-mutuel wager may be placed.

S. 1.9 Bleeder: Any horse known to have bled from its nostrils during a workout or race.

S. 1.10 Breeder: Rules as set forth by the Jockey Club of New York, American Quarter Horse Association, or Appaloosa Horse Club, Inc.

S. 1.11 Claiming Race: Any race in which every horse running therein may be transferred in conformity with these rules.

S. 1.12 Closing: Time published by the association after which entries or nominations for a race will not be accepted.

S. 1.13 Commission: The Louisiana State Racing Commission. "Commissioner" is a member of the Commission.

S. 1.14 Day: Any twenty-four hour period beginning at 12:01 a.m. and ending at midnight. "Racing day" is a day on which races are conducted. "Calendar days" are those consecutive days counted irrespective of number of racing days.

S. 1.15 Declaration: Withdrawal of a horse entered in a race prior to time of closing of entries therefor in conformance with these rules.

S. 1.16 Disciplinary Action: Action taken by the stewards or the Commission for a rule violation which can include suspension, revocation, voidance of a license, or ejection or exclusion from association grounds, or assessment of a forfeiture, or reprimand, or any combination thereof.

S. 1.17 Disqualification: An order of the stewards or Commission revising the order of finish of a race.

S. 1.18 Entry: The act of nominating a horse for a race in conformance with these rules. See "mutuel entry."

S. 1.19 Equipment: Accouterments other than ordinary saddle, girth, pad, saddle cloth, and bridle carried by a horse, and includes whip, blinkers, tongue strap, muzzle, hood noseband, bit, shadow roll, martingale, breast plate, bandages, boots, and racing plates or shoes.

S. 1.20 Exhibition Race: A race between horses of diverse ownership for which a purse is offered by the association, but on which no pari-mutuel wagering is permitted.

S. 1.21 Field, or Mutuel Field: A single betting interest involving more than one horse formed when the number of horses starting in a race exceeds the numbering capacity of the totalizator. The highest numbered horse within the numbering capacity of the totalizator and all horses of a higher number are grouped in the mutuel field.

S. 1.22 Forfeit: Money due by a licensee or permittee because of an error, fault, neglect of duty, breach of contract, or alternative order of the stewards or Commission.

S. 1.23 Handbook or Foreign Book: Bets taken illegally outside the pari-mutuel system.

S. 1.24 Handicap Race: A race in which the weights to be carried by the horses therein are assigned by the association handicapper with the intent of equalizing the chances of winning for all horses entered. A "free handicap" is a handicap for which no nominating fee is required to be weighted, but an entrance or starting fee may be required for starting therein.

S. 1.25 Horse: Any Thoroughbred, Quarter Horse, or Appaloosa horse registered as such and when used in these rules to designate any Thoroughbred, Quarter Horse, or Appaloosa irrespective of age or sex designation.

S. 1.26 Ineligible: A horse or person not qualified under these rules or conditions of a race to participate in a specified racing activity.

S. 1.27 Jockey: A rider currently licensed to ride in races as a jockey, or apprentice jockey, or a provisional jockey permitted by the stewards to ride in two races prior to being issued a license.

S. 1.28 Lessee: A licensed owner whose interest in a horse is by virtue of a written lease.

S. 1.29 Lessor: Owner of a horse that is leased.

S. 1.30 Licensee: Any person, partnership, corporation, or business entity receiving a license, permit, or privilege from the Commission to conduct a race meeting or meetings.

S. 1.31 Maiden: A horse which has never won a race on the flat at a recognized meeting in any country. A maiden which was disqualified after finishing first remains a maiden. Race conditions referring to maidens shall be interpreted as meaning maidens at the time of starting.

S. 1.32 Match Race: A race between two horses, for which no other horses are eligible.

S. 1.33 Meeting (Race Meeting): The entire period of consecutive days granted by the Commission to a licensed association for the conduct of racing.

S. 1.34 Month: A calendar month.

S. 1.35 Mutuel Entry: A single betting interest involving two or more horses entered in the same race and joined for pari-mutuel purposes because of common ties as to ownership or training so that a wager on one horse

joined in a mutuel entry is a wager on all horses joined in the same mutuel entry.

S. 1.36 Mutuel Field: See "field."

S. 1.37 Nominator: The person in whose name a horse is entered for a race.

S. 1.38 Optional Claiming Race: A race that is restricted to horses entered to be claimed for a stated price and to those which have started previously for that claiming price or less. In the case of horses entered to be claimed in such a race, the race shall be considered, for the purpose of these rules, a claiming race. In the case of horses not entered to be claimed, the race shall be considered an allowance race.

S. 1.39 Overnight Race: A race for which entries close seventy-two hours or less before the time set for the first race of the day on which such race is to be run.

S. 1.40 Owner: Any person who has, in whole or in part, any right, title, or interest in a horse, or any lessee of a horse, who has been duly issued a valid owner's license for a horse.

S. 1.41 Permittee: Any person, partnership, corporation, or business entity which receives a license, permit, or privilege from the Commission to engage in a business, occupation, or profession on the grounds of an association licensed to conduct a race meeting in Louisiana.

S. 1.42 Place: When used in the context of a single position in the order of finish in a race, "place" means second; when used in the context of pari-mutuel wagering, a place wager is one involving a payoff on a betting interest which finished first or second in a race; when used in the context of multiple positions in the order of finish in a race, "place or placing" means finishing first, second or third. See "unplaced."

S. 1.43 Post: The starting point of a race.

S. 1.44 Post Position: The relative place assigned to each horse, numbered from the inner rail across the track at the starting line, from which each horse is to start a race.

S. 1.45 Post Time: The advertised moment scheduled for the arrival of all horses as the starting point for a race.

S. 1.46 Prize: The combined total of any cash, premium, trophy, and object of value awarded to the owners of horses according to finish in a race.

S. 1.47 Purse: The gross cash portion of the prize for which a race is run.

S. 1.48 Purse Race: Any race for which entries close less than seventy-two hours prior to its running, and for which owners of horses entered are not required by its conditions to contribute money toward its purse.

S. 1.49 Race: A running contest between Thoroughbred, Quarter Horses, or Appaloosa horses, ridden by jockeys, over a prescribed course free of obstacles or jumps, at a recognized meeting, during regular racing hours, for a prize.

S. 1.50 Racing Official: One of the officials of a race meeting as follows: stewards, placing judges, patrol judges, clerk of scales, starter, handicapper, timer, paddock judge, the racing secretary.

S. 1.51 Racing Permit: A license granted by the Louisiana State Racing Commission to a qualified person or persons, associations or corporations, to conduct the business of horse racing in the State of Louisiana with pari-mutuel wagering thereon.

S. 1.52 Recognized Meeting: Any meeting with regularly scheduled races for Thoroughbreds, Quarter Horses, or Appaloosa horses on the flat, licensed by and conducted under rules promulgated by a governmental regulatory body, to include foreign countries which are regulated by a racing authority which has reciprocal relations with the Jockey Club of New York, American Quarter Horse Association, or the Appaloosa Horse Club, Inc., and whose race records can be provided an association by the Jockey Club of New York, the American Quarter Horse Association, or the Appaloosa Horse Club, Inc.

S. 1.53 Registration Certificate: A document issued by the Jockey Club of New York, the American Quarter Horse Association in Amarillo, Texas, or the Appaloosa Horse Club, Inc. in Moscow, Idaho, certifying as to the name, age, color, sex, pedigree, and breeder of a horse as registered by number with the Jockey Club of New York, the American Quarter Horse Association, or the Appaloosa Horse Club, Inc. It shall be deemed to refer also to the document known as a "racing permit" issued by the Jockey Club of New York, the American Quarter Horse Association or the Appaloosa Horse Club, Inc. in lieu of a registration certificate when a horse is recognized as a Thoroughbred, Quarter Horse, or Appaloosa for breeding purposes insofar as registering its progeny with the Jockey Club of New York, the American Quarter Horse Association, or the Appaloosa Horse Club, Inc.

S. 1.54 Ruled Off: Expulsion, exclusion or banishment from a racing premises.

S. 1.55 Rules: When used in the plural, shall be deemed to mean all current rules promulgated by the Commission. When used in the singular, shall be deemed to be confined to the numbered rule, and subparagraphs thereof, wherein such mention is made.

S. 1.56 Rulings: All determinations, decisions, or orders of the stewards or of the Commission duly issued in writing and posted.

S. 1.57 Scratch: Withdrawal of a horse entered for a race after time of closing of entries therefor in conformance with these rules.

S. 1.58 Scratch Time: Time set by the racing secretary as the deadline for a horseman to indicate his intent to scratch out of a race.

S. 1.59 Secretary (Racing): The racing official who writes and publishes the conditions of each race to be

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

S. 1.60 Specimen: Sample of blood, urine, saliva, or other excretion of bodily fluids taken or drawn from a horse for chemical testing.

S. 1.61 Stable: One or more horses under the jurisdiction of a single trainer.

S. 1.62 Stakes: All fees paid by subscribers to an added money or stakes race for nominating, eligibility, entrance, or starting, as may be required by the conditions of such race, such fees to be included in the purse.

S. 1.63 Stakes Race: A race which closes more than seventy-two hours in advance of its running and for which subscribers contribute money towards its purse.

S. 1.64 Stewards: The stewards of the meeting or their duly appointed deputies.

S. 1.65 Starter: A horse in a race when the starting gate doors open in front of it at the moment the starter dispatches the horses for a race.

S. 1.66 Subscription: Nomination or entry of a horse in a stakes race.

S. 1.67 Supplemental Purse: Any amount of money above the amount of the purse offered by an association shall be considered supplemental purse money.

S. 1.68 Thoroughbred, Quarter Horse, and Appaloosa Horse Racing: The conduct of running contests between horses, each of which is registered with the Jockey Club of New York, the American Quarter Horse Association in Amarillo, Texas, or the Appaloosa Horse Club, Inc. in Moscow, Idaho, and certified as having a Thoroughbred, Quarter Horse, or Appaloosa pedigree, and each of which is ridden by a jockey, such conduct being licensed by a governmental regulatory body.

S. 1.69 Trial: A race, or series of races, run in preparation for, preliminary to, or as an elimination for a future stakes, derby, or handicap.

S. 1.70 Unplaced: Not among the first three horses finishing a race.

S. 1.71 Walkover: A race in which the only starter, or all starters, represent single ownership.

S. 1.72 Weigh In: Presentation of a jockey to the clerk of scales for weighing after a race.

S. 1.73 Weigh Out: Presentation of a jockey to the clerk of scales for weighing prior to a race.

S. 1.74 Weight for Age: A standard assignment of pounds to be carried by horses in races at specified distances during specified months of the year, scaled according to age of the horse as set out in R.S. 4:156.

S. 1.75 Workout: A training exercise of a horse on the training track or main track of an association during which such horse is timed for speed over a specified distance.

S. 1.76 Year: Twelve consecutive months beginning with January and ending with December.

LAC 11-6:2 General Rules

S. 2.1 All owners and trainers of horses and their stable employees are subject to the laws of Louisiana and the rules promulgated by its Commission immediately upon acceptance and occupancy of stabling accommodation from, or approved by, an association. Owners, trainers, and stable employees shall accept the decision of the stewards on any and all questions to which their authority extends, subject to their right of appeal to the Commission.

S. 2.2 No person shall use improper, profane, or indecent language to a racing official. No person shall in any manner, or at any time, disturb the peace or make himself obnoxious on the grounds of an association. No person shall make a handbook or a foreign book on the grounds of an association. No person shall solicit for, or bet with, a handbook or a foreign book on the grounds of an association. No person shall be allowed in the stewards' stand unless previous permission is obtained from the stewards. If any owner, trainer, jockey, stable employee, or other personnel solicits bets from the public by correspondence or other methods, they shall be ruled off.

S. 2.3 When a person is ruled off a course or suspended, every horse owned in whole or in part by him, or under his care or supervision, shall be ineligible to be entered or to start unless transferred by a bona fide sale or lease to a person in good standing and approved by the stewards.

S. 2.4 Complaints against a racing official, other than a steward, shall be made to the stewards in writing and be signed by the complainant. Complaints against a steward shall be made in writing to the Commission and be signed by the complainant.

S. 2.5 All persons exercising or schooling horses are compelled to wear protective helmets recommended by the stewards and approved by the Commission. This shall apply to association out-riders and pony riders in post parade. Anyone failing to comply with this requirement may be fined or suspended.

S. 2.6 Any horseman, or licensed personnel, or their agents causing, creating, or lending to the incitement of a strike, or who, through compulsion, discourage any horseman from entering horses in regularly scheduled races in order to create a malfunction in the scheduling of a race program, or to harass or embarrass the Commission, track management or any agency connected with racing shall be called before the Commission to show cause why their license should not be revoked.

S. 2.7 No dog, licensed or unlicensed, shall be permitted to run or be at large upon any race grounds of an association licensed by the Commission. Each owner or keeper of a dog shall have such dog securely confined within his premises or enclosure, or secured by a chain therein, at all times, except that a dog may be allowed

outside of such enclosure if under a secure leash and accompanied by his owner or keeper. Any owner or keeper found guilty of violating this rule shall be fined not less than twenty-five dollars, first offense; fifty dollars, second offense; and may be ruled off the track for any subsequent offense. In cases where the rules of the association prohibit dogs, the rule will be strictly enforced.

LAC 11-6:3 Health Rules

S. 3.1 All rules set forth by the Livestock Sanitary Board of the State of Louisiana will be strictly enforced.

S. 3.2 No horse will be allowed at the track, or entered, or permitted to start unless a current, valid health certificate covering the horse is on file with the racing secretary.

S. 3.3 A health certificate is valid when it is made by a veterinarian licensed by the State authority which governs licensing veterinarians in the state where the examination and certificate were made. It is current if it is dated not more than ten days prior to the date the horse described on the certificate arrives at a licensed Louisiana race track for the first time in a calendar year. The certificate shall include the temperature of the horse at the time it was examined.

S. 3.4 The association conducting a meet is responsible for compliance with this section.

S. 3.5 When a meet is in progress or imminent, the association veterinarian shall post in a conspicuous place rules guaranteeing approved, systematic, and effective measures to control flies, mosquitoes, and other insects at all times.

S. 3.6 The association veterinarian shall insure that horses are stabled in individual box stalls with separate feeding and watering facilities, and that the stables and immediate surrounding area are maintained in approved sanitary condition at all times, and that satisfactory drainage is provided, and that manure and other refuse is promptly and properly removed. This also applies to off-track facilities.

S. 3.7 Veterinarians practicing veterinary medicine on a race track where a race meeting is in progress, or imminent, shall use one-time, disposable type needles and shall dispose of them in a manner approved by the Commission.

S. 3.8 No one other than a licensed veterinarian may have a needle or syringe of any kind, type or description on his person or in his custody, control or possession, or in the custody, control or possession of any of his employees while on any racing premises.

S. 3.9 Paddocks, starting gates and other equipment subjected to contact by different animals must be kept in a clean condition and free of dangerous surfaces. This is the responsibility of the association.

S. 3.10 Sterile equipment must be used for collecting

material for saliva, blood, and urine tests. All types of instruments used on horses, including surgical, tattooing, dental, and similar items, must be properly cleaned and sterilized by boiling for fifteen minutes, or autoclaving fifteen minutes at fifteen pounds pressure before use on any animal.

S. 3.11 The association shall provide isolation facilities where horses ordered isolated by the State Veterinarian must be kept. Approved sanitary measures shall be instituted by the association in cooperation with the Louisiana Livestock Sanitary Board.

LAC 11-6:4 Racing Officials

S. 4.1 Persons nominated by an association to serve as racing officials during a race meeting must first be approved by the Commission. All proposed persons not previously approved by the Commission as an official in the capacity for which he is nominated, shall pass a written examination on the rules and laws of racing before being finally approved and licensed. The test shall be administered under the direction of the Commission. Racing officials shall serve only as long as approved by the Commission, and shall be under the supervision of the stewards.

S. 4.2 No person while serving as a racing official shall own an interest in a horse racing at the meet where he is employed, or a jockey contract, or the association under his supervision. Nor shall he cause to be bought or sold, for himself or another, any Thoroughbred, Quarter Horse, or Appaloosa under his supervision. Nor shall he wager on any race under his supervision. He shall not write or solicit horse insurance or have any monetary interest in any business which seeks the patronage of horsemen or racing associations as such. For the purposes of the above, the following racing department employees shall also be deemed racing officials: assistant starter, jockey room custodian, jockey room employees, valets, outriders.

S. 4.3 Racing officials serving in the capacity of stewards, placing and/or patrol judges, clerk of scales, starter, and horse identifier shall take and satisfactorily pass an optical examination within one year prior to the race meeting at which they serve, such examination evidencing corrected twenty-twenty vision and ability to distinguish colors correctly.

S. 4.4 Any racing official who desires to leave his employment during the race meeting must first obtain permission from the Commission. In the event a vacancy occurs among racing officials other than stewards, the association shall promptly nominate a successor, subject to approval of the Commission. In the event the association does not nominate a successor in time to permit the orderly conduct of racing, then the stewards shall immediately appoint a temporary successor.

LAC 11-6:5 Stewards

S. 5.1 No person shall qualify for Commission appointment or approval as a steward unless:

S. 5.1.1 He has served as a steward, or racing secretary, or assistant racing secretary, or starter, or placing judge, or patrol judge, or paddock judge, or clerk of scales. However, the Commission may use its discretion if deemed necessary in the appointment or approval of a steward.

S. 5.1.2 He has satisfactorily passed an optical examination evidencing corrected twenty-twenty vision and an ability to distinguish colors correctly within one year prior to approval as a steward.

S. 5.2 There shall be three stewards for each race meeting, one of whom shall be appointed by the Commission and two of whom shall be nominated by the association for approval by the Commission. Names of an association's nominees for steward shall be submitted at the time of application for its association license, if possible. In all cases, the names must be submitted no later than thirty days before commencement of a race meeting and be accompanied by biographical data setting out the experience and qualifications of the nominees. The association shall submit successive nominees until two persons are approved by the Commission as qualified to serve as stewards. No steward shall serve until approved by the Commission, which shall not withhold its approval except for just cause.

S. 5.3 Stewards shall serve from the seventh day before the first racing day until one minute before midnight on the day after the last racing day of the race meeting for which they are appointed. Provided, in the event a dispute or controversy arises during a race meeting which is not settled at the conclusion of the race meeting, then the power of the stewards shall be extended for the period necessary to resolve the matter, or until the matter is referred or appealed to the Commission.

S. 5.4 Stewards shall be responsible to the Commission and may be replaced by the Commission at any time for failure to perform their duties to the satisfaction of the Commission.

S. 5.5 If one or more stewards are absent, the ones present shall appoint a deputy or deputies to act temporarily for those absent. Should all three be absent the racing secretary shall appoint three deputies.

S. 5.6 The stewards shall have and exercise the powers of supervision, control, and regulation of racing at each licensed race meeting on behalf of the Commission. By way of illustration and without limitation thereof, the powers of the stewards shall include:

A. Authority over all horses and all persons, licensed or unlicensed, on association grounds during a race meeting as to all matters relating to racing.

B. Authority to resolve all questions, disputes, protests, complaints, or objections concerning racing which arise during a race meeting.

C. Authority to suspend the license of a participant in racing, or eject or exclude from association grounds, or any part thereof, licensed or unlicensed persons upon reasonable belief that a violation of these rules has occurred, or is about to occur.

D. The power to interpret and enforce the rules of racing and determine all questions pertaining to a racing matter not specifically covered by these rules in conformity with justice and the customs of the turf, subject to the authority and orders of the Commission.

E. Authority to issue decisions or rulings pertaining to racing which shall supercede orders of the officers, directors, and officials of an association and which shall, if the stewards deem proper, vary any arrangement for the conduct of a race meeting, to include without limitation thereof, postponing a race, cancelling a race, or ruling a race run as "no contest."

F. The power to request and receive assistance from racing officials, members of the track security police, State or local police, in the investigation of possible rule infractions.

G. Authority to conduct hearings on all questions, disputes, protests, complaints, or objections concerning racing matters.

S. 5.7 In the event a regularly named rider, trainer, or racing official, other than a steward, is unable for any reason to perform, the stewards may select a substitute therefor. Upon suspicion of fraud or misconduct, the stewards may excuse a horse or replace any rider, trainer, or racing official other than a steward.

S. 5.8 In addition their general powers, the stewards shall have certain specific duties and responsibilities, to wit:

A. They shall take cognizance of all misconduct or rule infractions irrespective of whether or not complained of, and cause investigations to be made of all instances of possible rule infractions. They shall take such action as they deem necessary to prevent a rule infraction.

B. At least one steward shall be on association grounds from scratch time, or if not a racing day, when entries are first taken, until entries are closed. At least one steward shall be present for the regular showing of racing films or video tapes. All three stewards shall be on association grounds for a continuous period beginning two hours before post time for the first race until conclusion of the last race.

C. At least one steward, or a designated representative of the stewards, shall be present in the paddock at least twenty minutes before each race and until the horses leave for the starting gate, to observe the conduct of all persons in and around the paddock and to inspect,

with the paddock judge and association and/or State Veterinarian, all horses for fitness.

D. The stewards shall inspect all applications for licenses to participate in racing, and administer, or cause to be administered by technically qualified persons, standard examinations to all first-time applicants for a trainer's license and jockey agent's license. They shall make recommendations to the Commission as to the qualifications of all applicants for licenses to participate in racing.

E. They shall review all licenses, registration certificates, and all contracts, papers, and other documents pertaining to the sale or ownership of a horse, payment of purse money, jockey and apprentice jockey contracts, appointment of agents, adoption of racing colors or stable name, and determine the eligibility and appropriateness thereof for participation in racing.

F. They shall require proof of eligibility of a horse or person to participate in a race if such is in question, and in absence of sufficient proof to establish eligibility, they may rule such horse or person ineligible.

G. The stewards shall review stall applications and advise the association of undesirable persons, if any, among owners and trainers applying for stalls and provide the association with information pertaining to such undesirable persons.

H. They shall supervise the taking of entries, receive all declarations and scratches, and determine all questions arising from and pertaining thereto. The stewards may in their discretion refuse the entry of any horse by any person, or refuse to permit a declaration or scratch, or may limit entries in any way.

I. They shall cause the "inquiry" sign to be posted on the infield odds board immediately after the horses have crossed the finish line in a race if any doubt is held by any steward or patrol judge as to the fairness of the running of the race. They shall cause the "objection" sign to be posted on the infield odds board upon the lodging of an objection. And they shall cause the "official" sign to be posted on the infield odds board after determining the official order of finish for purposes of the pari-mutuel payoff.

J. The stewards shall review the patrol films or video tapes of each day's races before commencement of the successive day's races and draw up a list of riders, including all apprentice jockeys who the stewards feel should review such films for instructional purposes, and cause the list to be posted in the jockeys' room.

K. They shall maintain a daily log, reporting all their actions on all controversies which arise during the day. The reports shall show the name of the track, date, weather, track condition, claims, rulings issued, and any other circumstances or condition regarded as unusual. Such reports shall be signed by all three stewards and filed within twenty-four hours at the Commission's general office.

L. They shall make periodic inspections of the barn area and check track security, and make occasional informal visits to the jockey's room and observe and check security at the weighing out. Such inspections and observations made shall be noted in the steward's report.

M. The stewards shall maintain a minute book which shall contain a detailed written record of all questions, disputes, protests, complaints, or objections brought to their attention. The minute book shall also include reports of all investigations undertaken by the stewards, summaries of all related interviews conducted, and the rulings which resulted. If a ruling is not unanimous, the dissenting steward shall record reasons for his dissent. The steward's minute book shall be available to the Commission for inspection at all times.

S. 5.9 Within seven days after the conclusion of a race meeting, the State Steward shall submit to the Commission a written report setting out the condition of the meeting and association grounds, and any recommendations for the improvement thereof which he may deem appropriate.

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

LAC 11-6:6 Racing Secretary

S. 6.1 The racing secretary shall discharge all duties, expressed or implied, required by the rules of racing and he shall report to the stewards all violations of the rules or regulations of the meeting.

S. 6.2 The racing secretary shall be responsible for the programming of races during the race meeting, compiling and publishing condition books, assigning weights for handicap races, and shall receive all entries, subscriptions, declarations, and scratches. Among the duties for which the racing secretary and his staff are responsible are:

A. Safekeeping of registration certificates and racing permits for horses, recording information required thereon, and returning same to the owner or trainer at the conclusion of the race meeting.

B. Having ownership of each horse current and up to date on foal certificates.

C. Daily posting of entries for the benefit of the public as soon as possible after the entries have been closed and declarations have been made.

D. Assigning stall applicants such stabling as he may deem proper after consultation with the stewards, and maintaining a record of arrival and departure of all horses stabled on association grounds.

E. Publishing the official daily program, insuring the accuracy therein of the following information:

(1) Sequence of races to be run and post time for the first race.

(2) Purse, conditions, and distance for each race, and current track record for such distance.

(3) The full name of licensed owners of each horse, and description of racing colors to be carried. Where a horse or horses have been leased, both lessee and lessor will be listed.

(4) The full name of the trainer, the full name of the jockey named for each horse, and the weight to be carried.

(5) The saddle cloth number or designation for each horse, and the post position for each horse if there is a variance with the saddle cloth designation.

(6) Identification of each horse by name, color, sex, age, sire, and dam.

(7) Such other information as may be requested from time to time by the association or the Commission.

S. 6.3 In writing his condition book, the racing secretary shall respect these essential conditions:

A. No two-year-olds shall compete in any race with older horses prior to September 1 of any year.

B. No race for two-year-olds prior to May 1 of any year, shall be at a distance greater than four and one-half furlongs, and no race for two-year-olds after September 15 of any year shall be at a distance less than five and one-half furlongs. Provided, however, this rule shall not apply to tracks which are less than one mile in length.

LAC 11-6:7 Clerk of the Scales

S. 7.1 The clerk of the scales shall weigh jockeys out and in, and he shall record and publish any overweight or variation from the weight appearing on the racing program.

LAC 11-6:8 Paddock Judge

S. 8.1 One racing official shall serve as paddock judge. He shall have general supervision of the paddock and be responsible for:

A. Assembling the horses in the paddock no later than fifteen minutes before the scheduled post time for each race.

B. Properly identifying all horses entered in each race. The horse identifier shall be under the supervision of the paddock judge.

C. Maintaining a written record of all equipment and inspecting all equipment of each horse saddled, and reporting any change thereof to the stewards.

D. Inspection of bandages of a horse. The paddock judge may order such bandages removed. He shall see that the numbers on the saddle cloth, jockey's shoulder, and cap correspond. The paddock judge shall require the plater in attendance in the paddock to see to it that all horses are properly shod, and shall report any irregularities to the stewards. However, in the absence of the

plater, the veterinarians in the employ of the Commission shall perform such duties.

E. Schooling of all horses in the paddock, which must be approved by the stewards.

F. Taking such measures as to insure that the saddling of all horses is orderly, open to public view, free from interference, and that horses are mounted at the same time, and leave the paddock for the post in proper sequence.

LAC 11-6:9 Starter

S. 9.1 The starter shall give orders to secure a fair start.

S. 9.2 No appliance of any kind shall be used on a horse except at the written request of the owner or trainer, subject to approval of the stewards.

S. 9.3 Horses are in the hands of the starter from the moment they enter the track from the paddock.

S. 9.4 Where the film patrol is not used, the starter shall make the sole decision on the question of what horse or horses are prevented from an equitable start in a race through failure of the gates to function.

S. 9.5 The starter may employ such assistant starters as he may deem necessary and shall change the gate position of each assistant starter without notice to the assistant starters until the field for each race shall come upon the track.

S. 9.6 No person shall give to any starter or assistant starter, nor shall any starter or assistant starter receive money, anything of value, or other compensation for such starter's or assistant starter's services in connection with the running of any race or races. No starter, nor assistant starter, shall either directly or indirectly bet on any race or engage in any betting transaction, nor have any interest in any horse. This rule has no application to salaries received from associations.

S. 9.7 All races shall be started out of a stall gate.

S. 9.8 If the starters for a stakes race do not exceed the capacity of the track but do exceed the capacity of the gate, the surplus shall be started from outside the gate.

S. 9.9 The starter may recommend suspension or fine to the stewards, and such action must be promptly reported.

S. 9.10 First-time starters shall be schooled under the supervision of the starter or his assistant, who shall report to the racing secretary horses that are schooled sufficiently to start. Unruly horses shall be placed on the schooling list, which must be posted, and shall not start until approved by the starter. The starter or his assistants shall not mistreat or use abusive language to a jockey.

S. 9.11 A false start is void and the horses shall be started again as soon as practical. Any horse running the course from a false start may be excused by the stewards.

S. 9.12 If a horse is locked in the gate, the starter shall

immediately notify the stewards who will notify the mutuel department.

S. 9.13 Horses shall take their positions in the starting gate in numerical order from the inside rail according to post position, unless in the starter's opinion a horse is unduly fractious or unruly, in which case the starter shall be the final authority as to the horse's numerical loading into the starting gate. Horses refusing to enter their designated stalls, or which are otherwise unruly, may be started from outside the gate and behind the starting line.

S. 9.14 The stewards shall be furnished an official program at the end of each day's racing showing the name of each horse handled by an assistant starter and the name of the assistant starter handling the horse.

LAC 11-6:10 Patrol Judges

S. 10.1 The patrol judges for each race shall take their stations at a place designated by the stewards. They shall duly report all their pertinent observations to the stewards.

LAC 11-6:11 Placing Judges

S. 11.1 The placing judge or judges shall decide which horse wins, and shall assign the respective places in the race to as many horses as they think proper. When the judges differ, the majority shall govern.

S. 11.2 In determining the places of horses at the finish of a race, the placing judges shall consider only the noses of the horses.

S. 11.3 On all tracks, approved cameras shall be installed as an aid to the placing judges. However, in all cases, the camera is merely an aid and the decision of the judges shall be final. The type of photofinish equipment is to be designated by the Commission from time to time.

LAC 11-6:12 Timer

S. 12.1 There shall be one or more timers.

S. 12.2 Every person exercising a horse shall upon request of an official timer, correctly identify the horse he is exercising and shall state the distance over which such horse is to be worked and the point on the race track where it is intended to start the workout. No horse may be permitted to enter in a race whose recent workouts have not been properly recorded with the stewards.

S. 12.3 The timer will post daily his workout sheets in the racing secretary's office and in appropriate places in all betting areas.

LAC 11-6:13 Veterinarians

S. 13.1 All veterinarians shall be licensed to practice under the laws of Louisiana. No owner or trainer shall employ a veterinarian not licensed by the Commission. This rule shall apply to veterinarians treating horses stabled off the association grounds and registered to race at any track in the State of Louisiana under supervision of the Commission. Any owner or trainer employing unlicensed veterinarians will be subject to a fine or suspension or both.

S. 13.2 In an emergency, if an unlicensed veterinarian is employed, a report must be filed immediately with the stewards at the track where the horse is registered by the owner or trainer.

S. 13.3 The association shall appoint a veterinarian and he shall be assigned various duties.

S. 13.4 There shall be not more than three veterinarians appointed by the Commission. They shall perform various duties as directed by the Commission.

S. 13.5 A Commission veterinarian shall be present to serve under the direction of the stewards at scratch time, and at 12:00 noon each day, and at 6:00 p.m. when night racing prevails.

S. 13.6 No veterinarian employed by the Commission or by an association shall be permitted, during the period of his employment, to treat or prescribe for any horse on the grounds or registered to race at any race track, for compensation or otherwise, except in case of emergency, in which case a full and complete report shall be made to the stewards. No owner or trainer shall employ or pay compensation to any such veterinarian, either directly or indirectly, during the period for which he is employed by the Commission or an association.

S. 13.7 A veterinarian, while practicing his profession with horses racing under the jurisdiction of the Commission, will not be eligible for an owner's or trainer's license.

LAC 11-6:14 Licenses, Registration and Fees for Participants in Racing

S. 14.1 Assistant trainer is considered a trainer for licensing purposes and an assistant trainer shall be required to take out an annual license.

S. 14.2 An owner and/or trainer is accountable and shall be responsible for picking up the badge of any discharged employee.

S. 14.3 Owners and/or trainers must report personnel changes to the stewards within twenty-four hours. Any owner or trainer harboring or employing an unlicensed person shall be fined not less than twenty-five dollars. No person eighteen years of age or under shall be granted a license by this Commission, except upon presentation of a birth certificate and permit from the Louisiana State Labor Board, then the minimum age for

licensing shall be sixteen. The Commission does not recognize probationary licenses or temporary licenses, except as may be provided in LAC 11-6:45. No person shall be granted a trainer's license who is under eighteen years of age.

S. 14.4 All applications for licenses must be completely and correctly filled out, properly signed and, when required, notarized. All licensees and permittees of the Commission must be fingerprinted and photographed. Anyone failing to be fingerprinted or photographed shall be suspended or fined or both. This rule shall not apply to owners.

S. 14.5 Applicants for an owner's or trainer's license must submit satisfactory evidence of their financial stability and ability to care for and maintain the horses owned and/or trained by them. Failure to establish such financial responsibility shall be grounds for denial or revocation of license.

S. 14.6 An applicant must furnish his local and permanent addresses and telephone numbers when applying for a license.

S. 14.7 Any omission or misrepresentation will be deemed sufficient cause for refusal or revocation of a license by the Commission.

S. 14.8 No person requiring a license from the Commission shall carry on any activity whatsoever upon the premises of a licensed association unless and until he has been duly licensed, except owners may be allowed a grace period of not more than ten days. Such grace shall be granted only to owners currently licensed in a jurisdiction holding membership in the National Association of State Racing Commissioners or a comparable authority in a foreign country. The Commission will accept the National Association of State Racing Commissioners uniform owners application as adopted, March 16, 1970.

S. 14.9 An applicant for a license as trainer must show proof of at least two years track experience with a racing stable. Application shall be accompanied by the written statements of two reputable persons to the effect that the applicant is personally known to them and that he is a person of good reputation and capable of satisfactory performance of the vocation he seeks to follow. An applicant shall be given a thorough examination by the stewards and such other persons as they may appoint.

S. 14.10 The Commission may refuse to license any applicant who has been refused a license by any other state racing commission or turf governing body.

S. 14.11 The Commission may refuse to license, or revoke the license of an applicant whose previous conduct in Louisiana or elsewhere in connection with horse racing is considered by the Commission to have been objectionable, obnoxious, or detrimental to the best interest of racing.

S. 14.12 The refusal to grant a license, unless accompanied by good and valid reasons, shall not be con-

sidered as a ruling of this Commission. Likewise, a refusal to grant a license by any other state, unaccompanied by good and valid reasons, shall not be considered as a ruling by this Commission.

S. 14.13 Any person, licensed in any capacity by the Commission and employing the facilities and privileges of the racing association and who at the same time patronized illegal off-track betting establishments, will be denied such facilities and privileges of the racing association. In addition, his license may be revoked by the Commission.

S. 14.14 The Commission may recognize any disciplinary action taken by the Jockey Club of New York, the American Quarter Horse Association, or the Appaloosa Horse Club, Inc., and no person against whom disciplinary action has been taken shall be eligible for licensing by this Commission.

LAC 11-6:15 Owner

S. 15.1 If an owner changes licensed trainers, he must notify the stewards and the racing secretary and cause the new trainer to sign his name on the owner's registration.

S. 15.2 The personnel of every stable must be registered.

S. 15.3 After a horse has been registered with the racing secretary, listing the owner, no horse will be transferred, unless claimed, without permission of the stewards and a notarized bill of sale from the registered owner. However, the stewards may at their discretion allow sellers seventy-two hours within which to file the notarized bill of sale.

S. 15.4 Every change of ownership or trainers of a horse during a race meeting must be approved by the stewards and every application therefor must be submitted on an official transfer form, furnished by the Commission, in triplicate, signed by both parties. If approved by stewards, such approval shall be endorsed in writing on the transfer form, a copy being furnished the racing secretary with a copy retained by the parties. The racing secretary is responsible for the proper transfer on the foal certificate on file in his office.

S. 15.5 The purchase or transfer of any horse on the grounds at any track, whether by private sale, claim, or public auction, does not guarantee the new owner a stall for such horse unless approved by the stewards. The association has the right to allocate stalls to those horses which fit the racing program, as well as those horses which are sound.

S. 15.6 Horses sold to any person or stable not registered for racing in Louisiana must be removed from the grounds of an association within twenty-four hours, unless permission to remain on the grounds is granted by the association.

S. 15.7 Before a horse may be entered its owner or

owners must secure the appropriate licenses from the Commission, unless permission is granted by the stewards.

LAC 11-6:16 Partnerships

S. 16.1 Each partnership must be registered with the Commission, and its application for a license must be signed by all of the partners or their authorized agents. Each partner shall be required to obtain an owner's license.

S. 16.2 Partnership papers shall, among other things, set forth the following:

A. The name and address of each and every person having any interest in the horse or horses involved.

B. The relative proportions of such interests.

C. To whom the winnings are payable.

D. In whose name the horse or horses shall run.

E. With whom the power of entry and declaration rests.

F. The terms of any contingency, lease, or any other arrangement.

S. 16.3 In case of emergency, authority to sign declarations from a partnership may be given to the racing secretary by telegram, promptly confirmed in writing.

S. 16.4 If the racing secretary is unable to communicate with all proper parties in an attempt to obtain a declaration from a partnership, he may authorize a horse involved in a partnership to enter and to start in a stakes race without a declaration from a partnership.

S. 16.5 Any alteration in a recorded partnership registration, to be effective, must be reported in writing to the racing secretary, signed by all partners and approved by the stewards.

S. 16.6 All the parties to a partnership, and each of them, shall be jointly and severally liable for all stakes, forfeits, and other obligations.

S. 16.7 Each partner shall own not less than twenty-five percent interest in each horse. Each partner's percentage shall be declared in the application for partnership license.

LAC 11-6:17 Authorized Agent

S. 17.1 Each authorized agent must obtain a license from the Commission for each owner represented.

S. 17.2 An authorized agent must appoint a subagent only when authorized to do so by the document or application under which he was so licensed. A subagent, who must be licensed, may not act for more than one authorized agent or stable. A trainer may be the authorized agent for only one stable.

S. 17.3 An owner's revocation of the authority of his agent must be filed in writing with the Commission and shall be effective on the day of filing.

LAC 11-6:18 Stable Name

S. 18.1 All stable names shall be cleared with the office of the National Association of State Racing Commissioners.

S. 18.2 Each stable name must be duly registered with the Commission. In applying to race under a stable name, the applicant must disclose the identity or identities behind the stable name. If a partnership or corporation is involved, the rules covering such must be complied with.

S. 18.3 No license as an owner shall be granted to the lessee or lessees of any corporation or syndicate unless such corporation or syndicate shall have no more than ten stockholders or members, as the case may be, each of whom shall be a registered and beneficial owner of stock or have membership in such corporation or syndicate. Every such stockholder or member is required to be licensed as an owner.

S. 18.4 The stockholders or members of any corporation, syndicate or partnership, which leases horses for racing purposes in the State of Louisiana and also any such corporation, syndicate or partnership, shall make and file with the Commission as and when requested by it, a report or reports under oath containing such information as the Commission may specify. Upon refusal or failure to file any such report or reports, the Commission may refuse a license to any lessee or lessees of such corporation, syndicate or partnership, or may revoke any such license which it may have granted.

S. 18.5 No licensed trainer of race horses shall register a stable name, but a partnership of which a trainer is a member may use the stable name of another member, provided that the use of such other member's stable name has been authorized by the stewards.

S. 18.6 The stable name must be carried on the official program with the name of at least one owner. If the stable name is represented by more than one owner, it should be indicated by the use of "et al."

LAC 11-6:19 Trainer

S. 19.1 No trainer shall practice his profession except under his own name.

S. 19.2 A trainer, or an assistant trainer, shall attend his horse in the paddock, and shall be present to supervise his saddling, unless he has obtained the permission of a steward to send another licensed trainer as a substitute.

S. 19.3 A trainer is responsible for the condition of each horse trained by him.

S. 19.4 Each trainer shall register with the racing secretary every person in his employ.

S. 19.5 A trainer shall not have in his charge or under his supervision any horse owned, in whole or in part, by a disqualified person.

S. 19.6 No trainer, owner, or other person shall move, or permit to be moved, any horse or horses in his care from the grounds of an association without written permission of the association and the stewards.

S. 19.7 A trainer shall not enter or start a horse that is not in serviceably sound racing condition, has been trachea-tubed, or has been nerved. However, horses that have had a posterior digital (heel nerve) neurotomy performed on one or more feet, may be permitted to race. All horses that have been nerved shall be so designated on the foal certificate and be certified by the practicing veterinarian. All horses that have been nerved prior to this rule must also be certified, and it is the responsibility of the trainer to see that such nerving will be carried on the foal certificate. All nerved horses, high or low, must be published on the bulletin board in the racing secretary's office. Any horse that is high nerved shall not be permitted to enter in a race. A trainer shall not enter or start a horse which has been "nerve blocked" or treated with, or been given, any drug internally, externally, or by hypodermic injection, except as permitted in LAC 11-6:54. Nor shall a trainer enter or start a horse which is not properly plated, is blind or whose vision is seriously impaired in both eyes, is on a stewards', veterinarian's, starter's, or disqualified list, or is permanently barred from racing in any jurisdiction.

S. 19.8 No trainer, owner or other person shall employ a jockey for the purpose of preventing him from riding in any race.

S. 19.9 Trainers of horses entered in the first or second race shall inspect the condition of their horses one and one-half hours before post time of the first race. If any horse is found to be unfit to race, the trainer shall report that fact to the stewards one hour before post time of the first race.

LAC 11-6:20 Jockeys and Apprentice Jockeys

S. 20.1 Any person desiring to participate in this state as a rider and who never has ridden in a race may be permitted to ride in two races before being issued a license as a jockey or apprentice jockey, provided, however:

A. Such person has the qualification of a permittee and has at least one year of experience with racing stables.

B. A licensed trainer certifies in writing to the stewards that such person has demonstrated sufficient horsemanship to be permitted probationary mounts.

C. The starter has schooled such person breaking from the starting gate with other horses and approves such person as capable of starting a horse properly from the starting gate in a race.

D. The stewards in their sole discretion are satisfied

such person intends to become a licensed jockey, possesses the physical ability and has demonstrated sufficient horsemanship to ride in a race without jeopardizing the safety of horses or other riders in the race. No person shall be permitted to ride in any probationary race without prior approval of the stewards.

S. 20.2 In addition to rules applicable to permittees, an applicant for a license as a jockey or apprentice jockey:

A. Must have served at least one year with racing stables.

B. Must have ridden in at least two races.

C. Must, when required by the stewards, provide a medical affidavit certifying such person is physically and mentally capable of performing the activities and duties of a licensed jockey.

S. 20.3 Any person over the age of sixteen who has never been licensed as a jockey in any country, and who of his own free will, and if under age, has the written consent of his, or her parents or guardian, bound himself to an owner or trainer for a term of not less than three nor more than five years (subject to written extension if made for less than five years) by written contract approved by and filed with the Commission, and after at least one year's service with a racing stable, may claim in all overnight races, except handicaps, the following allowances:

A. An apprentice shall start with five pounds allowance. He shall continue this allowance for one year from date of his fifth winner, after which, if he has not ridden forty winners in the year following the date of his fifth winner, he shall continue the allowance for a period not to exceed three years from the date of his first winner or until he has ridden forty winners, whichever occurs first.

B. After the completion of conditions above, a contracted apprentice may claim for one year three pounds when riding horses owned or trained by his original contract employer, provided the contract has not been transferred or sold since the apprentice's first winner. The original contract employer shall be the party who was the employer at the time of the apprentice jockey's first winner.

S. 20.4 An apprentice who is not under contract may be issued an apprentice jockey certificate on a form furnished by the Commission. Where all parties agree an apprentice contract can be terminated by mutual agreement and an apprentice jockey certificate issued, providing all wins and dates of wins are recorded on the certificate.

S. 20.5 In the event an apprentice jockey is unable to ride for a period of fourteen consecutive days or more because of service in the armed forces of the United States, or because of physical disablement, or because of restrictions on racing, the Commission, upon recommendation of the stewards and after consultation with the

racing authority which first approved the original apprentice contract, may extend the time during which such apprentice weight allowances may be claimed for a period no longer than the period such apprentice rider was unable to ride.

S. 20.6 After completion of conditions in the above rules, a rider must be issued a license as a jockey before accepting subsequent mounts.

S. 20.7 An apprentice jockey may ride in a race in which Quarter Horses are eligible to start but may not claim an apprentice allowance in such a race. The riding of the winner of such a race shall not be considered in computing the expiration of his right to claim apprentice allowances in races restricted to Thoroughbreds, nor shall the win be included in the monthly chart book of the Daily Racing Form.

S. 20.8 When a jockey apprentice leaves the jurisdiction of the Commission, it shall be the duty of the clerk of scales and the apprentice jockey to record the number of winners the apprentice jockey has had at the race meeting immediately preceding his departure and to attach that record to the apprentice jockey's contract or certificate.

S. 20.9 All contracts between an owner or trainer and a rider are subject to the rules of racing. All riding contracts for terms longer than thirty days, as well as any amendments thereto, or cancellation, or transfer thereof, must be in writing with the signatures of the parties thereto notarized, and must be approved by the stewards and filed with the Commission. The stewards may approve a riding contract and permit the parties thereto to participate in racing in this state if the stewards find that:

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

B. The owner or trainer possesses such character, ability, facilities, and financial responsibility as may be conducive to developing a competent race rider.

C. Contracts for apprentice jockeys provide for fair remuneration, adequate medical care, and an option equally available to both owner or trainer and apprentice jockey to cancel the contract after two years from the date of execution.

S. 20.10 No rider may:

A. Ride any horse not owned or trained by his contract owner or trainer in a race against a horse owned or trained by his contract owner or trainer.

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

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

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

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

quire his own contract while his apprentice weight allowance is still in effect.

S. 20.12 Any rider not so prohibited by prior contract may agree to give first or second call on his race-riding services to any licensed owner or trainer. Such agreements, if for terms of more than thirty days, must be in writing, approved by the stewards, and filed with the Commission. Any rider employed by a racing stable on a

regular salaried basis may not ride against the stable which so employs him. No owner or trainer shall employ or engage a rider to prevent him from riding another horse.

S. 20.13 The fee to a jockey in all races shall be deposited with the horsemen's bookkeeper in advance and shall be, in the absence of special agreement, as follows:

Purse	Winning Mount	Second Mount	Third Mount	Losing Mount
\$400 and under	\$27.00	\$18.00	\$16.00	\$15.00
\$500	\$30.00	\$20.00	\$17.00	\$15.00
\$600	\$36.00	\$22.00	\$17.00	\$15.00
\$700-900	10% of win purse	\$25.00	\$22.00	\$19.00
\$1,000-1,400	10% of win purse	\$30.00	\$25.00	\$20.00
\$1,500-1,900	10% of win purse	\$35.00	\$30.00	\$25.00
\$2,000-3,400	10% of win purse	\$45.00	\$35.00	\$30.00
\$3,500-4,900	10% of win purse	\$50.00	\$40.00	\$30.00
\$5,000 and up	10% of win purse	\$55.00	\$45.00	\$35.00

S. 20.14 A jockey fee shall be considered earned by a rider when he is weighed out by the clerk of scales except:

A. When a rider does not weigh out and does not ride in a race for which he has been engaged because an owner or trainer engaged more than one rider for the same race. In such case, the owner or trainer shall pay an appropriate fee to each such rider engaged for such race.

B. When a rider capable of riding elects to take himself off the mount without, in the opinion of the stewards, proper cause therefor.

C. When a rider is replaced by the stewards with a substitute rider for a reason other than a physical injury suffered by such rider during the time between weighing out and start of the race.

S. 20.15 Every rider shall fulfill his duly scheduled riding engagements, unless excused by the stewards. No rider shall be forced to ride a horse he believes to be unsound, nor over a racing strip he believes to be unsafe, but if the stewards find a rider's refusal to fulfill a riding engagement is based on a personal belief unwarranted by the facts and circumstances, such rider may be subject to disciplinary action.

S. 20.16 Each rider who has been engaged to ride in a race shall be physically present in the jockey room no later than one hour prior to post time for the first race on the day he is scheduled to ride, unless excused by the stewards and upon arrival shall report his engagements to the clerk of scales. In the event a rider should fail, for any reason, to arrive in the jockey room prior to one hour before post time of a race in which he is scheduled to ride, the clerk of scales shall so advise the stewards who thereupon may name a substitute rider and shall cause announcement to be made of any such rider substitution prior to opening of wagering on the race.

S. 20.17 Each rider reporting to the jockey room shall remain in the jockey room until he has fulfilled all his riding engagements for the day, except to ride in a race, or except to view the running of a race from a location approved by the stewards. A rider shall have no contact or communication with any person outside the jockey room other than an owner or trainer for whom he is riding, or a racing official, until he has fulfilled all his riding engagements for the day.

S. 20.18 The association shall be responsible for such security of the jockey room as to exclude all persons except riders scheduled to ride on the day's program, valets, authorized attendants, racing officials, and persons having special permission of the stewards to enter the jockey room.

S. 20.19 Any rider intending to discontinue riding at a race meeting prior to its conclusion shall so notify the stewards.

S. 20.20 No rider shall place a wager, or cause a wager to be placed on his behalf, or accept any ticket or winnings from a wager, on any race, except in his own mount and through his owner or trainer. A rider shall maintain a precise and complete record of all such wagers, and such record shall be available for examination by the stewards at all times.

S. 20.21 Upon leaving the jockey room to ride in any race, each rider shall be neat and clean in appearance and wear the traditional jockey costume, with all jacket buttons and catches fastened. Each jockey shall wear the cap, stock tie, and jacket racing colors registered in the name of the owner or stable of the horse he is to ride, white or light breeches, top boots, safety helmet approved by the Commission, and a number on his right shoulder corresponding to his mount's number as shown on the saddle cloth and daily race program. The clerk of

scales and attending valet shall be held jointly responsible with a rider for his neat and clean appearance and proper attire.

S. 20.22 Every rider shall be responsible for checking the film list posted by the jockey room custodian in the jockey room. The posting shall be considered as notice to all riders whose names are listed thereon to present themselves at the time designated by the stewards to view the patrol films or video tapes of races. Any rider may be accompanied by a representative of the jockey organization of which he is a member in viewing such films, or with the steward's permission, be represented at such viewing by his designated representative.

S. 20.23 No jockey shall have an attendant other than those provided by the association. Such attendants shall be paid by the association.

S. 20.24 Riders will not be permitted to use whips on two-year olds prior to April 1.

LAC 11-6:21 Jockey Agent

S. 21.1 A jockey agent may not contract the riding engagements of more than three riders.

S. 21.2 Before being issued a license, a jockey agent must show proof of experience and knowledge of racing to the stewards by an oral and written examination approved by the Commission, and his application shall bear the actual signature of the rider he desires to represent. Any license granted is not transferable, and separate applications must be filed for each jockey the agent proposes to represent. However, after payment of the original fee no subsequent fee is required.

S. 21.3 Any person who contracts engagements for a rider or riders without first obtaining a license to do so, or any jockey agent who exceeds the authority of the privileges granted, after having been licensed, may be fined or suspended, or both, at the discretion of the stewards.

S. 21.4 If any jockey agent gives up the making of engagements for any rider he shall immediately notify the stewards, and he shall also turn over to the stewards a list of any unfilled engagements he may have made for that rider.

S. 21.5 Under no circumstances shall a jockey agent be permitted within the saddling enclosure during racing hours, nor shall he be allowed on the track proper or in the winner's circle at the conclusion of any race run. Nor shall an agent have access to the jockey quarters at any time or communicate with any jockey during racing hours without permission of the stewards.

S. 21.6 No jockey agent, or his wife, shall be the owner of any race horse, nor shall either have any interest in one.

S. 21.7 No person other than an owner, trainer, jockey agent or authorized agent of an owner shall make engagements for an apprentice jockey or jockey. How-

ever, a jockey not represented by an agent may make his own engagements.

S. 21.8 Conflicting claims for the services of a jockey shall be decided by the stewards, and first call shall have priority.

LAC 11-6:22 Jockey Room Custodian

S. 22.1 It shall be the duty of the jockey room custodian to see to it that order, decorum, and cleanliness are maintained in the jockey and scale rooms.

S. 22.2 He shall assist the clerk of the scales in any way that official requires. He shall oversee the care and storage of all racing colors. He shall oversee the jockey valets and arrange their rotation among jockeys in the manner of weighing out. He shall report to the stewards any irregularities that occur in his province. He shall see to it that jockeys and valets are neat in appearance and attire, in keeping with the rules, when they leave the rooms to ride in a race.

S. 22.3 No person, other than racing officials, the Commissioners and necessary jockey room attendants, shall be admitted to the jockey room after 11:00 a.m. on a racing day, nor after 5:00 p.m. on a racing night, without consent of the stewards for each time of entry.

LAC 11-6:23 Association's Duties and Obligations

S. 23.1 Before entering upon the discharge of their duties the following officials employed by an association shall be approved in writing by the Commission, viz, all stewards, racing secretaries, handicappers, starters, placing judges, clerks of scales, paddock and patrol judges, timers, examining and track veterinarians, private police agencies, calculators of mutuels, mutuel managers, money room supervisors, and such other persons as the Commission may designate from time to time because of their importance in the actual conduct of racing. Should any change or anticipated change in the above officials occur during a meet, the association must get prior approval from the Commission at least ten days before the anticipated change or changes. The association must submit, in writing, the time and reason for the change and furnish a resume of the replacement, except as provided in LAC 11-6:4.4.

S. 23.2 No person under the age of sixteen years shall be employed in or about the track of any association, and all minors sixteen years of age or older must have work permits from the Louisiana State Labor Board.

S. 23.3 It shall be the responsibility of each association to require that all owners, vendors, handicappers, etc., engaged in the selling of tout sheets on the association's property shall be properly licensed and approved by the Commission. The names of the owners and handicapper must be printed on each publication sold.

S. 23.4 It shall be the duty of each licensee to observe and enforce the rules of racing and the regulations from time to time adopted by the Commission.

S. 23.5 Each association shall apply for a license to conduct a meeting not later than April 15 and August 15 of each year and shall submit to the Commission for approval, thirty calendar days prior to the opening date, a complete list of racing officials, heads of departments, calculators, private police agencies, and others, showing the positions they are to fill and their compensation. It shall be the responsibility of each association to ascertain that each person employed by the association be properly licensed under the rules of racing. Should a category not exist defining a particular status of employment, the applicant shall apply for a miscellaneous license.

S. 23.6 The stable area of the premises of every association shall be enclosed with a fence, the type and construction of the fence to be subject to the approval of the Commission. The association shall maintain a twenty-four hour guard at any opening of the fence during the horse race meeting.

S. 23.7 A round-the-clock patrol of the fenced area shall be maintained by security officers, who shall pay special attention to the presence of unauthorized personnel, to the enforcement of fire prevention measures and to the inspection of tack rooms and living quarters for fire hazards.

S. 23.8 Each association shall provide adequate and sanitary living quarters with proper sanitary arrangements, and ample and convenient toilet and heating facilities for stable employees, and shall provide in its stable area at least one tack room of a minimum area of one hundred square feet for every six horses stabled, with adequate facilities for housing personnel therein.

S. 23.9 Each association shall provide, equip, and operate a first aid room within its enclosure.

S. 23.10 The Commission may refuse to issue or renew a license, or may suspend or revoke a license issued if it finds that the applicant, or any person who is a partner, agent, employee, or associate of the applicant, has knowingly associated or consorted with any person or persons who have been convicted of a felony in any jurisdiction, or is knowingly consorting or associating with bookmakers, touts, or persons of similar pursuits, or has himself engaged in similar pursuits, or has been found guilty of any fraud or misrepresentation in connection with racing or breeding, or otherwise has violated any law, rule, or regulation with respect to racing in this or any other jurisdiction, or any rule, regulation, or order of the Commission, or has been found guilty of or engaged in similarly related or like practices. Provided however, the Commission may issue or renew a license or refuse to suspend or revoke a license issued, where the applicant or licensee has not

engaged in such association or activities for a period of ten years, or for good cause shown.

S. 23.11 It shall be the duty of each association, through its employees to notify the secretary of the Commission of all ejections within twenty-four hours, giving names, addresses, and offenses.

S. 23.12 Associations licensed to conduct meetings shall give as a purse, stakes, or reward, an amount in cash of not less than one thousand dollars for each race, unless the association has applied for and received special permission from the Commission.

S. 23.13 All race tracks under the jurisdiction of the Commission shall take and make, at the association's expense a complete film or video tape recording of all races run by said association. The arrangements for film or video tape recordings shall be in a form satisfactory to the Commission. They shall be susceptible to development as needed after the end of any race in order to enable the officials to better judge the races and rule on all claims of infractions of the rules, and thereby better protect the interests of the public in racing.

S. 23.14 In order to educate and protect the jockeys, the association involved shall show the films and video tape recordings to the jockeys at a designated time.

S. 23.15 Each association shall, according to its license, conduct Thoroughbred, Quarter Horse, or Appaloosa horse racing between the hours of 10:00 a.m. and 12:00 midnight. If for any reason the races scheduled for the night cannot be fulfilled by 12:00 midnight, the stewards will cancel the remaining race or races. Not more than nine races may be run by an association in any one racing day, unless special permission is granted by the Commission.

S. 23.16 The stable area must be properly lighted, so that it will be entirely void of darkness in any section. Lights will be turned on at dusk and they shall remain on until one hour after the last race. Lights shall not be turned on or off while the horses are on the track. The parking area must be properly lighted, so that it will be entirely void of darkness in any section. Lights will be turned on at dusk and they shall remain on until one hour after the last race, or until all cars have departed, whichever may first occur.

S. 23.17 Each association conducting a race meeting shall provide a separate office to be used by the horsemen's bookkeeper who will keep a separate bank account to be known as the "horsemen's account." At all times the horsemen's account shall contain sufficient funds to cover all monies due horsemen in regard to purses, jockey fees, stakes, rewards, claims, and deposits. Withdrawals from this account shall be only for such purposes. The account shall at all times be subject to audit by the Commission.

S. 23.18 Members of the Commission and its representatives shall have the right to full and complete entry to

any and all points of the grounds of the association. All racing associations shall recognize buttons of the National Association of State Racing Commissioners and parking permits issued by the Louisiana State Racing Commission.

S. 23.19 Each association conducting racing shall submit to the Commission the conditions for all races it proposes to hold, together with the stakes, purse, or reward to be offered, all of which shall be approved by the Commission before being published.

S. 23.20 An association, operating pari-mutuel betting, shall maintain a satisfactory totalizator. Each association shall install at the finish line at their track, and shall adequately maintain, two photofinish cameras.

S. 23.21 Betting within the confines of a race track other than through pari-mutuel machines is strictly prohibited. Any person making a handbook, or betting with a handbook, shall be ejected from the grounds and denied any further admission. If any person solicits bets to be made on horses, he shall be ejected from the grounds and denied further admission. No gaming device, other than that permitted by law, shall be allowed on the grounds. Cards, dice, and petty games of chance are prohibited.

S. 23.22 All portions of purse money shall be available to the winners thereof upon order of the stewards, following their winning. No percentage of winnings shall be deducted by any association or horsemen's bookkeeper for itself or for another person, club, or body, unless at the request of the person to whom such winnings are payable, except that an association or horsemen's bookkeeper may withhold from winnings any money due it. This section shall not apply to races written exclusively for accredited Louisiana bred Thoroughbreds, Quarter Horses, and Appaloosa horses which shall be governed as provided by statutes regulating purses for such races.

S. 23.23 Each association shall provide and furnish an adequate office for the use of the Commission.

S. 23.24 Associations may allow telephones on their respective grounds for the transaction of ordinary association business. Associations may also allow telegraph wires on their respective grounds during their race meeting for the benefit of the public press, but no information regarding the result of any race shall be transmitted out of the race track until the results are official, nor shall any message transmitting money, or other things of value, or directing the placing of any wager on the result of a race be sent over the wires. Nor shall any message be sent in cipher code or any form other than in plain and intelligible English, under penalty of forfeiture of license.

S. 23.25 No telephone shall be installed in the stable area except upon the request of the association conducting the meeting and the written approval of the Chairman of the Commission. The receiver and trans-

mitter of any such telephone shall be installed within a box and the same shall be kept securely locked from fifteen minutes before post time of the first race until fifteen minutes after the finish of the last race. No use of such equipment shall be made during such time except upon express approval of the State Steward, representing the Commission.

S. 23.26 Each association shall submit in writing to the Commission for approval, with their application for dates, the names of persons or corporations who will operate the concessionaries and/or caterers within the confines of the track for the duration of the race meeting. Concessionaries are hereby defined as parties engaged in the sale of liquor, soft drinks, ice cream, sandwiches, cigars, cigarettes, etc. Caterers shall be defined as parties engaged in the operation of dining rooms for sale of food, etc. The rules, regulations and conditions herein shall apply for the purpose of the sale of foods, beverages (both alcoholic and nonalcoholic), tobacco and other related items, each and every day that a race is conducted from the dates upon which a license has been granted by the Commission for racing privileges.

S. 23.27 The operation shall be conducted so that all persons who patronize the respective tracks shall be satisfactorily served. Food, beverages (both alcoholic and nonalcoholic), tobacco and other generally related items may be available for sale to the patrons of the various tracks on each day that racing is conducted under the license, permit, or privilege granted by the Commission. Concessionaries vending any liquid refreshments shall not permit the surrender of glass containers to customers except in the dining area.

S. 23.28 The premises shall be kept in a clean condition, in good repair, well lighted and ventilated. The quality, quantity, and price of all items of food, liquor, beer, and other items sold shall be subject to the Commission's inspection.

S. 23.29 All taxes, including sales tax, shall be promptly paid in accordance with the request of the Department of Revenue.

S. 23.30 All facilities, including but not limited to those areas in which the food is prepared, shall be open for inspection by the Commissioners or any person designated by the Commission.

S. 23.31 Upon demand of the Commission, the association or permittee shall file copies of all contracts, including all instruments evidencing any indebtedness, between the association and the permittee.

S. 23.32 The permittee and/or an association who conducts the sale of food, beverages (alcoholic and nonalcoholic), tobacco and other generally related items shall give preference to persons domiciled in Louisiana in the hiring of employees.

S. 23.33 All establishments dispensing food or drink shall provide on the premises adequate and conveniently

located toilet facilities for its employees. Toilet rooms shall be kept in a clean condition, in good repair, and well lighted and ventilated. The water supply shall be easily accessible to all rooms in which food or drink is prepared or utensils are washed, and shall be adequate, and of a safe, sanitary quality. All wastes shall be properly disposed of, and all garbage and trash shall be kept in suitable receptacles in such a manner as not to become a nuisance. All food, drink, and beverages shall be wholesome and free from spoilage. All employees shall wear clean outer garments and shall keep their hands clean at all times while engaged in handling food, drink, utensils, or equipment. The premises of all public eating and/or drinking places shall be kept clean and free of litter or rubbish. All vending machines shall be constructed, installed, maintained, and operated in an approved manner. All glasses, cups, spoons, and other utensils which come in contact with the mouth or lips, must be properly cleaned and sanitized after each use. Single service utensils must be used only once. All soft drink beverages, whether carbonated or uncarbonated, and alcoholic beverages, shall be dispensed in, or from, the original container as filled and sealed at the bottling plant, or from closed dispensers or containers fitted with a suitable faucet or spigot.

S. 23.34 The rules and regulations as prepared and promulgated by the Louisiana State Board of Health shall be adhered to.

S. 23.35 Racing associations shall provide a special barn, approved by the Commission, for the taking of all blood, urine and saliva tests. Horses shall be required to remain in the barn until all tests are taken. Personnel and facilities for the securing of saliva or urine or other samples and for the chemical analysis of such samples shall be prescribed by the Commission and shall be required at all meetings. Samples shall be taken from such horses as may be ordered by the Commission, stewards, or the State Steward.

S. 23.36 Distance poles of all racing associations shall be of standard color designations, which are: one-quarter poles, red and white; one-eighth poles, green and white; one-sixteenth poles, black and white.

LAC 11-6:24 Vendors

S. 24.1 All persons whose business or profession involves the selling or distribution of drugs, medications, pharmaceutical products, horse food or nutrients of any kind, or tack equipment on the grounds of an association, including their employees, shall be approved by the association and licensed by, and subject to the authority of, the Commission.

S. 24.2 All drugs, medications, pharmaceutical products, and any other substances of a similar nature possessed or used within the grounds of a racing

association shall at all times bear appropriate labelling displaying the contents thereof.

S. 24.3 Anyone anticipating distribution of tout sheets on association grounds must first get permission from the association, secure a license from the Commission, and clearly identify all owners and handicappers, on each sheet distributed.

LAC 11-6:25 Entries

S. 25.1 Entries and declarations shall be made in writing and signed by the owner or trainer of the horse, or his authorized agent or his subagent. Jockey agents may make entries for owners or trainers after presenting the stewards with written permission from the owners or trainers.

S. 25.2 The entrance to a race shall be free, unless otherwise stipulated in its conditions. If the conditions require an entrance fee, it must accompany the entry.

S. 25.3 In entering a horse it must be clearly identified by stating its age, name, color, sex, and the names of its sire and dam. Horses must be tattooed before being eligible to start. If its dam was covered by more than one stallion, the names of all of them must be given in order of service.

S. 25.4 The entries of any person, or the transfer of any entry, may be refused for good cause.

S. 25.5 On race courses and tracks less than a mile, in purse races and overnight handicaps with more than eight interests, owners shall have the right to declare out to that number before the time stipulated by the regulations of the association on the day of the race, which will be determined by lot when necessary, however, in races constituting the daily double and exactas, owners may declare out to ten interests. Declarations below eight interests may only be made by permission from the stewards.

S. 25.6 No horse shall be allowed to enter or start in any race conducted by any licensee unless the horse is a Quarter Horse, Thoroughbred, or Appaloosa. Registration of a Thoroughbred horse by the Jockey Club of New York, a Quarter Horse by the American Quarter Horse Association and an Appaloosa horse by the Appaloosa Horse Club, Inc., shall be prima facie evidence that such horse is a Thoroughbred, Quarter Horse or an Appaloosa. However, such registry shall not be conclusive evidence, nor binding on the Commission. At time of entry, certificate of registration from the Jockey Club of New York, the American Quarter Horse Association or the Appaloosa Horse Club, Inc. must be filed in the office of the racing secretary, except for certificate of registration filed at another track in the state which is then operating (foal certificate must be filed before starting). The stewards may at their discretion, waive this rule in the case of horses shipped in to start in stakes races.

S. 25.7 No maiden five years old or older shall be allowed to start.

S. 25.8 If a horse's name is changed, its new name shall be registered with the Jockey Club of New York, the American Quarter Horse Association or the Appaloosa Horse Club, Inc. and its old, as well as its new name, must be given in every entry list until it has run three races, and both names must be printed on official programs for those three races.

S. 25.9 No horse shall be permitted to enter or to start unless it is in the care of, and is saddled by, a licensed trainer and has been fully identified.

S. 25.10 No person shall change, or attempt to change, the identity of ownership of a horse in a manner which would violate these rules or the laws of the State.

S. 25.11 No horse shall be permitted to enter or start unless approved by the association. Further, the stewards shall require that published past performances, in races or workouts, be sufficient to enable the public to make a reasonable assessment of its capabilities.

S. 25.12 No horse shall be permitted so start whose name and true ownership is not registered with the racing secretary. The registration certificate must be deposited in the office of the racing secretary within forty-eight hours after the date of arrival.

S. 25.13 Whoever is in charge of a horse taken to the gate for schooling or work, must identify it to the starter or one of his assistants.

S. 25.14 All ownership in a horse, except a trainer's percentage of its winnings, shall be filed with the racing secretary before the horse shall start. Every change in ownership thereafter during the meeting shall also be filed with the racing secretary.

S. 25.15 The holder of a mortgage, bill of sale, or lien of any kind against a horse, shall be required to file the same with the racing secretary prior to the time the horse is entered. Failure to do so shall forfeit his rights in the winnings of the horse prior to the time his claim is properly filed.

S. 25.16 No horse may be entered for two races on a single day unless one is a stakes race.

S. 25.17 A horse must be eligible to run at the time of starting.

S. 25.18 If any entry from any disqualified person, or of a disqualified horse is received, such entry shall be void. No entry shall be accepted from husband or wife while either is disqualified. No horse on a steward's, veterinarian's, or schooling list shall be qualified to be entered, or to start.

S. 25.19 Not more than two horses of the same ownership or interest shall be entered in any purse race or overnight event and both may start, or one or both may be declared at the option of the owner, but in conformity with the rules governing declarations. When making a double or joint entry, the owner or trainer must express a preference, and in no case may the two

horses of an entry start to the exclusion of a single entry. In divided races, the starters in the separate divisions shall be determined by lot. In all races, joint entries may be made by any one or more of the owners. If a race is to be divided, an additional conditional entry may be accepted from any interest. Each interest may have a joint entry. All divided races will be considered separate races.

S. 25.20 If any race fails to fill and is declared off, the names of all the horses that were entered therein shall be publicly posted in the office of the racing secretary not later than 1:00 p.m. of the same day, except all purse or handicap races having six or more separate interests at scratch time must be carded and run, with the exception of such races for two-year-olds between January 1 and June 30, both dates inclusive. The Commission steward shall be furnished with a copy of entries in races that fail to fill. In the event a carded or programmed race shall be called off, the association may split any race that may have been previously closed and cause a new drawing for post positions.

S. 25.21 A nomination in a sweepstakes is a subscription and cannot be withdrawn.

S. 25.22 Entrance money is not refunded on the death of a horse, or his failure to start.

S. 25.23 Nominations shall be closed at the advertised time, and no nomination accepted thereafter. The racing secretary, however, may postpone closing of overnight races. When an hour for closing is designated, nominations for sweepstakes cannot be received afterwards, but if an hour is not designated, they may be mailed or telegraphed up to midnight of the day of closing, provided they are received in time for compliance with every other condition of the race. If a miscarriage of any nomination in a stakes race is alleged, satisfactory proof that it was mailed or telegraphed must be presented within a reasonable time, or it shall not be accepted.

S. 25.24 When the nominations have closed they shall be compiled without delay by the racing secretary and conspicuously posted.

S. 25.25 In the event the number of entries to any purse race is in excess of the number of horses permitted to start in such race, the starters for the race shall be determined by lot in the presence of those making the entries and the post positions shall be in the order in which they are drawn. The same methods shall be employed in determining the starters and post positions in split races.

S. 25.26 A list of names not to exceed six may be drawn from the overflow entries and listed as eligible to start if originally carded horses are withdrawn. After a regularly carded horse, or horses, has been excused from a race, a new drawing shall be taken from the remaining horses on the also-eligible list and their order of eligibility and post positions shall be determined by the sequence in which they are drawn. The owner or trainer

of any horse so eligible, if he does not intend to start, shall notify the racing secretary not later than scratch time.

S. 25.27 In a stakes race, the number of horses to compete will be limited only by the number of horses duly nominated and entered.

S. 25.28 The entry of any horse which has been excused by the stewards from starting on account of physical disability or sickness shall not be accepted until the expiration of three calendar days after the day the horse was excused, except where a forty-eight hour entry rule prevails, then entry shall not be accepted until the expiration of three racing days after the day the horse was excused.

S. 25.29 No alteration shall be made in any entry after closing of entries, but an error may be corrected.

S. 25.30 Every owner or trainer shall, upon making an entry, be required to furnish the name of the jockey who rides his horse, or if this is not possible, he shall in any event be required to furnish it not later than scratch time. If no jockey has been named by that hour, the stewards shall name the best available rider.

S. 25.31 A horse starting in a race, shall not be shod with ordinary or training shoes. Bar plates may be used only with the consent of the stewards, and permission to discontinue their use must be obtained from the stewards.

S. 25.32 In cases where a trainer enters two horses in a stakes, handicap or allowance race, each having bona fide separate owners, the horses may be allowed to run as separate betting units at the discretion of the stewards.

S. 25.33 Conditions and payments for stakes and futures scheduled by an association will be handled by the association unless authority is delegated to an organization approved by the Commission. However, in no case shall such authority be delegated to a person or organization residing or domiciled outside the State of Louisiana.

S. 25.34 Post position shall be determined publicly by lot in the presence of the racing secretary or his deputy.

LAC 11-6:26 Preferred List

S. 26.1 The racing secretary shall keep a list of all horses excluded from races because of too many entries, and they are to have preference in any race in which they may afterwards be entered in accordance with the regulations, as adopted by the racing secretary, for the meeting. This shall be known as the preferred list.

S. 26.2 Division of the preferred list with regard to claiming price and/or to distance shall be made at the discretion of the racing secretary, but whichever system is adopted shall be maintained for the entire meeting, unless a change is approved by the Commission.

S. 26.3 If a horse has been excluded twice consecutively, it shall have preference over a horse excluded only once, and so on. No horse shall be placed on the preferred list if the owner thereof did not accept, when presented, the opportunity of starting. Horses whose names appear in the entries and have an opportunity to start will be given no preference whatsoever should they be entered for the following day and the race overfills.

S. 26.4 A copy of the preferred list must be posted at the close of entries and any claim of error must be made by 10:00 a.m. of the following racing day.

S. 26.5 In entering horses on the preferred list a claim of preference must be made at time of entry and noted on the entry, or the preference shall be lost.

S. 26.6 No horse running in a trial will lose any preference for subsequent races, nor will such race be considered a stakes race.

LAC 11-6:27 Declarations and Scratches

S. 27.1 No horse shall be considered scratched or declared out of an engagement until the owner or his authorized agent has given due notice in writing to the racing secretary.

S. 27.2 For stakes races, if a horse is not named through the entry box at the usual time of closing, or as established in the conditions of the race as approved, the horse is automatically out.

S. 27.3 The declaration or scratch of a horse out of an engagement is irrevocable. Horses may be declared from stakes races until forty-five minutes before post time for that race.

S. 27.4 In purse races and overnight handicaps with more than eight interests, owners shall have the right to declare out to that number before the time stipulated by the regulations of the association on the day of the race, such right to be determined by lot when necessary. However, in races constituting the daily double and exacta races, owners may declare out to ten interests. Declarations below stipulated interests may only be made by permission from the stewards. The also-eligibles shall have the preference to scratch over regularly carded horses.

LAC 11-6:28 Objections

S. 28.1 All objections, except claims of interference during a race, must be made to the stewards in writing and signed by the objector, and must be filed not later than one hour before post time. The stewards, however, may scratch an ineligible horse or reassign any prize a horse may have won, at any time.

S. 28.2 Permission of the stewards is necessary before an objection can be withdrawn.

S. 28.3 Any person or person lodging an objection must

pay all the costs and expenses incurred in determining the objection in such proportions as the stewards decide, unless relieved from such expense by the Commission. The stewards may require a cash deposit of fifty dollars before considering an objection, which may be forfeited if the objection should prove to be unreasonable or unnecessary.

S. 28.4 Objections to a horse engaged in a race may be made by the owner, trainer, or jockey, of some other horse engaged in the same race, or by the officials of the meeting. Proof of the qualifications of any horse against which a protest has been lodged may be demanded by the stewards, and in default of such proof being given, they may declare the horse disqualified.

S. 28.5 Objections to a horse based on what occurred in a race must be made before the numbers of the horses placed in the race have been officially confirmed.

S. 28.6 Owners and trainers who make unnecessary complaints may be fined, suspended, or ruled off.

S. 28.7 If by reason of sustained objection, ineligibility or insufficient weight, a race or place is erroneously awarded to another horse, the owner so wronged is entitled to the prize or money of which he was deprived, and in case of default, the stewards shall disqualify an owner who retains the prize money.

S. 28.8 Pending a decision based on an objection, any prize which the horse against which the objection is lodged may have won, or may win, in the race, or any money held by the association as the price of a horse claimed in a race, if involved in the determination of the case, shall be withheld until the objection is determined.

S. 28.9 In all cases of fraud, or willful deception, the time limitations shall not apply, provided the stewards are satisfied that the allegations are bona fide and are susceptible of verification. Also, the stewards, may, on their own initiative, call for proof that a horse neither is disqualified in any respect, nor nominated by, nor the property wholly or in part, of a disqualified person, and in default of such proof, they may declare the horse disqualified.

S. 28.10 Any objection to a horse, on the grounds of not having run the proper course, or of the race having been run on the wrong course, or of any other matter occurring in the race, must be made before the place of the horse in the race is confirmed officially.

LAC 11-6:29 Postponement and Cancellation of Races

S. 29.1 If a stakes race is declared off, all subscriptions and fees paid in connection with that race shall be refunded. No race which has closed shall be declared off except by the stewards.

LAC 11-6:30 Pari-Mutuels

S. 30.1 No minor shall be allowed to wager. No jockey in racing colors shall enter the betting area.

S. 30.2 Any claim by a person that a wrong ticket has been delivered to him must be made before leaving the mutuel ticket window.

S. 30.3 Should any emergency arise in connection with the operation of the pari-mutuel department which requires an immediate decision and is not covered by these rules, then the manager of the pari-mutuel department shall make that decision.

S. 30.4 The manager of the pari-mutuel department shall be properly and timely advised by the placing judges prior to the beginning of wagering on each race, of the horses that will compete in the race.

S. 30.5 When two or more horses run in a race, and are coupled because of common ties, they are called an "entry," and a wager on one of them shall be a wager on all of them.

S. 30.6 When the number of horses competing in a race exceeds the numbering capacity of the tote, the highest numbered horse within the capacity of the tote and all horses of a higher number shall be grouped together and called the "field," and a wager on one of them shall be a wager on all of them.

S. 30.7 Before the wagering starts on each race, the morning line showing approximate odds on each horse may be posted on the public board. Entries shall be listed as one horse and, likewise, the field shall be listed as one horse. After wagering has begun on each race and immediately after there is one thousand dollars (more or less, depending on circumstances) in the straight pool, the approximate odds on each horse must be computed on each cycle of the tote and promptly posted on the tote board. The cycle of frequency of change on the totalizator board shall not be more than sixty seconds. The approximate odds shall agree with the amount wagered on each horse in the straight pool.

S. 30.8 There shall be minimum of four sets (and more under proper circumstances) of approximate odds posted during the wagering on each race. These odds, however, are approximate and not the exact figures used in the payoff.

S. 30.9 The State Steward shall lock all para-mutuel ticket issuing machines and sound the "off" bell when the horses leave the starting gate. The horses shall be at the starting gate at post time, which shall not be changed after the horses leave the paddock. The starter shall immediately load the horses in the starting gate and start the horse as soon as possible thereafter in order to avoid delay. The State Steward, or the acting State Steward, may delay compliance with this rule in unusual circumstances. In no case shall the machines be unlocked until after the declaration that the result of the race is official.

S. 30.10 If a horse, or horses, is locked in the gate, the proper racing official shall promptly notify the manager of the pari-mutuel department of the name and the number of the horse, or horses.

S. 30.11 At the end of each race, the placing judges shall advise the manager of the pari-mutuel department via telephone of the official placement of the horses. No payoff shall be made until the receipt of such information, which will be followed in writing at the end of the race day.

S. 30.12 If an error is made in posting the payoff figures on the public board, it shall be corrected promptly and only the correct amounts shall be used in the payoff, irrespective of the error on the public board. If because of mechanical failure, it is impossible to promptly correct the posted payoff, a statement shall be made over the public address system, stating the facts and corrections.

S. 30.13 In the event of an irreparable breakdown of the totalizator, or the ticket issuing machine, or both, during the wagering on a race, the wagering for that race shall be declared closed. The payoff for that race shall be computed on the sums wagered in each pool up to the time of the breakdown. Wagering on the remaining races for that day, or until the next race after the defective machinery has been put in order, may be continued by employing the manual system of ticket selling. To cover this contingency it is suggested that each association shall have on hand at the beginning of a race day approved mutuel tickets for hand selling sufficient for not less than seven races.

S. 30.14 In all cases when a horse has been excused by the stewards after wagering has started but before it becomes a starter, all money wagered on the horse so excused shall be deducted from the pool and refunded.

S. 30.15 If a horse refuses to break, or wheels or props at the start, there shall be no refund, but if one horse, or more, is prevented from leaving the post at the start because of being locked in the gate, the money wagered on the horse, or horses, locked in the gate shall be deducted from the pool and be refunded.

S. 30.16 If no horse finishes in a race, all money wagered on that race shall be refunded.

S. 30.17 If two or more horses in a race are coupled on the same mutuel ticket, there shall be no refunds unless all of the horses so coupled are excused before the start, or all of the horses so coupled are locked in the gate.

S. 30.18 If a jockey weighs in short of weight by more than two pounds, and his mount is disqualified in consequence of short weight, all monies wagered on the horse shall be deducted from the pool and shall be refunded on presentation of ticket sold on the horse.

S. 30.19 In case of any entry, if one of the jockeys riding the entry weighs in short of weight by more than two pounds and his mount is disqualified in consequence of short weight, no refund shall be made unless the other

portion of the entry is also disqualified for the same reason (short weight), in which case all money wagered on the entry so disqualified shall be deducted from the pool and shall be refunded. This rule applies with equal effect to the field.

S. 30.20 In the case of a race postponed beyond the day originally scheduled, as elsewhere provided for, all money wagered on that race shall be refunded.

S. 30.21 If a race is declared off by the stewards after wagering begins on that race, all money wagered on that race shall be refunded.

S. 30.22 In the event the track is thrown into darkness during the running of a race by virtue of a failure of electricity, such race shall be declared "no race" and all wagering upon the race shall be refunded.

S. 30.23 If a horse wins and there is no money wagered on him to win, the straight pool shall be apportioned among the holders of the place tickets on that horse, if any. If neither win nor place tickets were issued on a winning horse, then the straight pool shall be apportioned among holders of the show tickets.

S. 30.24 If no money has been wagered to place on a horse which is placed first or second in a race, the place pool for that race shall be apportioned among the holders of the place tickets on the other horse which was placed first or second.

S. 30.25 If no money has been wagered to show on a horse which is placed first, second, or third in a race, the show pool in that race shall be apportioned among the holders of show tickets on the other horses which are placed first, second, or third in that race.

S. 30.26 If only one horse finishes in a race, the place and show pools shall be apportioned among the holders of place and show tickets on that horse. If only two horses finish in a race, the show pool shall be apportioned among the holders of show tickets on those two horses.

S. 30.27 When the results are "official," that word shall be flashed on the result board and shall signify that the placing of horses at that time by the judges is final insofar as the payoff is concerned. If any change is made in the order of finish of a race after the result is so declared official, it shall not affect the payoff. The posting on the result board of the order of winning, place, and show horses and the prices to be paid, shall not be deemed to signify that the result and prices are official until the "official" signal has been shown on the result board or announced by the public address system.

S. 30.28 In the event of a foul being claimed, the word "inquiry" or "objection" shall be flashed forthwith on the result and mutuel board and an announcement thereof shall be made on the public address system.

S. 30.29 Any ruling of the stewards with regard to the award of purse money made after the sign "official" has been purposely displayed by the placing judges shall have no bearing on the mutuel payoff.

LAC 11-6:31 Dead Heats

S. 30.30 Whenever there is a difference in any pool or pools, i.e., a difference between the sum total of the wagers on the individual horses as compared with the grand total as shown by the tote board, the larger amount shall be used as the basis for computing the payoff. The larger amount shall be used as the base on which the commissions are computed and paid to the association and to the State respectively.

S. 30.31 The manager of the pari-mutuel department shall furnish a copy of all calculating sheets daily to the Commission. The association, if operating a pari-mutuel system without the totalizator system, shall, in taking off total or mutuel ticket sales, prepare two additional carbon copies thereof at the time of making, and furnish them to the Commission before the calculations for mutuel prices to be paid are made.

S. 30.32 Complete and detailed records of each race, containing each change of readings of the odds and the actual possible payoff on each horse, shall be filed with the Commission at the end of each racing day.

S. 30.33 The commission deducted by the association from pari-mutuel pools shall not exceed that percentage which is provided by law of the gross amount of money handled and the odd cents over any multiple of ten cents of winnings per dollar wagered. All associations licensed by the Commission to conduct racing under the pari-mutuel or certificate system of wagering must in all cases of a minus pool pay off \$1.10 on each \$1.00 wager.

S. 30.34 Payments due on all wagers shall be made in conformity with the well-established practice of the pari-mutuel system. Money wagered on winning tickets is returned in full plus the profits. The practice is to work in dollars and not in number of tickets. The break permitted by law is deducted in all of the calculations which are necessary to arrive at the payoff prices, i.e., the odd cents over any multiple of ten cents of winnings per dollar wagered.

S. 30.35 If an error is made in posting payoff figures on the public board, prior to the cashing of any pari-mutuel tickets affected by such error, it shall be corrected promptly and a statement explaining the facts made over the public address system.

S. 30.36 In the event of an error in calculations of payoff prices which results in underpayments to the public, the aggregate of such underpayments shall be paid into the corresponding pool of the next race or races. If any such error should occur in computing the daily double or the exacta pools, the underpayment shall be added to the corresponding pool of the following race day for the daily double and the next exacta pool. Immediately upon the discovery of such an error, the Commission and the State Steward shall be furnished a detailed statement thereof in writing, signed by the association's manager of the mutuel department. In the event of an overpayment, the licensee shall absorb the amount paid in error.

S. 31.1 When a race results in a dead heat, the dead heat shall not be run off. Owners shall divide first and second money.

S. 31.2 When two horses run a dead heat for first place, all prizes to which first and second horses would have been entitled shall be divided equally between them. This applies in dividing prizes, whatever the number of horses running a dead heat. Each horse shall be deemed a winner and liable to penalty for the amount he shall receive. Likewise, when two horses run a dead heat for second place, they shall divide the second and third money.

S. 31.3 When a dead heat is run for second place and an objection is made to the winner of the race, and sustained, the horses which ran the dead heat shall be deemed to have run a dead heat for first place.

S. 31.4 If the dividing owners cannot agree as to which of them is to have a cup or other prize which cannot be divided, the question shall be determined by lot by the stewards.

LAC 11-6:32 Daily Double

S. 32.1 Only one daily double shall be permitted during any single race day. It shall be on the first and second races. All other forms of this type of wagering, with the exception of the exacta, are prohibited.

S. 32.2 If either race of the daily double results in a dead heat, the payoff will be figured the same as a place pool, i.e., first, the regulation commission is deducted, then the total amount wagered on the winning combination is deducted, leaving the profit which is divided equally between holders of the winning combinations.

S. 32.3 The payoff shall be posted after the pool closes and before the race completing the daily double has been run, except in the event of a dead heat in the first half of the daily double, then the posting of the payoff may be deferred until the race completing the daily double has been run.

S. 32.4 The daily double is not a parlay and has no connection with or relation to mutuel betting. All tickets on the daily double will be calculated in an entirely separate pool. All tickets will be to win (straight) only. Entries are coupled in the daily double as in regular betting. Fields are coupled in the daily double as in regular betting.

S. 32.5 If no ticket is sold combining the two winners, the daily double pool then shall be apportioned equally between those having tickets including the winner in the first race and those having tickets including the winner in the second race in the same manner in which a place pool is calculated and distributed. If no ticket is sold including the winner of the first race, the entire pool will be paid to holders of tickets which include the winner of

the second race of the daily double. Likewise, if no ticket is sold including the winner of the second race, then the entire pool will be paid to holders of tickets which include the winner of the first race of the daily double. If no ticket is sold including the winner of either race, then the pool shall be paid to the holders of tickets which include the horses finishing second in the two races of the daily double.

S. 32.6 If, for any reason, the second race of a daily double is cancelled and declared "no race," the daily double pool shall be distributed to the holders of the daily double tickets on the winner of the first race in the same manner as the straight pool of the first race is distributed, except as to the amount of distribution, which shall be controlled by the amount bet in the daily double pool.

S. 32.7 If, for any reason, the first race of the daily double is cancelled and declared to be "no race," full and complete refund will be made of the daily double.

S. 32.8 If any horse in the first half of the daily double not coupled with a starter is scratched or excused by the stewards, or if it is determined by the stewards that any horse not so coupled has been prevented from racing because of the failure of the stall doors of the starting gate to open, all money wagered on such horse shall be deducted from the daily double pool and shall be refunded upon presentation and surrender of pari-mutuel tickets sold thereon. If any horse in the second half of the daily double not coupled with a starter is scratched or excused by the stewards, or if it is determined by the stewards that any horse not so coupled has been prevented from racing because of the failure of the stall doors of the starting gate to open, all money wagered on such horse shall be deducted from the daily double pool and all daily double tickets combining such horse with the actual winner of the first race in the daily double will share in a special daily double consolation pool formed by deducting from the net daily double pool the sum of all daily double combinations of which the horse is a part and shall be paid in the same manner as the pool is calculated for a winning combination.

S. 32.9 If a ticket holder loses the first race of the daily double, and the horse is scratched in the second race, no money shall be refunded.

S. 32.10 If no ticket is sold which would require distribution of the daily double pool as per the foregoing rules, a complete and full refund of the daily double pool shall be made.

S. 32.11 Each association shall print the entire daily double rule in a conspicuous place in its race program.

LAC 11-6:33 Exacta

S. 33.1 The object of the exacta is to select, in order, the official first and second place finishers in the

designated exacta race. The exacta pool shall be held entirely separate from all other pools and is in no way a part of the daily double, or the win, place, or show pools.

S. 33.2 Races in which exacta betting shall be conducted shall be approved by the Commission.

S. 33.3 If a horse is scratched or excused from racing, no further tickets shall be sold designating that horse, and all tickets previously sold designating that horse shall be refunded and the money deducted from the gross pool.

S. 33.4 In the event of a dead heat for win, the net pool shall be distributed to each combination of winners separately as in a win pool dead heat, e.g., in a dead heat of two horses there are two winning combinations, in a dead heat of three horses there are six winning combinations. In the event of a dead heat for second, the net pool shall be divided as in a win pool dead heat among holders of tickets combining the winner with each second place horse.

S. 33.5 If no ticket is sold on the winning combination of an exacta pool, the net pool shall be distributed equally between holders of tickets selecting the winning horse to finish first and/or holders of tickets selecting the second place horse to finish second.

S. 33.6 Coupled entries and fields are prohibited in exacta races.

LAC 11-6:34 Walking-Over

S. 34.1 If only one horse shall have weighed out, that horse shall be ridden past the judges' stand and go to the post, and shall then be deemed the winner.

S. 34.2 In a sweepstakes, even if all the horses but one have declared forfeit, that horse must walkover, except by the written consent of all persons who pay forfeit.

S. 34.3 In case of a walkover, one-half of the money offered to the winner is given.

S. 34.4 When a walkover is the result of arrangements by owners of horses engaged, no portion of the added money nor any other prize need be given.

S. 34.5 Any money or prize which, by the conditions of the race, is to go to the horse placed second, or in any lower place in the race, shall, if the winner has walked over, be dealt with as follows:

A. If part of the stakes, it shall go to the winner.

B. If a separate donation from the association or any other source, it shall not be given at all.

C. If entrance money for the race, it shall go to the association.

LAC 11-6:35 Colors

S. 35.1 Owners must provide themselves with suitable racing colors which must be registered with the racing

secretary, except at tracks where colors are furnished by the association.

S. 35.2 Anyone using colors other than their own is subject to be fined. However, in case of emergency the stewards may allow the use of substitute colors once.

S. 35.3 Colors must be kept clean and in good repair. No colors that are vertical halves or quarters shall be allowed.

S. 35.4 The Commission may refuse to accept for registration racing colors which:

A. Are not readily distinguishable by color and pattern from racing colors currently registered in this state.

B. Include advertising, promotional, or cartoon symbols or words, or which, in the opinion of the Commission, are not in keeping with the traditions of the turf.

S. 35.5 Exceptions to the above may be allowed by the Commission upon request and approval.

S. 35.6 The clerk of scales, and the valet serving a jockey, shall be jointly responsible for having the correct colors and cap on each rider when leaving the jockey room for the paddock.

LAC 11-6:36 Equipment Changes

S. 36.1 Permission for any change of equipment from that which a horse carried in its last previous race can be obtained only from the stewards and must be obtained before the advertised scratch time.

S. 36.2 Permission to add blinkers to equipment, or to discontinue the use of them, must be approved by the starter before being granted by the stewards.

LAC 11-6:37 Whips

S. 37.1 In all races where a jockey will not ride with a whip, an announcement shall be made over the public address system of that fact. No jockey carrying a whip during a race shall fail to use the whip in a manner consistent with using his best efforts to win. Jockeys are prohibited from whipping a horse upon the head, or excessively, or brutally, or during the post parade except when necessary to control the horse.

S. 37.2 No whip shall exceed twenty-eight inches in length, including the popper. All whips shall be approved by the stewards.

LAC 11-6:38 Handicapper

S. 38.1 The handicapper shall assign the weights to be carried by each horse in a handicap.

S. 38.2 The handicapper shall append to the weights for each handicap the day and hour from which winners will be liable to weight penalty. If there are no penalties, the fact shall be appended to the weights. No alteration of weights shall be made after publication.

S. 38.3 In case of omission, through error, of the name or weight of a horse duly entered, the omission shall be rectified by the handicapper.

LAC 11-6:39 Weight Penalties and Allowances

S. 39.1 Penalties are obligatory. Allowances are optional as to all or any part thereof, and must be claimed at time of entry.

S. 39.2 A horse shall start with only the allowance to which it is entitled at the time of starting, regardless of its allowance at the time of entry. Horses incurring weight penalty or penalties for a race shall not be entitled to any weight allowance for that race. Horses not entitled to the first allowance in a race shall not be entitled to the second, and so on. Omission to claim an allowance is not cause of disqualification. No horse shall incur a penalty or be barred from any race for having been placed second or lower in any race. No horse shall be given an allowance for failure to finish second or in any lower place in any race. No horse shall receive an allowance for having been beaten in one or more races. This rule shall not prohibit maiden allowances or allowances to horses which have not won within a specific period or which have not won a race of specified value.

S. 39.3 When the decision of a race is in dispute, all horses involved in the dispute with respect to the winner's credit shall be liable to all weight penalties attached to the winning of that race until a winner has been adjudged.

S. 39.4 Races won on tracks which are not reported in the Daily Racing Form or a comparable publication, shall not count toward penalties with respect to horses and apprentice jockeys.

S. 39.5 No horse shall incur a weight penalty for a placement from which he is disqualified, but a horse placed through the disqualification of another horse shall incur the weight penalties of that placement. No such placement, however, shall make a horse ineligible for a race which has already been run.

LAC 11-6:40 Weight Scale

S. 40.1 The following is the attached scale of weights for ages, and shall be carried when not otherwise specified in the conditions of the race:

WEIGHT SCALE

The following is the scale of weights for ages, and shall be carried when not otherwise specified in the conditions of the race:

Distance	Age	January	February	March	April	May	June	July	August	September	October	November	December
½ Mile	2-year-olds								105	108	111	114	114
	3-year-olds	117	117	119	119	121	123	125	126	127	128	129	129
	4-year-olds	130	130	130	130	130	130	130	130	130	130	130	130
	5-year-olds and up	130	130	130	130	130	130	130	130	130	130	130	130
Six Furlongs	2-year-olds								102	105	108	111	111
	3-year-olds	114	114	117	117	119	121	123	125	126	127	128	128
	4-year-olds	129	129	130	130	130	130	130	130	130	130	130	130
	5-year-olds and up	130	130	130	130	130	130	130	130	130	130	130	130
1 Mile	2-year-olds									96	99	102	102
	3-year-olds	107	107	111	111	113	115	117	119	121	122	123	123
	4-year-olds	127	127	128	128	127	126	126	126	126	126	126	126
	5-year-olds and up	128	128	128	128	127	126	126	126	126	126	126	126
1¼ Miles	2-year-olds												
	3-year-olds	101	101	107	107	111	113	116	118	120	121	122	122
	4-year-olds	125	125	127	127	127	126	126	126	126	126	126	126
	5-year-olds and up	127	127	127	127	127	126	126	126	126	126	126	126
2 Miles	2-year-olds												
	3-year-olds	98	98	104	104	108	111	114	117	119	121	122	122
	4-year-olds	124	124	126	126	126	126	126	126	126	126	126	126
	5-year-olds and up	126	126	126	126	126	126	126	126	126	126	126	126
1½ Miles	3-year-olds	96	96	102	102	106	109	112	114	117	119	120	120
	4-year-olds	124	124	126	126	126	126	125	125	126	124	124	124
	5-year-olds and up	126	126	126	126	126	126	125	125	126	124	124	124

S. 40.2 In races of intermediate lengths the weights for the shorter distance shall be carried.

S. 40.3 In a race exclusively for two-year-olds the weight shall be one hundred twenty-two pounds when not otherwise specified in the conditions of the race. In a race for three-year-olds the weight shall be one hundred twenty-six pounds when not otherwise specified in the conditions of the race.

S. 40.4 With the exception of handicaps, two-year-old fillies shall be allowed three pounds, and fillies and mares three years old and upward shall be allowed five pounds before September 1, and three pounds thereafter.

S. 40.5 A weight allowance of three pounds will be allowed for all Louisiana bred horses, except in handicaps and stakes, or races exclusively for accredited Louisiana breds.

S. 40.6 When a race is for two-year-olds, or exclusively for three-year-olds, or exclusively for four-year-olds, the minimum weight shall be one hundred twelve pounds, subject to sex and apprentice allowances. This rule shall

not apply to handicaps, or stakes, or to races in which three-year-olds or four-year-olds compete with older horses. Nor shall this rule apply to quarter horses.

LAC 11-6:41 Weighing Out

S. 41.1 Jockeys shall be weighed out by the clerk of scales not less than ten minutes before time for the race. In case of any change it shall be announced and posted.

S. 41.2 If a horse runs in a throttle, hood, muzzle, martingale, breast plate or suspensory, they must be included in the jockey's weight. His weight shall also include his clothing, boots, goggles, arm number, saddle and its attachments, saddle cloth, pommel pad, etc. No whip, bridle, blinkers, head number, bit, reins, safety helmet, or number cloth shall be weighed. No bridle shall exceed two pounds in weight, and no whip shall exceed one pound in weight.

S. 41.3 The association shall provide the only attendants who will be permitted to assist jockeys in weighing out.

LAC 11-6:42 Paddock to Post

S. 42.1 Permission must be obtained from the stewards to exercise a horse between races unless the horse is being warmed up on the way for a race. The official program number of a horse warming up must be displayed by his rider.

S. 42.2 Horses must be in the paddock at least fifteen minutes before post time. Every horse must be saddled in the paddock.

S. 42.3 All horses shall parade, carrying their weight and wearing their equipment, from the paddock to the starting post. They must pass the stewards' stand in numerical order. Any horse failing to do so may be disqualified by the stewards. No lead pony leading a horse in the parade shall obstruct the public's view of the horse it is leading, except with permission of the stewards.

S. 42.4 In case of emergency the stewards or the starter may permit all jockeys to dismount and all horses to be attended during a delay.

S. 42.5 If a jockey is thrown on the way from the paddock to the post, the horse must be remounted, return to the point where the jockey was thrown and then proceed over the route of the parade to the post.

LAC 11-6:43 Post to Finish

S. 43.1 A leading horse is entitled to any part of the track, but if any horse swerves, or is ridden to either side, so as to interfere with or impede any other horse, it is a foul. The offending horse may be disqualified, if in the opinion of the stewards the foul altered the finish of the race, regardless of whether the foul was accidental, willful, or the result of careless riding. If the stewards determine the foul was intentional, or due to careless riding, they may fine or suspend the guilty jockey.

S. 43.2 No jockey shall willfully strike or touch another jockey or another jockey's horse or equipment. No jockey shall unnecessarily cause his horse to shorten its stride so as to give the appearance of having suffered a foul. All horses shall be ridden out in every race.

S. 43.3 The stewards shall take cognizance of foul riding whether or not a formal complaint is made, but no complaint shall be considered which comes from any person other than the jockey, trainer, or owner of the horse interfered with.

S. 43.4 If a horse is disqualified for a foul, any horse or horses with which it is coupled as an entry may also be disqualified.

S. 43.5 No owner, trainer, or jockey shall make a frivolous claim of foul.

S. 43.6 If a horse winning a race equals or betters a track record and is disqualified, its time will be recognized as a track record unless the horse was disqualified for being stimulated. This track record shall

be noted with an asterisk which will reveal that the horse was disqualified when it established the record.

LAC 11-6:44 Weighing In

S. 44.1 After a race, all jockeys shall be weighed in unless excused by the stewards.

S. 44.2 No one shall assist a jockey unsaddling except by permission of the stewards, and no one shall throw any covering over a horse before it is unsaddled.

S. 44.3 Each jockey shall weigh in at the same weight at which he weighed out, and if short by more than two pounds his mount shall be disqualified from any portion of the purse and all money wagered on it returned to holders of redeemable tickets.

LAC 11-6:45 Claiming Rule

S. 45.1 In claiming races any horse is subject to being claimed for its entered price by any racing interest recognized by the Commission, by any licensed horse owner, or his authorized agent, but only for the account of the person making the claim, or for whom the claim was made by the agent (provided however, that no person shall claim his own horse or a horse in which he has an interest or cause his horse to be claimed directly or indirectly for his own account). Also, a claim may be made by any person who has established his qualifications to claim by filing an application for license as a horse owner and has been granted a certificate authorizing the claim by the stewards at the meeting where a horse is to be claimed. A claim certificate shall not be issued until all conditions and qualifications for a horse owner's license have been met or completed. A claim certificate thus issued will be voided if no claim is made within thirty days of issuance, and the owner's license will be withdrawn.

S. 45.2 The licensed prospective claimant must have obtained the services of a licensed trainer and may be required to provide additional evidence of his qualifications as a horse owner when such evidence is requested by the stewards of the meeting.

S. 45.3 A claimed horse shall not enter in starter, optional, or claiming races for thirty days after being claimed in a race in which the determining eligibility price is less than twenty-five percent more than the price at which the horse was claimed. The day claimed shall not count, but the following calendar day shall be the first day and the horse shall be entitled to enter whenever necessary so the horse may start on the thirty-first day following the claim for any claiming price. This provision shall not apply to starter handicaps in which the weight to be carried is assigned by the handicapper. A similar rule in other states will be recognized and enforced.

S. 45.4 The claiming price of each horse in a claiming race shall be the entered claiming price, plus tax.

S. 45.5 If a horse is claimed it shall not be sold or transferred to anyone wholly or in part, except in a selling or claiming race, for a period of thirty days from date of claim, nor shall it, unless reclaimed, remain in the same stable or under the control or management of its former owner or trainer for a like period, nor shall it race in any other state until after the close of the meeting at which it was claimed, unless special permission is obtained from the Commission. However, a horse claimed at a track in Louisiana must remain at the track where it was claimed for a period of sixty calendar days or until the current meeting at which it was claimed is terminated. The following calendar day shall be the first day and the horse shall be entitled to enter at another track in the state whenever necessary so the horse may start on the sixty-first day following the claim.

S. 45.6 All claims for the entire race card shall be signed, sealed, time stamped, and deposited in a locked box provided for that purpose in a designated place, at least fifteen minutes prior to post time for the first race. The claim box shall be opened by the stewards and all claims remain in their possession. The claim envelopes shall not be opened by the stewards earlier than ten minutes prior to post time for the designated claiming race. Notification will be made by the stewards to the proper officials of any claim or claims, if any. No money shall accompany the claim. Each person desiring to make a claim, unless they have such amount to their credit with the horsemen's bookkeeper, must first deposit with the horsemen's bookkeeper the whole amount of his claim in cash, for which a receipt will be given. If more than one person shall enter a claim for the same horse, the disposition of the horse shall be decided by lot by one of the stewards or his deputy, and the person so determined to have the right of the claim shall become the owner of the horse whether it be alive or dead, sound or unsound, or injured during the race or after it. Any horse, other than the winner, that has been claimed, shall be taken to the paddock after the race has been run, for delivery to the claimant unless sent to the retention barn for delivery to the claimant after the specimen has been collected.

S. 45.7 Title to a claimed horse shall be vested in the successful claimant at the time the horse becomes a starter. The successful claimant shall then become the owner of the horse whether he be alive or dead, sound or unsound, or injured leaving the starting gate, during the race, or after. However, the successful claimant may request on the claim blank at the time he makes his claim that the horse be tested for the presence of equine infectious anemia via a Coggins test. Should this test prove positive, it shall be cause for a horse to be returned to his previous owner and barred from racing in the State of Louisiana. The expense of the Coggins test

and the maintenance of the horse during the period required for the test, shall be absorbed by the successful claimant. If such a test is requested, the claimed horse will be sent to the retention barn of the Louisiana State Racing Commission where the State Veterinarian will draw a blood sample, which sample shall be sent to a laboratory approved by the Louisiana Livestock Sanitary Board for the conduct of such test.

S. 45.8 No person shall claim more than one horse in a race.

S. 45.9 Each horse shall run for the account of the person in whose name it starts.

S. 45.10 When a claim has been lodged it is irrevocable, and it is at the risk of the claimant.

S. 45.11 Where a claimed horse has had a posterior digital (heel nerve) neurotomy performed prior to the claim, the claimant shall have forty-eight hours from the moment that the horse becomes a starter to protest the claim.

S. 45.12 If the stewards should be of the opinion that any person is claiming a horse for the benefit of another, they may require him to make an affidavit that he is not doing so.

S. 45.13 No horse shall be delivered except on a written order from the racing secretary.

S. 45.14 Any person refusing to deliver a claimed horse shall be suspended and his case referred to the Commission. The claimed horse is disqualified until it is delivered to the successful claimant.

S. 45.15 In claiming races, engagements follow the horse.

S. 45.16 Any person who shall attempt to prevent another person from claiming any horse in a claiming race, or any owners running a horse in claiming races who may make any agreement for the protection of claiming of each other's horses, may be fined or suspended by the stewards or ruled off by the Commission.

S. 45.17 Any person or persons who shall enter, or allow to be entered, in a claiming race a horse against which any claim is held, either as mortgage, bill of sale, or lien of any kind, shall be ruled off, unless when or before entering the horse the written consent of the holder of the claim shall be filed with the racing secretary where the horse is entered.

S. 45.18 The stewards shall be the sole judge of the validity of a claim.

S. 45.19 All claims shall be on blanks and in envelopes furnished by the association and approved by the Commission. Both blanks and envelopes must be filled out completely and be letter perfect, otherwise the claim will be void. The horse's name must be identical to the way it is printed in the official racing program of the association, otherwise the claim will be void.

S. 45.20 When a trainer is training for more than one owner, only one claim from that stable will be allowed

for any one race. Only one claim from owners having the same trainer will be allowed for any one horse.

S. 45.21 Delivery of a claimed winning horse to the claimant or his representative shall be made in the Commission retention barn after specimens (blood, urine, and/or saliva) have been obtained. This rule shall also apply to claimed horses selected for extra tests ordered by the Commission, stewards, or racing officials.

S. 45.22 Notwithstanding any designation of sex or age appearing on the racing program or in any racing publication, the claimant of a horse shall be solely responsible for determining the age or sex of the horse claimed.

LAC 11-6:46 Engagements and Transfers

S. 46.1 If a horse is sold by private treaty, or at public auction, the written acknowledgement of both parties is necessary to prove the fact that he was sold with his engagements, but when a horse is claimed out of a claiming race, the horse's engagements are included.

LAC 11-6:47 Winnings

S. 47.1 Winnings shall include all first place money earned up to the time appointed for the start, and shall apply to all races in any country, and shall include money won by walking over or by virtue of forfeit, but not any other money, or the value of any prize not of money or not paid in money. Winnings during the year shall be reckoned from and include January 1.

S. 47.2 Winner of a certain sum shall mean winner of a single race of that value, unless otherwise expressed in the conditions.

S. 47.3 The winnings of a horse in a stakes race shall be computed on the value of the gross earnings. In estimating the net value of a race to the winner, all sums contributed by its owner or nominator shall be included in the amount it won.

S. 47.4 In estimating the value of a series of races in which an extra sum of money is won by winning two or more of the series, the extra money shall be estimated in the last race by which it was finally won.

LAC 11-6:48 Registration and Accreditation

S. 48.1 Any person or persons fraudulently registering, or attempting to fraudulently register, a Thoroughbred with the Jockey Club of New York, a Quarter Horse with the American Quarter Horse Association, or an Appaloosa with the Appaloosa Horse Club, Inc., shall be denied a license, or have his license revoked.

S. 48.2 The above penalties will also be applicable to any person or persons using, or attempting to use, fraud to certify a foal as an accredited Louisiana bred with organizations recognized by the Commission and the

State of Louisiana. Should any breeder organization, recognized by the Commission, discover any irregularities, it shall promptly, in writing, report such violations to the Commission.

LAC 11-6:49 Quarter Horse Racing

S. 49.1 The rules of the Commission shall govern Quarter Horse racing wherever they are applicable. When not applicable, the stewards may enforce the rules of the American Quarter Horse Association so long as they are consistent with the rules of the Commission.

S. 49.2 Cases not covered by the American Quarter Horse Association's rules shall be decided by the stewards, with the advice and consent of the Commission.

S. 49.3 The jurisdiction of a licensed Quarter Horse race meeting shall be vested solely with the Commission.

S. 49.4 The official stud book and registry of the American Quarter Horse Association shall be recognized as the sole official registry for Quarter Horses.

S. 49.5 Races between Thoroughbred and Quarter Horses are prohibited unless special permission is granted by the Commission.

LAC 11-6:50 Appaloosa Horse Racing

S. 50.1 The rules of the Commission shall govern Appaloosa horse racing wherever they are applicable. When not applicable, the stewards may enforce the rules of the Appaloosa Horse Club, Inc. so long as they are consistent with the rules of the Commission.

S. 50.2 Cases not covered by the rules of the Appaloosa Horse Club, Inc., shall be decided by the stewards, with the advice and consent of the Commission.

S. 50.3 The jurisdiction of a licensed Appaloosa horse race meeting shall be vested solely with the Commission.

S. 50.4 The official stud book and registry of the Appaloosa Horse Club, Inc. shall be recognized as the sole official registry for Appaloosa horses.

S. 50.5 Races between Thoroughbred and Appaloosa horses and races between Quarter Horses and Appaloosa horses are prohibited unless special permission is granted by the Commission.

LAC 11-6:51 Louisiana Breeder Awards

S. 51.1 Any amount paid under R.S. 4:165 and R.S. 4:177 shall not be included in estimating the value of the race to the winner. In construing this rule the definitions contained in the rules of racing adopted by the Commission shall apply. All questions arising under this rule as to the breeding or foaling or accreditation of any winning horse shall be decided by the Louisiana Thoroughbred Breeders Association, the Louisiana Quarter Horse Breeders Association or the Appaloosa Horse

Club, Inc. In case of a dispute, either party may appeal to the Commission for final decision.

LAC 11-6:52 Appeals to the Commission

S. 52.1 Any person penalized or disciplined by the stewards may apply to the Commission for a suspensive appeal staying the effects of the stewards' action pending disposition of such appeal by the Commission. All appeals must be filed in writing at the office of the Commission within five days of the date of the penalty or imposition of the discipline.

S. 52.2 Any license or legal entity granted privileges by the Commission may file with the Commission a petition for a declaratory order or ruling as to the applicability of any statutory provision, or any rule, or order of the Commission or its employees. Such petition shall be in writing and signed under oath by the petitioner. The petition shall contain sufficient information to enable the Commission to act thereupon and the Commission may request additional information and facts. The Commission shall issue its order or ruling as expeditiously as possible after deliberate consideration of the issues involved and the interests affected.

LAC 11-6:53 Corrupt and Prohibited Practices

S. 53.1 If any person gives or offers, or promises to directly or indirectly bribe in any form, any person having official duties in relation to any race or race horse, or to any trainer, jockey or agent, or to any other person having charge of, or access to, any race horse; or if any person having official duties in relation to a race, or if any trainer, jockey, agent, or other person having charge of, or access to, any race horse, shall accept, or offer any bribe in any form; or willfully enter, or cause to be entered, or to start in any race a horse which he knows or believes to be disqualified; or if any person is guilty of, or shall conspire with any other person for the commission of, or shall connive with any person being guilty of, any corrupt or fraudulent practice in relation to racing in this or any other country, such person may be disciplined as elsewhere provided in these rules or in the laws of the State.

S. 53.2 Perjury in racing is the intentional making of a false written or oral statement in, or for use in, any proceeding or hearing before the Commission or the stewards, wherein the Commission or the stewards are authorized to take testimony. In order to constitute perjury in racing, the false statement must be made under sanction of an oath or an equivalent affirmation, and must relate to matter material to the issue of question in controversy. It is a necessary element of the offense that the person making such statement knew it to be false, but an unqualified statement of that which a person does not know or definitely believe to be true is

equivalent to a statement of that which he knows to be false. Whoever commits or attempts to commit bribery, corrupt influencing, the fraudulent entering of a horse, a fraudulent practice in racing, or perjury, all as defined above may have his license revoked, be fined or suspended or both, or be ruled off of any race track under the jurisdiction of the Commission or any one or more of the foregoing as appropriate.

S. 53.3 No assistant starter or jockey room employee may wager money or other valuable thing on the result of a race. No employee of any association licensed by this Commission shall furnish, other than to authorized persons, any information with respect to entries, scratches, results, or jockey changes in any race. No person shall solicit bets on the grounds of an association. No electrical or mechanical device or other expedient designed to increase or retard the speed of a horse, other than the ordinary whip approved, shall be possessed by anyone, or applied by anyone to a horse at any time on the grounds of an association during the meeting, whether in a race or otherwise. No person shall tamper or attempt to tamper with any horse in such a way as to affect his speed in a race, nor shall he counsel or in any way aid or abet any such tampering.

S. 53.4 Any substance or material for human or animal use, ingestion or injection, or for testing purposes that is not formally approved by the United States Food and Drug Administration is prohibited.

S. 53.5 Permitted medication may be administered to a horse in training during a race meeting only by a licensed veterinarian or a licensed trainer, or under their personal orders, except that all medication made hypodermically must be done by a licensed veterinarian.

S. 53.6 No medication shall be administered to a horse after the time fixed by the stewards and posted on the bulletin board in the racing secretary's office. Provided, however, that the time posted shall not be prior to entry in a race. If it is necessary to do so, it must be reported to the stewards by the trainer and the horse may be scratched.

S. 53.7 A forbidden narcotic is a narcotic, the sale, possession, or use of which is prohibited by Federal, State, or local laws or regulations.

S. 53.8 A stimulant, a depressant, a local anesthetic shall mean such substances as are commonly used by the medical or veterinary professions to produce such effects, and which are defined as such in accepted scientific publications.

S. 53.9 The use of a stimulant, depressant, or anesthetic in a manner that might affect, or tend to affect, the racing performance of a horse is prohibited. (Stimulants and depressants are defined as medications which stimulate or depress the circulatory, respiratory, or central nervous systems.)

S. 53.10 The use of any drug, regardless of how harmless or innocuous it might be, which by its very

nature might mask or screen the presence of the aforementioned prohibited drugs is likewise prohibited.

S. 53.11 Full use of modern therapeutic measures for the improvement and protection of the health of a horse is authorized; however, no such medication will be used on the day of the race except as may be provided in LAC 11-6:54 or by express permission of the stewards.

S. 53.12 Personal veterinary records, which accurately record all medications shall be maintained by veterinarians, owners, trainers, and/or authorized personnel and will be made available to racing officials on request.

S. 53.13 Controlled medication is permitted in Louisiana under the conditions set forth in LAC 11-6:54.

S. 53.14 No person shall administer, or cause or knowingly permit to be administered, or connive at the administration of, any drug not permitted by LAC 11-6:54 to any horse entered for a race, which is of such character as could affect the speed of the horse in such race. Every owner, trainer, or groom must guard, or cause to be guarded, each horse owned, trained or attended by him in such manner as to prevent any person or persons from administering to the horse, by any method, any drug, not permitted by LAC 11-6:54, prior to the time of the start of the race which is of such character as to affect the speed of the horse in such race.

S. 53.15 When a report is received from the State chemist reflecting in his expert opinion that the chemical analysis of blood, saliva, urine, or other samples taken from a horse indicate the presence of a forbidden narcotic, stimulant, depressant, or analgesic, local anesthetic or drugs of any description, not permitted by LAC 11-6:54, this shall be taken as prima facie evidence that such has been administered to the horse. Such shall also be taken as prima facie evidence that the owner, and/or trainer, and/or groom has been negligent in handling of the horse.

S. 53.16 The owner, and/or trainer, and/or groom, and/or other person, shall be permitted to interpose reasonable and legitimate defenses before the Commission.

S. 53.17 When a report as described in Section 53.15 is received from the State chemist, the stewards shall conduct an investigation and a hearing. There shall be no ruling and the stable shall remain in good standing pending a ruling by the stewards. However, the horse allegedly to have been administered any such chemical substance or material shall not enter in a race during the investigation and hearing.

S. 53.18 The trainer and/or assistant trainer shall be responsible for and be the absolute insurer of the condition of the horses he enters regardless of acts of third parties. Trainers and/or assistant trainers are presumed to know the rules of the Commission.

S. 53.19 Should the chemical analysis of any sample of the blood, saliva, urine, or other excretions of body fluids of any horse so analyzed contain any narcotic,

stimulant, depressant, local anesthetic, analgesic, or drugs of any description, not permitted by LAC 11-6:54, the trainer of the horse may, after a hearing of the stewards, be suspended or ruled off, if the stewards conclude that the drug contained in the sample could have produced analgesia in, stimulated, or depressed the horse, or could have masked or screened a drug, not permitted by LAC 11-6:54, that could have produced analgesia in, stimulated or depressed the horse. The stable foreman, groom, and any other person shown to have had the care or attendance of the horse may be suspended, or ruled off. The owner or owners of a horse so found to have received such administration shall be denied, or shall promptly return, any portion of the purse of sweepstakes and any trophy in such race, and the same shall be distributed as in the case of a disqualification.

S. 53.20 If a horse winning a race is disqualified, it will nonetheless be recognized as the winner of the race for the purpose of meeting the eligibility and conditions for all future races and the horse which is declared the official winner of the race will likewise be recognized as the winner of the race, pending final determination by proper authority.

S. 53.21 If any owner, trainer, assistant trainer, groom, or stable attendant should interfere with, or use abusive language to the State Veterinarian, his assistants, or any racing official while in the discharge of his duties, such person may be fined or suspended.

S. 53.22 No person shall have in his possession, within the confines of a race track or within its stables, buildings, sheds or grounds, or within an auxiliary (off-track) stable area, where horses are lodged or kept which are eligible to race over a race track of any association holding a race meeting, any prohibited drugs, hypodermic syringes or hypodermic needles or similar instruments which may be used for injection, except that licensed veterinarians may have in their possession such drugs, instruments or appliance, etc. as required in general veterinary practice.

S. 53.23 Anyone tampering with a horse in any manner will be prosecuted as provided by law.

S. 53.24 During the taking of a sample by a representative of the Commission, the owner, trainer, hot walker, groom, authorized agent, or chemist representing the owner or trainer, may be present at all times. The sample so taken shall be placed in an authorized container and shall be immediately sealed, and the evidence of such sealing shall be indicated thereon by the signature of such representative of the owner or trainer. The veterinarian representing the owner or trainer shall have the right to attend and witness the examination and testing of the blood, saliva, or other excretions of body fluid.

S. 53.25 The Commission, or the steward representing the Commission, investigating violations of law or the rules of the Commission, shall have the power to

authorize searches of the person or the power to authorize entry and search of the stables, rooms, vehicles, or any other place within the track enclosure at which a race meeting is being held, or other tracks or places where horses eligible to race at the race meeting are kept. The Commission or the steward representing the Commission shall also have the authority to conduct or authorize searches of all persons licensed by the Commission, and of all employees and agents of any race track association licensed by the Commission, and of all vendors who are permitted by the race track association to sell and distribute their wares and merchandise within the race track enclosure, in order to inspect and examine the personal effects or property on such persons or kept in stables, rooms, vehicles, or other places. Each licensee and permittee, in accepting a license, shall be deemed to have consented to such search and does waive and release all claims or possible actions for damages that he may have by virtue of any action taken under this rule.

S. 53.26 Each licensee and/or permittee, in accepting a license, shall be deemed to have consented to have any prior criminal arrest and/or criminal conviction disclosed and/or utilized during any steward's hearing, Commission hearing, or in any subsequent litigation arising from these hearings.

S. 53.27 All horses from which specimens are to be drawn are to be taken to the detention area at the prescribed time and remain there until released by the person in charge of the detention barn. No person other than the owner, trainer, groom, or hot walker of a horse to be tested shall be admitted to the detention area without permission of the person in charge of the detention barn. No lead pony shall be admitted to the detention area without permission of the person in charge of the detention barn.

S. 53.28 Stable equipment other than that necessary for washing and cooling out a horse is prohibited in the detention area. Buckets and water will be furnished by the person in charge of the detention barn. If a body brace is to be used, it shall be supplied by the responsible trainer and administered only with the permission, and in the presence of, the person in charge of the detention barn. A licensed veterinarian may attend a horse in the detention area only in the presence of the person in charge of the detention barn.

S. 53.29 During the taking of a specimen from a horse, the owner, or responsible trainer (who, in the case of a claimed horse shall be in the person in whose name such horse raced), or a stable representative designated by such owner or trainer, shall be present and witness the taking of such specimen and so signify in writing.

S. 53.30 All containers previously used for specimens shall be thoroughly cleaned in the Commission chemist's laboratory and shall be sealed with the laboratory stamp which shall not be broken except in the presence of the witness. Only water, with or without acetic acid, shall be

used to moisten gauze used in collection of saliva. Instruments and utensils used in the taking of samples shall be sterilized after each use.

S. 53.31 The temperature of each sample shall be promptly taken and recorded by the person in charge of the detention barn or his assistant. The specimen shall be placed in a container and sealed with a double identification tag. One portion of such tag bearing a printed identification number shall remain with the sealed container. The other portion of such tag bearing the same printed identification number shall be detached in the presence of the witness, and the person in charge of the detention barn shall identify the horse from which such specimen was taken, as well as time, race, and day, verified by such witness, and such detached portions of identification tags shall be placed in a sealed envelope by the person in charge of the detention barn for delivery only to the Commission. The person in charge of the detention barn shall take every precaution to ensure that the Commission chemist and no member of the laboratory staff shall know the identity of the horse from which a specimen was taken prior to the completion of all testing thereon.

S. 53.32 If after a horse remains a reasonable time in the detention area and a urine specimen has not been taken from the horse, the State Veterinarian may take a blood sample.

S. 53.33 With the consent of the trainer or attendant, the person in charge of the detention barn may administer to the horse a diuretic to facilitate urination. Quantity, identity, and time of administration shall be noted on both portions of the specimen identification tag by the person in charge of the detention barn.

S. 53.34 The person in charge of the detention barn shall be responsible for safeguarding all specimens while in his possession and shall cause such specimens to be delivered only to the Commission chemist as soon as possible after sealing, but in such order or in such manner as not to reveal the identity of any horse from which each sample was taken.

S. 53.35 Each specimen shall be divided into portions so that one portion shall be used for initial testing for unknown substances, and another portion shall be preserved for further testing as the Commission may direct. The Commission chemist shall be responsible for safeguarding and testing each specimen delivered to his laboratory by the Commission representative.

S. 53.36 The Commission chemist shall conduct individual tests for prohibited substances on each specimen, and shall identify any prohibited substance or metabolic derivative thereof.

S. 53.37 Upon the finding that a test for prohibited substances is negative, the remaining portions of such specimen may be discarded. Upon the finding of test results which are suspicious, positive, or indicative of prohibited substances, such tests may be reconfirmed,

and the remaining portion, if available, of such specimen shall be preserved and protected until such time as the stewards rule it may be discarded.

S. 53.38 The Commission chemist shall submit to the State Steward a written report as to each specimen tested, indicating thereon by specimen tag identification number, whether a specimen was tested negative or positive for prohibited substances. The Commission chemist shall report test findings to no person other than the State Steward, Commission, or their designated representative.

S. 53.39 In the event the Commission chemist should find a specimen suspicious of a prohibited medication, he may request additional time for test analysis and confirmation.

S. 53.40 The horsemen's bookkeeper shall make no distribution of any purse until given clearance of chemical tests by the stewards.

S. 53.41 The Commission chemist will make a further report to the State Steward and the Commission on any substance his tests showed, which is not normal in a horse. These reports shall be confidential and are not evidence for disciplinary action. They can be used as a warning to the trainer or veterinarian, by the stewards or by the Commission Veterinarian, to improve his surveillance. The residue of specimen material from such tests will be preserved by the Commission chemist until released by the Commission.

S. 53.42 In reporting to the State Steward that a test of a specimen was positive for a prohibited substance, the Commission chemist shall present documentary or demonstrative evidence acceptable in the scientific community and admissible in court in support of his professional opinion as to the positive finding.

LAC 11-6:54 Permitted Medication

S. 54.1 The use of phenylbutazone (Butazolidin), Arquel, and/or Lasix is permitted upon a race horse within a licensed racing enclosure or an auxiliary (off-track) stable area, subject to compliance with the following:

A. Only a veterinarian may prescribe, dispense, and administer phenylbutazone, Arquel and/or Lasix, except a trainer may administer phenylbutazone or Arquel if it is an ingestible or is topically applied.

B. Lasix may be administered the day of the race upon approval of the State Veterinarian or the veterinarian attending the horse.

C. Daily reports of the administration of Lasix must be given to the State Veterinarian by 12:00 noon. They must be signed by the attending veterinarian and cosigned by the State Veterinarian, and must contain the following:

- (1) Date of the race.
- (2) Number of the race in which the horse is to run.

(3) Name of the horse and its tattoo identification number.

(4) Name of permissive medication or medications administered.

(5) Hour and date that all permitted medication was administered to the horse.

D. Prior to or at the time of its entry in a race at each race meeting, a trainer shall report to the State Veterinarian each horse under his care by name, including the tattoo identification number, which shall run on phenylbutazone or Arquel. Once a horse is reported to be on a phenylbutazone or Arquel program, it shall be deemed to be continued on the program unless removed in accordance with the provisions of Section 54.1F.

E. Whenever bleeder medication, Arquel, or phenylbutazone is to be administered to a horse entered for racing, that information will be posted for public information in the Daily Racing Form, and the Daily Racing Program.

F. Any horse on a phenylbutazone or Arquel program that races well and "lights the board" must be treated each time he races. A horse that races poorly, or is pronounced cured, or is not responding to phenylbutazone or Arquel therapy, may be taken off the treatment upon the recommendation of the treating veterinarian, subject to the approval of the State Veterinarian or, where a trainer administered the phenylbutazone or Arquel upon the recommendation of any veterinarian, subject to the approval of the State Veterinarian. Once a horse is taken off a phenylbutazone or Arquel program, it shall not be placed back on phenylbutazone or Arquel for thirty days.

G. To insure that the use of phenylbutazone and Arquel is consistent and the reporting is accurate, the Commission reserves the right to pre-race blood tests or post-race urine tests, or both, whenever it is deemed necessary.

H. Notwithstanding anything herein contained to the contrary, phenylbutazone or Arquel shall not be prescribed, dispensed, or administered to a two-year-old horse.

S. 54.2 As used in this rule, "veterinarian" shall mean a person who is licensed to practice veterinary medicine in Louisiana, and who is in good standing and is licensed by the Commission.

S. 54.3 Any person found to have violated the provisions of this rule may be punishable by fine, and/or suspension, and/or revocation of license.

Albert M. Stall, Chairman
Racing Commission

RULES

Department of Urban and Community Affairs Office of Planning and Technical Assistance

Revisions to the Policies governing the Housing and Urban Development (HUD 701) Comprehensive Planning Assistance Program

Section III, (A) is amended to read:

III. Local Assistance Program

A. Application Requirements

1. Application for grant or technical assistance will be required on an annual basis.
2. Department of Urban and Community Affairs (DUCA) will notify all eligible program participants of deadline dates for submittal of application. Application for local assistance grants and/or technical aid will take the form described in the appropriate applicant eligibility category indicated below.
 - a. To be considered eligible for a local assistance grant, a locality must either be a current program participant or a participant in the previous year's program which, due to a circumstance other than poor program performance, could not be included in the current year's program. Such eligible localities will receive notification of deadline dates for submittal of application by registered mail. A resolution from the planning commission recommending planning program will be attached to a resolution from the locality's governing body. This governing body's resolution must approve the recommendations set forth in the planning commission resolution. Resolutions will conform to standard resolutions prepared by DUCA. The complete application must be submitted to DUCA and postmarked no later than the date indicated in the aforementioned letter of instructions. DUCA will mail a copy of the standard resolution to current program participants (localities and consultants) and on request to other interested parties who contact DUCA for such information.

- b. To be considered eligible for a program of technical aid that will qualify it as a first year program participant, a locality must either never have participated in the HUD 701 Comprehensive Planning Assistance Program or not have been a participant subsequent to the 1970-1971 program year. Such eligible localities will receive notification of deadline dates for submittal of application by regular mail. A resolution must be approved by the locality's governing body requesting to participate in the planning program. Resolutions will conform to standard resolutions prepared by DUCA. The complete application must be submitted to DUCA and postmarked no later than the date indicated in the aforementioned letter of instructions. DUCA will mail a copy of the standard resolution and application package to eligible localities and consultants and other interested parties who contact DUCA for such information.

Section III (B) is amended to read:

B. Allocation of Funds for Local Assistance

1. Only applicants submitting a complete application by the date discussed above will be considered. Selection of applicants for participation in the program will be determined based on HUD and State guidelines. Final determination of participation in the program will be made by DUCA.
2. The planning program will be evaluated on an individual applicant basis at the time of contract execution. Such evaluations will be based on HUD guidelines and on availability of existing planning information as determined by DUCA in coordination with other State agencies.

Leon Tarver, Secretary
Department of Urban and Community Affairs

RULES

Workmen's Compensation Second Injury Board Rules of Practice and Procedure

Section 1. Authority. These Rules of Practice and

Procedure are promulgated by authority of R.S. 49:951 et seq., as amended, being the Louisiana Administrative Procedures Act.

Section 2. Domicile of Board, Time of Meetings, Special Meetings. The Board shall be domiciled in Baton Rouge, Louisiana. It shall hold its regular meeting on the first Thursday of each month. Special meetings may be called upon giving three days advance notice thereof.

Section 3. Definitions. By reference, all of the definitions set forth and contained in R.S. 49:951 through 49:966, inclusive, are incorporated herein, and for the purpose of hearings to be held hereunder, the following definitions shall prevail:

- (a) "Board" shall mean the Louisiana Workmen's Compensation Second Injury Board.
- (b) "Hearing" shall mean a hearing called by the Board under the authority of R.S. 23:1378, subsection C.
- (c) "Hearing officer" shall be the Chairman or Vice Chairman of the Board or any other person determined by the Board to be qualified to conduct hearings on its behalf.
- (d) "Applicant" shall mean the employer or insurer making claim for reimbursement from the Workmen's Compensation Second Injury Fund.
- (e) "Insurer" shall mean the workmen's compensation insurance carrier of an employer.

Section 4. Registration and Certification of Partial Permanent Disability. A request for Board certification of the existence of a permanent partial disability as provided for in R.S. 23:1378A shall be made to the Board by the employee, by his employer or by them jointly on a form to be provided by the Board upon request. Such form shall contain such information as the Board deems necessary to make an intelligent determination as to eligibility for certification of the injury. The Board, through its Executive Director, may request such additional medical information or verification and such other factual information as it finds necessary to make such determination.

Section 5. Notice of Determination and its Effect. The Board shall notify the person or persons submitting the request for certification of its administrative determination thereon. However, the Board's determination that such person is or is not entitled to certification shall in no way affect the validity of the registration and in the event that a claim is filed under the provision of Subsection B of Section 1378, the employer or the insurance carrier filing such claim may again urge the entitlement to certification and the Board may reconsider its original determination in light of all the facts and evidence presented. Upon certification by the

Board, the registration shall be valid as long as a partial disability exists and re-registration of the certified disability is not required should the employee change employers.

Section 6. Presentation of Claim for Reimbursement from Second Injury Fund, Timely Filing Thereof. Within one hundred eighty days after the first payment of weekly compensation or of death benefits, the employer or his insurer, whichever of them makes the payments or becomes liable therefor, shall notify the Board in writing of such facts and furnish such other information as may be required for the Board to determine if the employer or his insurer is entitled to reimbursement from the Workmen's Compensation Second Injury Fund. The Board may, upon proper showing, extend the filing period provided under the provision of this section.

Section 7. Disposition of Claim. The Board shall conduct such investigations, order such hearings, and take such other actions as it finds necessary to make an intelligent decision on the claim. At least thirty days prior to the date of the Board meeting at which a decision on the claim is to be made, all interested parties shall be notified of the following:

- (1) The date, time, place, and purpose of the meeting;
- (2) That a formal hearing on the claim pursuant to the provisions of RS. 49:955, may be requested, provided such request is made in writing and is received in the office of the Board at least ten days prior to the date of said meeting;
- (3) That unless a formal hearing is requested as provided in (2) above, the Board will render its decision on the claim at said meeting.

Where no hearing is requested, the Board shall issue a written decision as soon after said meeting as the facts and circumstances will allow. Parties shall be notified by mail of such decision.

Section 8. Commencement of Hearings. As authorized by R.S. 23:1378C and these rules of practice and procedure, hearings may be instituted by the Board on timely request by the applicant or, at any time, on the Board's own motion. No request by the applicant for a hearing shall be effective unless it is made in writing and received in the office of the Board at least ten days prior to the date of the Board meeting at which a decision on the claim is to be made as set forth in Section 7 above.

Section 9. Docket. When a hearing is instituted, it shall be assigned a number and entered with the date of its filing on a separate page of docket provided for such purpose. The Board shall establish a separate file for

each such docketed case, in which shall be systematically placed all papers, pleadings, documents, transcripts, evidence, and exhibits pertaining thereto, and all such items shall have noted thereon the docket number assigned and the date of filing.

Section 10. Notice. The Board shall notify the applicant at least fifteen days prior to the hearing and such notice shall conform to the requirements of R.S. 49:955.

Section 11. Answer or Appearance. The applicant may file an answer or otherwise make an appearance on or before the date fixed for the hearing.

Section 12. Leave to Intervene Necessary. Persons, other than the original parties to any proceedings, whose interests are to be directly and immediately affected by the proceedings, shall secure an order from the Board or hearing officer appointed by it granting leave to intervene before being allowed to participate; provided that the granting of leave to intervene in any matter or proceeding shall not be construed to be a finding or determination of the Board or hearing officer for purposes of court review or appeal.

Petitions for leave to intervene must be in writing and must clearly identify the proceeding in which it is sought to intervene. Such petition must set forth the name and address of the petitioner and contain a clear and concise statement of the direct and immediate interest of the petitioner in such proceedings, stating the manner in which such petitioner will be affected by such proceedings, outlining the matters and things relied upon by such petitioner as a basis for his request to intervene in such cause, and if affirmative relief is sought, the petition must contain a clear and concise statement of relief sought and the basis thereof, together with a statement as to the nature and quality of evidence petitioner will present if such petition is granted.

Petitions to intervene and proof of service of copies thereof on all other parties of record shall be filed not less than two days prior to the commencement of the hearing. Thereafter, such petition shall state a substantial reason for such delay; otherwise, such petition will not be considered.

If a petition to intervene shows direct and immediate interest in the subject matter of the proceeding or any part thereof and does not unduly broaden the issues, the Board may grant leave to intervene or otherwise appear in the proceeding with respect to the matters set out in the intervening petition, subject to such reasonable conditions as may be prescribed. If it appears during the course of a proceeding that an

intervenor has no direct or immediate interest in the proceeding, and the public interest does not require his participation therein, the Board may dismiss him from the proceeding.

Section 13. Default in Answering or Appearing. In the event of the failure of any respondent to answer or otherwise appear within the time allowed, and provided that the foregoing rules as to service have been complied with, the respondent or respondents so failing to answer or otherwise plead to or to appear, shall be deemed to be in default, and the allegations of the complaint, petition, or order to show cause, as the case may be, together with the evidence to support the same, shall be entered into the record and may be taken as true and the order of the Board entered accordingly.

Section 14. Hearing Procedure. Hearings held under these rules and regulations shall be conducted by the Board, or by its designated hearing officer, in accordance with the rules and procedures set forth in R.S. 49:956:

- (a) The Chairman of the Board or the Vice-Chairman in the absence of the Chairman or the hearing officer assigned to the matter shall announce the title and docket number of the proceedings before the Board and direct a reading into the record of the notice of hearing together with the written appearances of the applicant and shall note the subpoenas issued and returns thereon. Attorneys and/or other representatives of the applicant shall be recognized along with the representatives of the Board and other proper parties.
- (b) The applicant shall then present his evidence subject to cross examination by the Board and other proper parties in those cases where the applicant requested the hearing be held.
- (c) The Board shall then present its evidence subject to cross examination by the applicant and other proper parties.
- (d) Where the Board has called the hearing on its own motion, the order or presentation of evidence shall be reversed.
- (e) The Board may make an informal disposition of the case by stipulation, agreed settlement, consent order or default.
- (f) The Board shall render its final decision and order in accordance with R.S. 49:958.

Section 15. Finality of Board's Decision. The decision of the Board shall be final.

Section 16. Appeal. An appeal from an adverse final decision of the Board, as to liability under the act or the amount of such liability or both, may be taken by the aggrieved party provided such appeal is filed, pursuant to

the provisions of R.S. 23:1378E, within thirty days after the date shown on the written notice of said final decision.

Section 17. Stenographic Record of Hearing. At the expense of and at the written request made not less than five days prior to the date set for the hearing by any person affected by the hearing, the Board or the person designated by it to hold the hearing shall cause a full stenographic record of the proceedings to be made by a competent stenographic reporter and, if transcribed, such records shall be made a part of the record of the Board of the hearing.

James E. Campbell, Director
Workmen's Compensation Second Injury Board

Notices of Intent

NOTICE OF INTENT

**Department of Agriculture
Bureau of Entomology and Plant Industry
Structural Pest Control Commission**

Notice is hereby given that the Louisiana Department of Agriculture, Bureau of Entomology and Plant Industry, Structural Pest Control Commission, proposes to adopt a standard contract form as required in R.S. 40:1269A and Regulation No. 9 of the Structural Pest Control Regulations.

Interested persons may submit written comments through February 3, 1977, to Richard Carlton, State Entomologist, P. O. Box 44153, Baton Rouge, Louisiana 70804.

In addition, a public hearing will be held at 9:00 a.m. Friday, January 28, 1977, in the Louis XIV Ballroom of the Sheraton Inn at Baton Rouge. All interested persons will be afforded reasonable opportunity to submit views and comments at the hearing.

Richard Carlton, Secretary
Structural Pest Control Commission

NOTICE OF INTENT

Department of Civil Service

The State Civil Service Commission will hold a public hearing on March 1, 1977, for the purpose of considering changes in and additions to Civil Service Rule 11.28 as proposed below.

The hearing will begin at 9:00 a.m. and will be held in the Hearing Room of the Civil Service Department on the Seventh Floor of the Land and Natural Resources Building at the corner of North Street and Riverside Mall in Baton Rouge, Louisiana.

The purpose of this hearing is to consider proposed changes to Rule 11.28, on holidays, to provide equity among employees in the observance of legal holidays.

The proposal to be considered at this public hearing by the Civil Service Commission is as follows:

Proposal

11.28 Holidays

- (a) Repeal
- (b) An employee who is required by his appointing authority to work on a day observed as a holiday in the department or area of the department in which he is employed shall be entitled to compensatory leave benefits as authorized by Rule 11.29 or overtime compensation as authorized by Rule 6.25.
- (c) Where a department observed holiday does not fall on a day which is within the regular work schedule of a full-time employee as designated under the provisions of Rule 11.1(c), such employee's work schedule is to be adjusted where feasible to provide him with an equal number of holidays during the week in which the department observed holiday occurs. Where it is not feasible to make such an adjustment for a regular full-time employee, the employee shall be entitled to benefits as authorized by Rule 11.29.
- (d) Where a department observed holiday does not fall on a day which is within the regular work schedule of a part-time employee as designated under the provision of Rule 11.2(b), such employee is to be granted compensatory leave benefits, as authorized by Rule 11.29, in proportion to the number of hours that his regular part-time weekly work schedule bears to a full-time employee weekly work schedule.

Explanation

The purpose of this rule is to establish the circumstances and methods under which employees may be compensated for legal holidays.

With the implementation of the rule as noted above, the following would be accomplished:

1. In regards to holidays, the proposed rule would provide for equal treatment for all employees regardless of their various work week schedules within each agency. Under the present rule, some employees have had the opportunity to observe a holiday during Christmas while others did not receive this benefit because of their work schedule.
2. Rule 11.28(a) is recommended for repeal action and Rule 11.28(b) is recommended for amendment to provide for the treatment of all holidays in the same manner. In other words, under the proposal, Christmas Day holiday, recently observed, would be treated the same for all employees within each agency.
3. Through the recommended amendment of Rule 11.28(b), we propose to provide that an employee may receive either overtime pay or compensatory time if he works on any observed holiday in an agency. This, we feel, will remove inequitable treatment of employees which agencies and employees have objected to in the past.
4. The proposes enactment of Rules 11.28(c) and 11.28(d) will provide that employees will receive equal holiday benefits within an agency when a holiday falls on an employee's "off day".

Persons interested in making comments relative to this proposal may do so by appearance at the public hearing or by writing to the Director of the Department of Civil Service at Post Office Box 44111, Capitol Station, Baton Rouge, Louisiana 70804.

George Hamner, Director
Department of Civil Service

NOTICE OF INTENT

Board of Trustees for Colleges and Universities

In accordance with the laws of the State of Louisiana and with reference to the provisions of Title 30 of the Louisiana Revised Statutes of 1950, as

amended, a public hearing will be held in the Graden Level Auditorium, One American Place, Baton Rouge, Louisiana, beginning at 10:00 a.m. on January 28, 1977.

Under the authority of Article VIII, Section 6 of the 1974 Louisiana Constitution, the Board will, at such hearing consider amendment to:

- A. Part II, General Operating Procedures, and specifically Section, 2.7 Committees
- B. Part IX, Athletic Policies, and specifically Section 9.11 A(5), Tickets and Passes.

The Board of Trustees for State Colleges and Universities shall accept written comments until 5:00 p.m., Friday, January 14, 1977, at the following address: Board of Trustees for Colleges and Universities, P. O. Box 44307, Capitol Station, Baton Rouge, Louisiana 70804.

The public is made aware of the proposed policies and procedures in compliance with R.S. 49:951-968.

All interested persons will be afforded reasonable opportunity to submit data, views, comments, or arguments at the regular January Board meeting.

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

NOTICE OF INTENT

Board of Elementary and Secondary Education

Notice is hereby given that the State Board of Elementary and Secondary Education intends to adopt at its February 24, 1977 meeting, the following policies, procedures and regulations. Public notification made herein indicates no final approval.

1. Revisions to Bulletin 741, Handbook for School Administrators (Revised April, 1976) in the following areas:
 - A. Requirements for High School Graduation—Social Studies, p. 14
 - B. Requirements for High School Graduation—Free Enterprise
 - C. Elementary Section—Additional Requirements, p. 8
 - D. Special Requirements—Scheduling, Time, and Attendance, p. 15
 - E. Guidelines, p. 17

- F. Secondary Program of Studies—Health Occupations, p. 23
- G. High School Credit for College Courses, p. 35
- H. Graduation Requirements for Adults, p. 37

- 2. Teachers certified in social studies and business education shall be allowed to teach on a temporary basis, a course in free enterprise until June, 1978.

The State Board of Elementary and Secondary Education will accept written comments until 4:30 p.m., February 3, 1977, at the following address: State Board of Elementary and Secondary Education, P. O. Box 44064, Baton Rouge, Louisiana 70804.

The public is made aware of the consideration of the above rule changes in compliance with R.S. 49:951, et seq.

All interested parties will be afforded reasonable opportunity to submit data, views, comments, or arguments at the regular February Board meeting.

Earl Ingram, Director
Board of Elementary and Secondary Education

NOTICE OF INTENT

**Department of Health and Human Resources
Office of Family Services**

The Department of Health and Human Resources, Office of Family Services, proposes to adopt revised standards for the Minimum Licensure of Child Day Care Centers.

The licensing authority of the Office of Family Services is established by R.S. 46:1401-1411 and charges the Office of Family Services with the responsibility for developing and publishing standards for the licensing of day care centers.

In the November, 1976, issue of the Louisiana Register, a notice of intent was published and a public hearing scheduled for December 7, 1976, to permit public input for agency consideration prior to adoption of the proposed standards. At the public hearing, the testimony presented opposed adoption of the proposed standards on the basis that they were not strong enough to assure the well being and protection of Louisiana children receiving day care. Concern was expressed that

the proposed standards would allow centers to operate without a license. Recommendations were also presented urging that the standards be strengthened in the areas of staff requirements, nutrition, and center equipment.

In view of the opposition expressed, Roy E. Westerfield, Assistant Secretary of the Office of Family Services, recognized the need for a second public hearing to again permit public comment on subsequent revisions which would be made to the proposed standards as a result of the comments received from interested persons.

The Office of Family Services, after considering all written and oral comments, has made revisions to the proposed Minimum Standards for Licensure of Child Day Care Centers. Copies of the proposed Standards for Minimum Licensure of Child Day Care Centers may be obtained without cost at the following address: Office of Family Services, 333 Laurel Street, Room 830, Baton Rouge, Louisiana 70804, Telephone Number (504) 389-5571, or by writing to: Roy E. Westerfield, Assistant Secretary, Department of Health and Human Resources, Office of Family Services, P. O. Box 44065, Baton Rouge, Louisiana 70804.

Interested persons may submit written comments through February 7, 1977, to Mr. Westerfield at the above address.

A public hearing will be held on February 7, 1977, at 1:00 p.m. in the Mineral Board Hearing Room, State Land and Natural Resources Building, 625 Fourth Street, Baton Rouge, Louisiana, to permit public input.

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

NOTICE OF INTENT

**Department of Health and Human Resources
Office of Family Services**

The Department of Health and Human Resources, Office of Family Services, proposes to adopt the policy statements on employment and training in the Indo-Chinese Refugee Assistance Program which were mandated by the U.S. Department of Health, Education and Welfare by Social and Rehabilitative Services' Action Transmittal 76-160 published October 22, 1976. The policy is as follows:

I. Employment or Training Requirements

- A. All employable refugees who apply for or

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

1. An individual who is under age 16, or who is under age 21 and is attending school or training full time, or who is age 21 or over and is attending school or training except that training shall be limited to less than one year.
2. A person who is ill, incapacitated, or over 65 (verification of illness or incapacitation is required).
3. A person whose presence in the home is required because of illness or incapacity of another member of the household (verification is required).
4. A mother or other caretaker of a child under the age of 6 who is caring for the child; or
5. A mother or other caretaker of a child, when the nonexempt father or other non-exempt adult relative in the home is registered and has not refused to accept employment without good cause.

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

- B. As an applicant for assistance, an employable refugee shall not, during thirty consecutive calendar days immediately prior to the receipt of aid, have voluntarily quit a job for the purpose of receiving assistance, or refused to apply for or accept an appropriate offer of employment. The dependent family of such an ineligible applicant may, however, apply for and receive cash assistance.
- C. As a recipient of assistance under the refugee assistance program, an employable refugee shall not, while in receipt of aid, have voluntarily quit for the purpose of receiving assistance, or refused to to apply for or accept an appropriate

offer of employment or employment-related training meeting any applicable minimum wage requirement.

D. Appropriate Work and Training Criteria: The determination of "appropriate work" shall be made in accordance with the following criteria:

1. Appropriate work may be temporary, permanent, full-time, part-time, or seasonal work if such work meets the other work standards of this document.
2. The wage shall meet or exceed the Federal or State minimum wage law, whichever is applicable, or if such laws are not applicable, the wage shall not be less favorable than the wage normally paid for similar work in that labor market but in no event shall it be less than three-fourths of the minimum wage rate.
3. The daily hours of work and the weekly hours of work shall not exceed those customary to the occupation.
4. No individual shall be required to accept employment if:
 - (i) The position offered is vacant due to a strike, lockout, or other bona fide labor dispute;
 - (ii) The individual would be required to work for an employer contrary to the conditions of his existing membership in the union governing that occupation. However, employment not governed by the rules of a union in which he has membership may be deemed appropriate.

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

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

1. The job or training assignment must be related to the physical and mental capability of the individual to perform the task on a regular basis. Any claim of adverse effect on physical or mental health shall be based on an adequate medical testimony from a physician or licensed or certified psychologist indicating that participation would impair the individual's physical or mental health.
2. The total daily commuting time to and from home to the work or training site to which the individual is assigned shall not normally exceed two hours, not including the transporting of a child to and from a child care facility, unless a longer commuting distance and time is generally accepted in the community, in which case the round trip commuting time shall not exceed the generally accepted community standards.
3. When child care is required, and provided by this agency, it must meet the standards governing the receipt of such care under the State's Title XX program and must be available during the hours the individual is working or engaged in training or English language instruction plus any additional necessary commuting time. Day care which is obtained by the applicant or recipient is treated as a work-related expense and is not required to meet these standards.

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

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

II. Sanctions

Refusal of an employable adult recipient to register

with the Employment Service or to accept or continue an employment or training opportunity without good cause shall result in the following actions:

- A. The service worker shall provide counseling within seven days intended to provide the refugee with an understanding of the implications of his refusal to accept employment or training, and to encourage the refugee's acceptance of such opportunity. Only one such counseling session is required but additional counseling may be provided.
- B. If the employable refugee recipient continues to refuse an offer of employment or training, assistance will be terminated thirty days after the date of his original refusal. The refugee shall be given at least ten days written notice of the termination of assistance prior to expiration of thirty-day period and the reason therefor. This sanction shall be applied in the following manner:
 1. If the assistance unit includes other individuals, then the grant shall be reduced by the amount included on behalf of that refugee. In addition, if the employable refugee is a caretaker relative, assistance in the form of protective or vendor payments will be provided to the remaining members of the assistance unit.
 2. If such individual is the only individual in the assistance unit, the grant shall be terminated.
 3. The refugee's sponsor, or the voluntary resettlement agency where there is not a sponsor, will be notified of the action taken in Item 1 or 2, above.
 4. A decision by the refugee to accept employment or training, made at any time within the thirty-day period after the date of the original refusal, shall result in the continuation of assistance without interruption if the refugee continues to meet the income and other requirements for continued assistance.
 5. An employable refugee may reapply for assistance thirty days after the termination of assistance because of refusal to accept or continue employment or training. He shall

be advised of this right, but he must take the initiative in making the reapplication.

III. Training Requirements for Employed Refugee Recipients

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

- A. Require part-time training such as English language or skill training, if available and determined appropriate, if the refugee is employed part-time (less than one hundred hours per month), as a condition for continued receipt of assistance.
- B. Encourage, but not require, part-time English language or skill training if the refugee is employed full-time (one hundred or more hours per month).

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

IV. Receipt of Assistance While Attending School

- A. All employable refugees not exempt as defined in Section I-A, above, "Employment or Training Requirements," are required to register for work and to accept appropriate work or training with the exception stated in Item B, below.
- B. A full-time student who is 21 years of age or older and who is currently receiving cash assistance at the time of the effective date of this bulletin shall be allowed to finish the current semester.
- C. Full-time attendance in a college program for a person age 21 or over is not considered appropriate training unless:
 1. The individual will finish his degree within one year.
 2. The program has a definite short-term employment objective (less than one year) and the program is approved by this agency or as part of an employability plan for the refugee.
 3. The individual is an Indo-Chinese profes-

sional who is attending college to become relicensed in his profession, in which case continued attendance shall be approved up to September 30, 1977, if such course of study is not completed earlier.

- D. A refugee of any age who is otherwise eligible shall not be denied cash assistance while enrolled and participating in a training program which is part of an approved employability plan. Training shall be intended to have a definite short-term employment objective of less than one year. Indo-Chinese refugees enrolled in a training program operated by Associated Catholic Charities shall meet the requirement of having an approved employability plan.

Interested persons may submit written comments until 4:30 p.m. on February 4, 1977, to the following address: Mr. Roy E. Westerfield, Assistant Secretary, Office of Family Services, Department of Health and Human Resources, P. O. Box 44065, Baton Rouge, Louisiana 70804.

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

NOTICE OF INTENT

Department of Health and Human Resources Office of Management and Finance

The Department of Health and Human Resources proposes to adopt the following rules and regulations regarding admissions and billing procedures for the general hospitals, mental health hospitals, and geriatric hospitals operated under its supervision and direction.

This notice of intent supplements the notice of intent published in the Louisiana Register, Volume 2, Number 9, dated September 20, 1976, page 284, column 2.

Interested persons may submit written comments until 4:30 p.m. on February 4, 1977, to the following address: William H. Stewart, M.D., Secretary, Department of Health and Human Resources, P. O. Box 44215, 150 Riverside Mall, Baton Rouge, Louisiana 70804.

Rules and Regulations

I. Admissions

A. General Hospitals

Admissions for treatment shall be made available only to bona fide residents of the State of Louisiana that are poor, destitute, and medically indigent, provided that in no case shall persons of any description be refused emergency treatment. Persons who are not poor, destitute, or medically indigent who receive emergency treatment shall be billed in accordance with the applicable fee schedule upon leaving the hospital. Those persons who are not poor, destitute, or medically indigent shall not be admitted except for emergency treatment. Persons seeking treatment shall furnish all information requested by the Intake Screening Department of the admitting facility.

B. Other State Hospitals, Schools, and Clinics

Admissions for treatment shall be made available to all residents of the State of Louisiana needing, in the opinion of the Director or Administrator of each facility, the treatment or care offered by that facility. Residency shall be established by a permanent address within the state and an expressed intention to live within the state in the future. Persons seeking treatment in any facility shall furnish all information requested by that facility.

II. General Regulations

A. Schedules for Charges

Billing for services rendered shall be made in accordance with the applicable fee schedule for charges to the patient, the responsible person, defined as the patient's parents or children, if the children are over the age of majority or such other person as may be legally responsible for payment. The applicable fee schedule for charges shall be applied considering the average monthly income of the person responsible for payment, after deductions for State and Federal taxes, and the number of persons dependent upon that income for support, counting the responsible party as one dependent.

B. Ownership of Property

If otherwise eligible for free treatment based upon the applicable fee schedule, evidence of property, excluding the family home and automobile of the responsible person, appraised for real estate taxes at fifteen thousand dollars or less, less the dollar value of any encumbrances, such as mortgages or liens, shall require charges and billing to that responsible person as if that responsible person had an income of three hundred dollars per month, after Federal and

State taxes, and one dependent in addition to the responsible party.

C. Failure to Provide Information

A person responsible for the payment of charges for services rendered who refuses to supply the information necessary for an accurate determination of eligibility by the Administrator of each facility of the required rate of charges for services rendered shall be presumed to be able to pay the full cost of services rendered and shall be billed accordingly.

D. Insurance

An insurance company that the responsible party alleges has issued a policy or contract covering the charges for treatment and services rendered shall be billed the full cost of services rendered. Billings shall be made directly to the insurer by the treating facility after securing execution of the forms necessary, including an assignment of benefits to the treating facility, by the responsible person.

The responsible party shall be billed in accordance with the applicable fee schedule up to the amount of charges not covered and paid by insurance.

If the responsible person refuses to execute the forms necessary to assign the benefits under the policy alleged by him to cover the charges for treatment and services rendered and the forms necessary to file an insurance claim in accordance with that policy, that responsible party shall be presumed to be able to pay at the full cost of services rendered and shall be billed accordingly.

E. Medical Assistance

All persons eligible to receive medical assistance benefits from any Federal or State program shall be eligible for free treatment provided the program as administered has agreed to cover the appropriate charges for treatment. In the event that the program does not cover the appropriate charges for treatment, the responsible party shall be charged and billed in accordance with these rules and regulations.

F. Other Medical Expenses

If, during the twelve months preceding admissions, the responsible party has sent twenty percent or more of his annual income, after deductions for State and Federal taxes, for medical treatment, the patient shall receive

treatment free of charge, if the Superintendent of the facility is convinced from evidence submitted to him that such person is unable to pay hospital and other medical expenses in a private hospital.

- G. **Third Party Cases and Release of Information**
Upon receipt of a letter from an attorney or an insurance company requesting a patient's records, that attorney or company shall be sent, within thirty days from receipt, a bill for charges applicable to that patient. At the same time as the mailing of that bill, a copy of that patient's file pertaining to charges for services and their collection, as well as a copy of the requesting letter, shall be forwarded to the Office of Central Collections of the Department of Health and Human Resources in Baton Rouge. Patient's records are not to be released until a properly executed consent by the patient, parent or guardian is received and the fee for copies of records is paid in advance, except to any office of the Department of Health and Human Resources for the purposes of facilitating the meeting of its responsibilities.

III. Rules Pertaining to Mental Health Hospitals and Geriatric Hospitals Only

- A. Upon admission of Social Security recipients for treatment, steps which will lead to the payment of those Social Security funds directly to the treating facility shall be initiated and followed to conclusion. In a case in which the patient or responsible party has other income besides Social Security, that income, along with Social Security income shall be considered and a fee charged in accordance with the applicable fee schedule.
- B. Upon receipt by the treating facility of patient's Social Security payment, the treating facility shall cause those payments to be applied to the charges for treatment as determined from the applicable fee schedule for charges by payment to the institution. The excess of those Social Security payments over the charges for treatment shall be deposited into an account maintained by the facility on behalf of the patient. Upon discharge of the patient or upon his demand, the balance of funds remaining in that account shall be paid to the patient or the responsible person.
- C. If payment of Social Security funds directly to the treating facility is not achieved, charges shall

be made in accordance with these rules and regulations.

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

NOTICE OF INTENT

Indigent Defender Board

The Louisiana Indigent Defender Board proposes to adopt rules for the administration of the State's Indigent Defender Program as created by Act 653 of the Regular Session of 1976. The Board will meet at 1:00 p.m., Friday, February 25, 1977, in Senate Committee Room C, State Capitol, Baton Rouge, Louisiana to consider adoption of the following:

1. A fee schedule to be observed by the various district indigent defender boards.
2. The procedure for applying for an exemption from the fee schedule.
3. The criteria by which applications for exemptions will be judged.
4. The forms or format to be used by the district boards in reporting statutorily required information to the Louisiana Indigent Defender Board.
5. Adoption of Board rules for (a) rule making, rule amendments, rule repeal, and exceptions to rules; (b) adjudication; (c) declaratory orders and rulings.

Interested persons may submit written comments relative to the proposed matters to P. O. Box 44276, Baton Rouge, Louisiana 70804 through February 24, 1977. Copies of proposals are available at the Board office at One American Place, Baton Rouge, Louisiana.

Robert G. Pugh, Jr., Chairman
Indigent Defender Board

NOTICE OF INTENT

Department of Labor

Notice is hereby given in accordance with the requirements of R.S. 36:954(B), Act 153 of the 1976 Regular Session, of the implementation of the Plan for Reorganization developed by the Secretary, for the Department of Labor.

The agencies and effective dates of transfer or abolition are:

- I. Transfer as provided in R.S. 36:901-909 at 12:01 a.m., February 20, 1977:
Apprenticeship Council (R.S. 23:381-23:391).
- II. Transfer as provided in R.S. 36:803 at 12:01 a.m., February 20, 1977:
 - A. Board of Barber Examiners (R.S. 37:341-37:397).
 - B. State Board of Examiners of Journeyman Plumbers (R.S. 37:1361-37:1379).
- III. Transfer as provided in RS. 36:802 at 12:01 a.m., February 20, 1977:
 - A. Employment Security Board of Review (R.S. 23:1652; 23:1621-23:1635).
 - B. Louisiana Workmen's Compensation Second Injury Board (R.S. 23:1371-23:1379).
 - C. Louisiana State Board of Boiler Examiners (R.S. 23:41-23:49).
- IV. Abolished and transferred as defined in R.S. 36:3 and as provided in R.S. 36:921-926 at 12:01 a.m., February 20, 1977:
 - A. Department of Labor (R.S. 23:1-23:1351; R.S. 38:2301).
 - B. Louisiana Private Employment Agencies Advisory Council (R.S. 23:101-23:121).
- V. Transfer as provided in R.S. 36:805 at 12:01 a.m., February 20, 1977:
Department of Employment Security (R.S. 23:1471-R.S. 23:1731).

Joseph R. Gerace, Secretary
Department of Labor

NOTICE OF INTENT

Department of Labor

The Secretary of the Department of Labor hereby gives notice of intent to adopt policies and guidelines concerning the following areas of administration and operation of the Department:

1. The organization, scope and operations of the office of the Secretary.
2. Administration of the boards, commissions, and authorities in the Office of Secretary.
3. Administration and development of the services of the Office of Management and Finance within the Department of Labor.
4. Administration and development of the functions and operations of the Offices of Labor and Employment Security.
5. Assignment and status of employees.
6. Assignment of agencies to appropriate offices.

Interested persons may submit written comments to: John J. Killeen, Undersecretary, Department of Labor, Post Office Box 44094, Baton Rouge, Louisiana 70804, through the close of business on Monday, February 7, 1977.

Joseph R. Gerace, Secretary
Department of Labor

The Governor, the Joint Legislative Committee on Reorganization, the Commissioner of Administration, and the Secretary of the Department of Labor have given their approval of this notice of intent and its implementation.

Documents relating to this notice of intent will be available for public inspection beginning January 20, 1977, in the Office of the Undersecretary of Labor, which is located in Room No. 116 of the Employment Security Administrative Office Building, 1001 North 23rd Street, Baton Rouge, Louisiana.

Edwin Edwards, Governor
State of Louisiana

Edmund Reggie, Chairman
Joint Legislative Committee on Reorganization
of the Executive Branch

Charles E. Roemer, II, Commissioner
Division of Administration

NOTICE OF INTENT

**Offshore Terminal Authority
Superport License and Environmental
Monitoring Program**

An important meeting of the Board of Commissioners of the Offshore Terminal Authority will be held on Thursday, January 27, 1977, at 2 p.m., in the Library Conference Room of the Executive Suite, 29th Floor, International Trade Mart, New Orleans, Louisiana. The meeting had previously been scheduled for January 13, 1977.

At this meeting, the Board will consider the granting of a State license to LOOP Inc. to construct and operate the Louisiana Superport. The Board will also consider approval of a comprehensive environmental monitoring

program for the Superport, and proposed amendments to the Authority's Environmental Protection Plan and General Rules and Regulations.

All interested persons are invited to attend the meeting and express opinions on the proposed action. Anyone wishing to speak at the meeting is requested to inform the Offshore Terminal Authority prior to the meeting at 504-568-4678.

Copies of the above referenced material may be obtained from, and written comments may be submitted to, the Offshore Terminal Authority, 1130 International Trade Mart, New Orleans, Louisiana 70130.

Shepard F. Perrin, Jr., Executive Director
Offshore Terminal Authority

NOTICE OF INTENT

Board of Supervisors of Southern University

The Board of Supervisors of Southern University proposes to adopt on a permanent basis that schedule of student fees which was previously adopted as an emergency rule and promulgated in the December 20, 1976, issue of the Louisiana Register. Interested persons may submit written comments through February 4, 1977, to the following address: Jesse N. Stone, Jr., President, Southern University, Baton Rouge, Louisiana 70813.

Jesse N. Stone, Jr., Secretary
Board of Supervisors of Southern University

NOTICE OF INTENT

Tax Commission

In accordance with the provisions of Section 953 of Title 49 of the Louisiana Revised Statutes of 1950. Notice is hereby given that the Louisiana Tax Commission intends to hold a public hearing on February 7, 1977, at 10:00 a.m. in House Committee Room 2 on the ground floor of the State Capitol Building in Baton Rouge, Louisiana.

The purpose is to adopt criteria, guidelines, and specifications for the letting of public bids to an independent appraisal firm or firms pursuant to Section 1853E of Act 703 of the Regular Session of 1976 dealing with the appraisal of public service properties for ad valorem tax purposes.

Interested persons may inspect a copy of the criteria, guidelines, and specifications beginning at least fifteen days prior to the scheduled hearings, at the official domicile of the Louisiana Tax Commission in the Capitol Annex in Baton Rouge, Louisiana, and may present views or arguments relating thereto in writing at any time prior to 4:15 p.m. on February 4, 1977. All written matter should be addressed to the Louisiana Tax Commission, P. O. Box 44244, Baton Rouge, Louisiana 70804.

Those desiring to be heard at the hearing will be given a reasonable opportunity to make their presentations.

C. Gordon Johnson, Chairman
Tax Commission

NOTICE OF INTENT

Department of Wildlife and Fisheries

Under the provisions of Act 576 of the 1976 Regular Session, and as a possible prelude to the adoption of a rule, the Louisiana Department of Wildlife and Fisheries will hold a series of meetings in coastal communities to receive information from both sport and commercial fishermen relative to the types of fishing tackle or gear being used by each in competition for certain species of fish.

All the hearings will begin at 7:00 p.m. The community, date, and site of each follows.

Lake Charles, February 9, Parish Government Building
Baton Rouge, March 2, State Highway Building Auditorium
Port Sulphur, March 9, Civic Center
Houma, March 17, Courthouse Annex
New Orleans, March 28, Wildlife and Fisheries Building, 400 Royal Street

All interested persons will be given a reasonable opportunity to present their views.

J. Burton Angelle, Secretary
Department of Wildlife and Fisheries

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Trustees for Colleges and Universities, Board of (see Colleges and Universities, Board of Trustees for)

Tuition, 60(N)

Universities (see Education, higher and specific college or university)

Urban and Community Affairs, Department of: Planning and Technical Assistance, Office of, 48(R)

Vocational-technical schools, 15(R)

Wildlife and Fisheries, Department of, 60(N)

Workmen's Compensation Second Injury Board, 48(R)