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Emergency Rule

DECLARATION OF EMERGENCY

Office of the Governor Tax Commission

In accordance with the emergency provisions of the Administrative Procedures Act (R.S. 49:953B), the Tax Commission has adopted the following guidelines for the receipt and expenditure of funds to be appropriated by the 1981 Legislature in connection with the implementation of the constitutional mandate in Article VII, Section 18 of the Louisiana Constitution of 1974, relative to the assessment of property for ad valorem property tax purposes.

Of the amount to be made available to and used solely by parish assessors for property reassessment, the assessors shall use the funds they receive in accordance with the following rules and guidelines:

1. Funds shall be allocated to the assessors based upon need after each assessor has submitted a proposal to the Tax Commission setting forth needs and projected expenses.
2. When assessors submit a proposal, consideration shall be given to funds remaining from previous reappraisal period in determining need.
3. After need has been determined, each parish assessor shall receive an amount based upon \$3.00 per assessment listing as contained on the 1980 assessment roll.
4. Payment shall be made by the Tax Commission on a quarterly basis. The first payment shall be made after the assessor submits a statement of the anticipated expenses necessary to complete the reappraisal as referred to in item one. Subsequent payments will be made after the reappraisal program has been in progress for a period of three months, and quarterly thereafter, and verification by the Tax Commission that the allocations have been properly utilized. This may be amended during the quarter if the work is behind or ahead of the assessor's projected schedule in order to assure a smooth flow of work and production.
5. Upon receipt by the assessor, the funds shall be deposited in a separate bank account (i.e., separate and apart from the Assessor's Salary and Expense Fund), to be designated as the "Assessment Fund".
6. Expenditures from the separate Assessment Fund shall be made only in connection with the performance of duties required by Article VII, Section 18 of the Louisiana Constitution of 1974. These funds shall be used in the assembly of data, extensions of value, classification, entry of information and clerical help in the revaluation program. Funds shall not be used to pay those salaries or other expenses normally paid by the Assessor's Salary and Expense Fund for regular employees, nor shall any such funds be used for investment purposes, the purchase of office furniture or automobiles. Upon the approval by the Tax Commission certain specialized equipment may be purchased.
7. Expenditures from the Assessment Fund shall be accounted for in the same manner as expenditures from the Assessor's Salary and Expense Fund.
8. The assessors shall report to the Tax Commission each quarter, the total amount of expenditures, proof of production and the outstanding balance on a form provided by the Tax Commission.

9. Reimbursements from the Assessment Fund to the Assessor's Salary and Expense Fund for expenses already incurred, and attributable to the assessment procedure, shall reflect the particular item of expense and the specific check number for which reimbursement is made.

10. The funds shall be subject to audit by the Legislative Auditor in the same manner as other public funds.

J. Reginald Coco, Jr.
Chairman

DECLARATION OF EMERGENCY

Department of Health and Human Resources Board of Practical Nurse Examiners

The Louisiana State Board of Practical Nurse Examiners does hereby exercise the emergency provision of the Administrative Procedure Act (R.S. 49:953B) to amend Rule 7 of the Administrative Rules, Louisiana State Board of Practical Nurse Examiners as follows:

Section I

7. Rules for Adjudication and License Suspension and Revocation Proceedings

7-1 All adjudication proceedings (as defined in Louisiana Revised Statutes, Title 49, Section 951) and license suspension and/or license revocation or probation proceedings conducted by the Board shall be in accordance with the Administrative Procedure Act, Louisiana Revised Statutes, Title 49, Section 955 et seq.

7-2 All proceedings calling for a suspension, revocation or probation of a licensee, shall begin with the receipt of a complaint by the Board. This complaint shall be in writing and signed by the complainant.

7-3 This complaint shall be investigated by the Executive Director, his designee and/or staff.

7-4 The complaint against the licensee may be concluded at an informal proceeding without a hearing if the director does not feel that the complaint is sufficiently serious and the licensee does not request a formal hearing. The informal resolution of a complaint may be done by correspondence between the Executive Director and the licensee, by conference of the Executive Director with the licensee, by consent order between the Board and the licensee, or by a settlement between the complainant and the licensee.

7-5 If a complaint is concluded by this informal procedure, any result and/or recommendations shall be submitted by the Executive Director to the Board for approval.

7-6 If a matter is not concluded by informal procedure and a hearing is deemed necessary or requested by the licensee, a hearing shall be scheduled before the Hearing Officer designated by the Board.

7-7 Formal hearing procedures shall commence by a formal notice of complaint outlining the charges against the licensee sent to the licensee at his last known address. This notice shall require a response by the licensee within 21 days.

7-8 The licensee shall return his response to the complaint to the Board within 21 days or shall be deemed to have waived his right to hearing. In this response, the licensee shall either deny or admit the allegations of the complaint and shall either request a hearing before the Hearing Officer or waive his right to said hearing.

7-9 If the licensee waives his right to a hearing or does not respond in writing within the time allotted, the Hearing Officer shall decide the case forthwith. The Hearing Officer shall make specific findings of fact, conclusions of law and make recommendations to the Board.

7-10 If the licensee requests a hearing before the Hearing Officer, the licensee shall be afforded the opportunity to present evidence and cross-examine witnesses. The testimony of the witnesses shall be transcribed. The hearing shall be conducted according to the Administrative Procedure Act.

7-11 After the hearing is concluded, the Hearing Officer shall issue a report containing his findings of fact, conclusions of law and recommendations. This report shall be presented to the Board.

7-12 The Board shall make a decision based on the Hearing Officer's report and determine what sanctions if any should be imposed and issue an appropriate order with respect thereto.

7-13 This Order of the Board shall be sent to the licensee.

Helen W. Sheehan, R.N.
Executive Director
Board of Practical Nurse Examiners

DECLARATION OF EMERGENCY

Department of Health and Human Resources Office of Human Development

In accordance with the provisions of L.R.S. 40:29 the Department of Health and Human Resources adopts the Title XX Comprehensive Annual Services Program Plan (CASP) for the program year July 1, 1981 through June 30, 1982.

The CASP will offer the following services:

- Adoption (pre-placement to termination of parental rights)
- Counseling (assessment, evaluation and appropriate therapy)
- Day Care for Adults and Children (direct care for portion of the 24-hour day)
- Training and Treatment (evaluation, counseling, day development, training, referrals)
- Employment (assessment, placement, job development)
- Family Planning (counseling, education, medical care)
- Substitute Care (evaluation, placement, counseling)
- Health Related (assistance in obtaining and utilizing necessary health care)
- Home Delivered and Congregate Meals (preparation and delivery of meals)
- Home Management (instruction, training, counseling)
- Homemaker (direct personal in-home care)
- Housing Improvement (counseling, advocacy, minor home repairs)
- Information and Referral (assessment, information, referrals, follow-up)
- Protection for Adults and Children (investigation, assessment, evaluation, intervention, shelter care, counseling, referrals and follow-up)
- Recreation (opportunities for constructive leisure activities)
- Placement (direct care and treatment on a 24-hour basis)
- Transportation (travel to and from service resources)

Persons eligible for services are:

- (1) Recipients of Aid to Families with Dependent Children (AFDC) and those persons whose needs were taken into account in determining the needs of AFDC recipients.
- (2) Recipients of Supplemental Security Income payments or state supplemental payments, and individuals eligible for such payments except for their income.
- (3) Persons whose gross monthly income is not more than 57.8 percent of the state's median income for a family of four adjusted by family size. A family of four with a gross monthly income of not more than \$971.00 is eligible for services.

(4) Persons without regard to income, who are in need of Protection and Information and Referral Services.

(5) Persons who are members of groups identified in the proposed plan to receive certain services except child day care.

The proposed plan includes information on standards for non-medical and medical (other than those certified for Medicaid or Medicare) residential facilities for SSI recipients; a system for enforcing the standards; and the name and address of the standard-setting authority who will respond to requests for information on standards, their enforcement, waivers, and the identity of deficient facilities.

George A. Fischer,
Secretary

Rules

RULE

Department of Agriculture Family Farm Council

The Louisiana Department of Agriculture, Family Farm Council, pursuant to the authority granted in LSA 3:253-254 and in accordance with Notice of Intent published on April 20, 1981, adopted the following Rules and Regulations for the Administration of the Family Farm Security Loan Program at a public hearing on May 6, 1981:

1.0 — Definitions.

1.1 — "Applicant" means a natural person applying for a Family Farm Security Loan and/or a natural person seeking approval for a Family Farm Loan Guaranty or Interest Payment Adjustment.

1.2 — "Council" means the Family Farm Council.

1.3 — "Commissioner" means the Commissioner of Agriculture.

1.4 — "Family Farm Security Loan" means a loan which shall be used for acquisition of farmland and shall be approved by the Council. This loan shall be guaranteed and may qualify for a payment adjustment as defined in Rule 1.9 and may be a seller-sponsored loan as defined in Rule 1.7.

1.5 — "Farmland" means land in Louisiana that is capable of supporting the commercial production of agricultural crops, livestock or livestock products, poultry products, milk or dairy products, or fruit or other horticultural products.

1.6 — "Lender" means any bank, savings bank, mutual savings bank, building and loan association, and savings and loan association organized under the laws of Louisiana or the United States, trust companies, trust companies acting as fiduciaries, and other financial institutions subject to the supervision of the commissioner of financial institutions; and any foreign or domestic corporation engaged in the business of insurance which is subject to the supervision of the commissioner of insurance; and any financial institution operating under the supervision of the Farm Credit Administration. In the case of seller-sponsored loans, "lender" also means the seller of the property.

1.7 — "Seller-sponsored loan" means a loan in which part or all of the purchase price of the farm is financed by a loan from the seller of the property who is a natural person or a corporation, and the remainder of the loan, if any, is supplied by a lender as defined in Rule 1.6.

1.8 — “Family Farm Loan Guarantee” or “Family Farm Loan Guarantee Agreement” means an agreement that, in the event of default, the State shall pay the lender 90 percent of the sums due and payable under a first mortgage on immovable property.

1.9 — “Payment Adjustment” or “Interest Payment Adjustment” means an amount of money equal to one-half of the amount of the current interest rate on the principal balance of a Family Farm Security Loan.

1.10 — “Interest Payment Adjustment Agreement” means the agreement whereby the Council will pay the payment adjustment to the lender or seller-sponsor.

1.11 — “Prime rate” or “prime interest rate” means the interest rate applied to loans by the Federal Land Bank on the first day of the month in which a loan is approved, plus an additional number of percentage points, not to exceed four percentage points, above the interest rate applied by the Federal Land Bank.

1.12 — “Net Equity in Agricultural Land Holdings” shall mean the value of agricultural land holdings only, and shall exclude the value of personal residences, agricultural buildings, storage facilities and mineral rights.

2.0 — Applicant Eligibility Requirements.

2.1 — The applicant must be a resident of Louisiana.

2.2 — The applicant must have sufficient education, training, or experience in the type of farming for which he wishes the loan to indicate the probable success of the venture.

2.3 — The applicant must agree to continued participation in a farm management program, approved by the Council, for the duration of the Family Farm Security Loan. A farm management program shall include, but not be limited to, programs in farm record keeping or farm management offered by state universities, the Louisiana Cooperative Extension Service, or vocational agriculture programs.

2.4 — The net equity in agricultural land holdings of the applicant, his spouse and dependents must be less than \$100,000.00.

2.5 — The applicant must demonstrate a need for the loan.

2.6 — The applicant must purchase farmland which will be used by the applicant for agricultural purposes.

2.7 — The applicant must clearly demonstrate to the Council that he will farm the land purchased with the loan for as long as it is economically feasible to do so.

2.8 — The applicant must be credit worthy.

3.0 — Conditions for Approval of Loan Guarantee.

3.1 — The applicant must meet all criteria for eligibility set forth in Rule 2.0.

3.2 — The loan shall have a maximum term of 40 years.

3.3 — The purchase price of the property for which the loan is requested is equal to or less than the appraised value of the property.

3.4 — The guarantee is made on property secured by a first mortgage on immovable property.

3.5 — The guarantee shall not exceed 90 percent of the sums, in principal and interest, due and payable under the first mortgage securing the property.

3.6 — The maximum amount, in principal and interest, of the Council’s liability under the loan guarantee agreement shall not exceed \$250,000.00.

3.7 — The Council may, at its discretion, require additional endorsers, in addition to the applicant, on the note.

4.0 — Conditions for Approval of Interest Payment Adjustments.

4.1 — The applicant must meet all criteria for eligibility set forth in Rule 2.0.

4.2 — The applicant must meet all criteria of Rule 3.0 and be approved for a Family Farm Loan Guarantee.

4.3 — The loan for which the interest payment adjustment is requested must have a maximum term not to exceed 20 years.

4.4 — The loan shall provide for payments at least annually. At the option of the lender and the applicant, and with Council approval, payments may be made monthly, quarterly, or semi-annually, but no payment schedule providing for payments at periods longer than one year shall be approved by the Council.

4.5 — The loan shall be amortized over its term with equal annual payments of principal and interest.

4.6 — The interest payment adjustment to be paid by the Council shall not exceed one-half of the interest due.

4.7 — The lender must agree to notify the Council of all amounts of interest due prior to the due date.

4.8 — Applicant must execute a note, secured by a first or second mortgage, as required by Rule 12.0, payable to the Council, in an amount up to one-half of the maximum interest due during the term of the Interest Payment Adjustment Agreement. Both the note and the first or second mortgage shall provide, however, that the obligation of the applicant shall not exceed the amount actually paid by the Council under the Interest Adjustment Agreement.

5.0 — Time and Manner of Filing Application.

5.1 — Any person desiring to purchase farmland may apply for a Family Farm Loan Guarantee and/or an Interest Payment Adjustment at any time during the year.

5.2 — No application will be submitted for Council consideration until all information required by Rule 6.0 has been provided.

5.3 — A complete application must be on file for at least 20 working days prior to the Council meeting at which the application will be considered.

5.4 — Three complete copies of the application must be filed (Council, applicant and lender copies).

5.5 — The application shall be jointly executed by the applicant and the lender, on forms to be provided by the Council.

5.6 — The application shall be filed by the lender.

5.7 — In the case of seller-sponsored loans, the Council, upon request, shall provide forms and assistance in preparing the application to the applicant and the seller-sponsor. The application for a loan guarantee on a seller-sponsored loan shall be jointly executed by the applicant and the seller-sponsor and shall be filed by the seller-sponsor.

6.0 — Contents of the Application.

6.1 — Name and address of the applicant;

6.2 — Name, address and liaison official of the lender, or name and address of the seller-sponsor;

6.3 — Sworn statement of the relationship, if any, of the applicant with any state official and/or any employee of the State Department of Agriculture or any member of the Family Farm Council;

6.4 — In the case of seller-sponsored loans, sworn statement of the relationship, if any, of the seller-sponsor with any state official and/or any employee of the State Department of Agriculture or any member of the Family Farm Council;

6.5 — Location and legal description of the farmland to be purchased, including the number of acres;

6.6 — Evidence that title can be vested in the name of the applicant;

6.7 — A fully executed Purchase Agreement, legally binding on the seller as well as the buyer;

6.8 — Personal financial statement of the applicant, his spouse and dependents, prepared in accordance with generally accepted accounting principles;

6.9 — For experienced farmers, Profit and Loss Statements and Balance Sheets for the three years immediately preceding

date of application, prepared in accordance with generally accepted accounting principles;

6.10 — For new farmers, other evidence of financial experience, including, but not limited to, Federal income tax returns for the three years immediately preceding date of the application;

6.11 — A three-year projected cash flow statement, or pro forma budget, for income, operating expenses, and debt retirement;

6.12 — The existence of, or provisions for, financing of production expenses, equipment purchases, and family expenses for at least one year after the loan is approved;

6.13 — Written authorization for the Council to perform any credit check(s) which the Council may, in its discretion, deem advisable;

6.14 — Written statement reflecting the applicant's intended use of the land to be purchased;

6.15 — Written statement reflecting the degree to which the applicant intends to make farming the applicant's principal occupation;

6.16 — Written statement demonstrating the marketability of the product(s) to be produced;

6.17 — Such additional market data as will enable the Council to determine the advisability of loan approval;

6.18 — An evaluation of the farm management capability of the applicant, to be provided by an independent, reliable source;

6.19 — A letter of commitment from the lender setting forth the terms and conditions upon which the loan for which the guarantee is sought will be made;

6.20 — A property appraisal, prepared in accordance with Rule 7.0, of all property to be offered as security for the Family Farm Security Loan. The appraisal must include the market value and income potential of the farmland to be purchased.

7.0 — Appraisal Requirements.

7.1 — Listing of Approved Appraisers.

a. The Council shall develop and maintain for public examination at any time a listing of Approved Appraisers and a file of the credentials of such approved appraisers.

b. All applicants for a Council Listing of Approved Appraisers may make application at any time throughout the calendar year, and the names of approved applicants shall be added to the listing immediately upon approval by the Council.

c. In order to have his or her name included on the Council Listing of Approved Appraisers, an applicant shall submit the following information:

(1) At least three written statements of his or her competence as an appraiser of farmland from organizations such as banks or other financial institutions, real estate boards or licensed real estate brokers, mortgage loan institutions, and so forth;

(2) A written statement of his or her areas of experience in appraising farmland;

(3) A written statement of his or her years of experience as an appraiser, particularly in appraisal of farmland or rural properties;

(4) Evidence of inclusion on the approved appraisers listing of any state or federally chartered banks, or such public agencies as the Small Business Administration, the Farmers Home Administration, the Production Credit Association, the Federal Land Bank, or other similar institutions;

(5) A written statement containing any additional information which the applicant thinks would be beneficial to the Council's determinations of his or her qualifications.

d. Applicants for inclusion on the Council Listing of Approved Appraisers shall pay a fee of \$25.00 at the time of filing request for inclusion on the list, which fee shall be deposited in the

General Fund of the State of Louisiana and shall be non-refundable to the applicant regardless of the decision of the Council with respect to the listing.

e. Any applicant for listing on the Council Listing of Approved Appraisers who is denied a listing may appeal the decision of the Council under the general appeals procedures of the State Department of Agriculture.

f. Pending development of a comprehensive listing of Approved Appraisers, the Council may approve appraisers on an individual basis, but the Council shall not approve appraisers in the absence of all information required under Rule 7.1 after December 31, 1981.

g. The listing of any appraisers on the Council Listing of Approved Appraisers shall be valid for a period of two years from the date of the Council's approval and may be renewed as follows:

(1) Thirty days prior to the second anniversary of each listing, the Council staff shall notify the appraiser, at the last address furnished by the appraiser, of the date on which approval for listing will terminate.

(2) The appraiser so notified may renew his or her listing for an additional two-year period upon payment of a \$5.00 renewal fee, without the necessity for submission of the information required in Rule 7.1.

h. The Council staff may recommend to the Council at any time the removal from the Listing of Approved Appraisers the name of any appraiser who, in their judgment, should be removed.

i. Any appraiser so removed from the Listing of Approved Appraisers shall be immediately notified in writing of the removal and may appeal such removal under the general appeals procedures of the State Department of Agriculture.

j. Upon request, the Council shall furnish any applicant or interested citizen a copy of the Listing of Approved Appraisers.

7.2 — Selection of Appraiser.

a. All applicants for a Family Farm Security Loan Guaranty must submit, as part of the application package, an appraisal performed by an appraiser selected as follows from the Council Listing of Approved Appraisers:

(1) The applicant may review the file of credentials of approved appraisers and shall select from the Listing of Approved Appraisers three appraisers who are acceptable to the applicant.

(2) The applicant shall notify the Council in writing of the names of the three appraisers selected by the applicant.

(3) The Council staff shall select one appraiser from the list of three appraisers submitted by the applicant and shall notify the applicant in writing of the appraiser selected to perform the appraisal.

(4) The applicant and the Council staff shall meet with the appraiser selected and negotiate a fee satisfactory to the appraiser and the applicant. The applicant shall be responsible for the payment of the appraisal fee.

(5) The agreement for performance of the appraisal shall be in writing for the protection of all parties, the agreement to be prepared by the Council staff unless the applicant wishes to secure private counsel.

(6) Failure to agree upon a fee shall result in selection of another appraiser. In such circumstances, the applicant shall be permitted to add one individual name, selected from the Listing of Approved Appraisers, to the list and the Council staff shall again select from the list and follow the procedures outlined in Rule 7.2.

b. The Council may, at its discretion, directly employ an appraiser listed on the Listing of Approved Appraisers to conduct an appraisal.

(1) When the Council directly employs an appraiser, such appraisal shall be performed at the cost of the Council.

(2) The applicant shall cooperate fully with an appraiser

employed directly by the Council.

(3) The Council shall give weight to the appraisal performed by the appraiser selected by the applicant as well as to the appraisal performed by the appraiser employed directly by the Council.

c. The Council may, at its discretion, accept any appraisal which has already been accepted by any other State or Federal lending agency, such as the Small Business Administration, the Federal Land Bank, the Farmers Home Administration, and so forth. In such event, however, the lending agency shall be required to attest in writing that the appraisal has been accepted by that agency for the purposes of the Family Farm Security Loan for which the guaranty is sought.

8.0 — Title Opinion Requirements.

8.1 — The Council staff shall develop and maintain for public examination at any time a listing of attorneys whose title opinions will be acceptable to the Council.

8.2 — In order to have his or her name included on the Council Listing of Approved Appraisers, an applicant shall submit the following information:

a. A resume' of his or her experience in the practice of real estate law;

b. A list of three or more attorneys who are familiar with his or her practice in real estate law who may be contacted for reference;

c. A list of three or more lending institutions, savings and loan associations, finance companies, the Small Business Administration, the Federal Land Bank, the Farmers Home Administration, the Production Credit Association, the Federal Housing Authority, and other similar organizations for which title opinions have been rendered by the applicant.

8.3 — The applicant may also provide evidence of prior approval to write title insurance for any title insurance company.

8.4 — Minimum requirements for approval of attorneys providing title opinions shall be as follows:

a. One or more years since admission to the Bar,

b. A minimum of 25 percent of attorney's practice devoted to real estate law,

c. At least 25 prior real estate closings and/or title opinions,

d. A favorable recommendation from the attorneys given as reference,

e. Favorable recommendation from three or more lending institutions, savings and loan associations, finance companies, the Small Business Administration, the Federal Land Bank, the Farmers Home Administration, the Production Credit Association, the Federal Housing Authority, and other similar organizations to whom the attorney has rendered title opinions on property.

8.5 — Applicants for inclusion on the Council Listing of Approved Attorneys shall pay a fee of \$25.00 at the time of filing request for inclusion on the listing, which fee shall be deposited in the General Fund of the State of Louisiana and shall be non-refundable to the applicant regardless of the decision of the Council with respect to the listing.

8.6 — Any applicant for listing on the Listing of Approved Attorneys who is denied a listing may appeal the decision of the Council under the general appeals procedures of the State Department of Agriculture.

8.7 — Pending development of a comprehensive Listing of Approved Attorneys, the Council may approve attorneys on an individual basis, but the Council shall not approve attorneys for title opinions in the absence of all information required under Rule 8.2 after December 31, 1981.

8.8 — Applicants for inclusion on the Council Listing of Approved Attorneys may make application at any time throughout the calendar year, and the names of approved applicants shall be

added to the listing immediately upon approval action by the Council.

8.9 — The applicant for a Family Farm Council loan guaranty or interest payment adjustment shall be responsible for the payment of any fee for the required title opinion.

8.10 — The listing of any attorney for the Council Listing of Approved Attorneys shall be valid for a period of two years from the date of the Council's approval.

a. Thirty days prior to the second anniversary of each listing, the Council staff shall notify the attorney, at the last address furnished by the attorney, of the date on which approval for the listing will terminate.

b. The attorney so notified may renew his or her listing for an additional two-year period upon payment of a five dollar renewal fee without the necessity for submission of the information required under Rule 8.2.

8.11 — The Council staff may recommend to the Council at any time the removal from the Listing of Approved Attorneys the name of any attorney who, in their judgment, should be removed.

8.12 — Any attorney so removed from the Council Listing of Approved Attorneys shall be immediately notified in writing of the removal and may appeal such removal under the general appeals procedures of the State Department of Agriculture.

8.13 — Upon request, the Family Farm Council shall furnish any applicant or interested citizen a copy of the Listing of Approved Attorneys.

8.14 — The Council may, at its discretion, accept the title opinion of any attorney whose title opinion has been accepted by any other State or Federal lending agency, such as the Small Business Administration, the Federal Land Bank, the Farmers Home Administration, and so forth. In such event, however, the lending agency shall be required to attest in writing that the title opinion has been accepted by that agency for the purposes of the Family Farm Security Loan for which the guaranty is sought.

9.0 — Council Procedures for Initial Approval/Denial of Application for Loan Guarantee/Interest Payment Adjustment; notification.

9.1 — An application for a Family Farm Loan Guarantee/Interest Payment Adjustment shall be submitted for Council consideration at the first Council meeting occurring at least 20 working days following submission of the complete application.

9.2 — The Council shall approve/deny such application in accordance with the eligibility criteria set forth in Rules 2.0, 3.0 and 4.0 and in accordance with this Rule.

a. In determining the applicant's need for a loan guarantee and/or an interest payment adjustment, the Council shall consider all relevant matters, including but not limited to the applicant's financial statements and the possible availability and terms of a non-guaranteed loan from any lender.

b. The Council may also consider the financial situation of the applicant's immediate family insofar as said financial situation indicates the ability of the applicant to obtain financial assistance from the applicant's immediate family for the purchase of farmland.

c. A determination of creditworthiness of the applicant shall be based upon all relevant considerations, including but not limited to the applicant's credit rating, spending habits, and reputation for honesty.

9.3 — Upon approval of an application for a Family Farm Loan Guarantee, the Council shall immediately notify the lender or seller-sponsor and the applicant of its approval, returning the original of the application to the lender or seller-sponsor and a copy of the application to the applicant.

9.4 — Upon denial of an application for a Family Farm Loan Guarantee, the Council shall immediately notify the lender

or seller-sponsor, giving written reasons for such denial, and shall return the original application to the lender or seller-sponsor. A copy of the application and a copy of the written reasons for denial shall be forwarded immediately to the applicant.

10.0 — Re-application; review of determination.

10.1 — An applicant whose application has been denied by the Council may re-apply whenever his circumstances change, provided that such re-application shall not be filed in less than 60 days from the date of denial.

10.2 — An applicant who believes the Council erred in denial of his application may, within 90 days of the applicant's receipt of notice of denial, request that the application be reconsidered. The applicant may also present in writing any additional facts relevant to the reasons given by the Council for the denial. Upon receipt of a request for reconsideration, the Council shall, at the next regularly scheduled meeting, review the application and make a determination with respect to the request for review of its determination.

11.0 — Conditions for Execution of Family Farm Loan Guarantee Agreement.

11.1 — Proceeds of the Family Farm Security Loan must be disbursed to the applicant and/or scheduled for disbursement immediately upon execution of the Family Farm Loan Guarantee Agreement.

11.2 — Copies of the mortgage and note must be submitted for the approval of the Council and/or the Council attorney prior to execution of the agreement.

11.3 — The applicant must provide a copy of a plat survey completed within the nine years immediately preceding the date of the Family Farm Loan Guarantee Agreement by a registered land surveyor or certified civil engineer, provided, however, that the Council is authorized to waive, in writing, provision of the survey, at its discretion.

11.4 — The applicant must carry and provide evidence of fire and extended coverage insurance for an amount equal to the value of the improvements naming the Council as additional insured. The applicant must also provide a certificate evidencing such insurance, which certificate must provide that the insurance cannot be cancelled without 30 days prior notice to the Council.

11.5 — The applicant must provide a title opinion by an attorney selected in accordance with Rule 8.0, which title opinion shall include but not be limited to the following:

- a. A legal description of the property;
- b. Identification of the property owner, with pertinent recodation data;
- c. Satisfactory evidence that all taxes due on the property have been paid;
- d. A full and complete list of all mortgages, liens, encumbrances, and/or servitudes on the property; and
- e. Such other information as may be necessary for a full recital of the facts surrounding such property.

11.6 — Applicant must provide evidence of adequate title insurance, unless waived by the Family Farm Council.

11.7 — At the time of execution of the agreement, the applicant and/or the lender or seller-sponsor must provide copies of the executed note and the first mortgage on immovable property securing the note, and a mortgage certificate from the Clerk of Court of the parish in which the property is located.

11.8 — Lender must hold a first mortgage on immovable property appraised at no less than the amount of the Family Farm Security Loan.

11.9 — Lender must agree in writing that upon written notification by the Council, the applicant is in default for failure to maintain the land in active agricultural production for a period of time longer than one year and the Council has not waived this

requirement as provided in Rule 15.3; that the lender will follow procedures established in Rule 16.0 upon default for non-payment.

11.10 — Lender must agree to notify Council within 90 days after any default in any payment due under the note.

11.11 — Title to property governed by a Family Farm-Loan Guarantee shall not be transferred without prior notification to the Council.

11.12 — The guarantee shall not exceed 90 percent of all sums, principal and interest, due under the first mortgage on immovable property.

11.13 — The maximum amount, in principal and interest, of the Council's obligation under the Family Farm Loan Guarantee Agreement shall not exceed \$250,000.00.

11.14 — The interest rate to be paid on the loan at any payment during the term of the loan shall not exceed the prime interest rate at the time the loan is made.

11.15 — The term of the loan shall not exceed 40 years.

11.16 — The Commissioner, as authorized by the Council, shall execute the agreement on behalf of the Council.

12.0 — Conditions for Execution of Interest Payment Adjustment Agreement.

12.1 — Prior to execution of the Interest Payment Adjustment Agreement, evidence of compliance with all applicable conditions of Rule 11.0 shall be submitted.

12.2 — Lender must submit an amortization schedule for the period of the agreement, and must agree to provide, annually, a schedule of all payments of principal and interest made by the applicant during the previous year.

12.3 — Applicant shall execute a note payable to the Council, secured by a first or second mortgage on immovable property or a first mortgage on movable property to secure the interest payments made by the Council during the period of the Interest Payment Adjustment Agreement.

12.4 — The Council shall not accept a second mortgage on movable property.

12.5 — The Commissioner, as authorized by the Council, shall execute the agreement on behalf of the Council.

13.0 — Annual Determination of Eligibility for Interest Payment Adjustment.

13.1 — No applicant shall be eligible for an interest payment adjustment in any year when the net equity of the agricultural land holdings of the applicant, his spouse, or his dependents exceeds the sum of \$200,000.00.

13.2 — The applicant, his spouse and dependents shall annually submit, on or before February 1 of each year, a current statement of their net worth as of December 31 of the preceding year, specifically identifying that portion of net worth represented by agricultural land holdings.

13.3 — Lender's schedule of payments made by the applicant during the previous year, as required by Rule 12.2, shall be submitted on or before February 1 of each year.

13.4 — All annual statements of net worth and lender's schedules of payments shall be submitted to the Council for a determination of continuing eligibility at the first Council meeting scheduled after February 1 of each year.

13.5 — A determination of continuing eligibility shall be valid for a full calendar year unless there is a decided change in the status of the applicant, his spouse or dependents.

13.6 — The Council shall immediately notify each applicant, in writing, of the status of his eligibility for interest payments in the year in question. The lender shall also be notified of the applicant's eligibility for interest payments for the year in question.

14.0 — Repayment of Interest Payment Adjustment; Renewal of Interest Payment Adjustment Agreement.

14.1 — The applicant shall reimburse the Council for all sums paid as interest payment adjustments during the initial ten years of the agreement within 30 days after the tenth anniversary of the execution of the Interest Payment Adjustment Agreement.

14.2 — An Interest Payment Adjustment Agreement may be renewed for one ten-year period only.

14.3 — Any applicant desiring a renewal of the Interest Payment Adjustment Agreement shall so notify the Council no later than 90 days prior to the tenth anniversary of the execution of the Interest Payment Adjustment Agreement, provided that the Council may, at its discretion, extend this due date for notification up to and including the tenth anniversary of the date of execution of the agreement but no later.

14.4 — Any renewal of an Interest Payment Adjustment Agreement shall be subject to the same requirements as set forth in Rules 4.0 and 12.0 hereof.

14.5 — When an Interest Payment Adjustment Agreement is renewed, the note required under Rule 12.3 for the sums paid during the initial ten-year period shall be cancelled and another note executed covering the twenty-year period, and the mortgage shall be reinscribed for an additional ten years.

14.6 — When an Interest Payment Adjustment Agreement is renewed for an additional ten-year period, the applicant shall reimburse the Council for all sums paid as Interest Payment Adjustments during the 20 years of the agreement within 30 days after the twentieth anniversary of the execution of the Interest Payment Adjustment Agreement.

14.7 — Interest Payment Adjustment accounts shall become delinquent on the sixtieth day following the tenth anniversary of the date of execution of the agreement if not renewed, and on the sixtieth day following the twentieth anniversary of the date of execution of the agreement if renewed.

14.8 — The Council may commence foreclosure proceedings on any Interest Payment Adjustment account which is not paid within 90 days of the due date.

14.9 — Any applicant may reimburse the Council for sums paid as Interest Payment Adjustments in his behalf prior to the expiration of the initial ten years or the renewal period, provided that in the event the applicant pays such sums prior to the due date, the note required under Rule 12.3 shall be cancelled and, if requested by the applicant, re-negotiated for the period remaining in the Interest Payment Adjustment Agreement. The mortgage securing the note shall be cancelled and/or re-executed for the balance of the period.

14.10 — Any applicant may repay the sums paid as Interest Payment Adjustments on his behalf and cancel the Interest Payment Adjustment Agreement at any time during the period of the agreement without penalty.

14.11 — Whenever the Council determines that an applicant has become ineligible for an Interest Payment Adjustment because his net equity in agricultural land holdings exceeds \$200,000.00, the Council shall, at the same meeting, establish a schedule for the repayment of all sums advanced as Interest Payment Adjustments during the period of eligibility.

15.0 — Default for Failure to Farm Lands Purchased with Family Farm Security Loan.

15.1 — Any applicant who fails to maintain the land covered by a Family Farm Credit Loan in active agricultural production for a period of time longer than one year shall be in default.

15.2 — Any applicant who wishes a waiver due to a physical disability or other extenuating circumstances shall request a waiver, in writing, no later than one year from the date when the land was initially taken out of agricultural production. Failure to submit a request for waiver shall result in the loan being placed in a default status.

15.3 — The Council shall establish the date of default under Rule 15.1 and notify the lender, in writing, as required under Rule 11.9 of this established date of default.

15.4 — The Council shall follow the procedures set forth in Rule 16.0 whenever any loan is in default for failure to maintain the land in agricultural production as well as for loans in default for non-payment.

16.0 — Procedure Upon Default for Non-Payment.

16.1 — Lender shall notify the applicant and the Council by registered letter, within 90 days after any default on any payment of principal and/or interest.

16.2 — If the default continues for 180 days, lender shall execute on the loan guaranty agreement, in which event lender must assign all its interests in the property to the Council in exchange for payment according to the terms of the Family Farm Loan Guaranty Agreement.

16.3 — The Council shall immediately notify the defaulting party whenever payment of state funds is made to the lender under the guaranty agreement.

16.4 — The Council may commence foreclosure proceedings immediately after lender assigns interests in the property to the Council.

16.5 — Within 15 days from the date of conveyance of title to the Council and expiration of the time specified by law for redemption, the Council shall publish a notice of impending sale, which notice shall meet all requirements of law.

16.6 — The Council shall sell the property to the highest bidder as determined by taking sealed bids or public auction, and shall notify the successful bidder within 15 days after the last published date of the sale.

16.7 — All bidders shall submit security in the form of a certified check or bid bond in the amount of two percent of their bid price.

16.8 — The successful bidder shall remit the balance of the purchase price to the Council within 90 days of the sale.

16.9 — In the event the purchaser (successful bidder) fails to remit the balance of the purchase price within 90 days of the date of sale, the purchaser shall forfeit all rights to the property and any moneys paid thereon; and the Council shall recommence the sale process as set forth in the Rule.

16.10 — Upon default under a seller-sponsor loan guarantee, the seller-sponsor, only, shall have the option of (a) accepting the Council's loan guarantee, or (b) reacquiring the property after repaying the Council for all sums advanced as interest payment adjustments.

16.11 — In the event that a seller-sponsor exercises the option of reacquiring the land as set forth in Rule 16.10, the Council shall terminate the Family Farm Loan Guarantee Agreement and the note securing the interest paid pursuant to any Interest Payment Adjustment Agreement after all sums advanced as interest payment adjustments are reimbursed to the Council.

17.0 — Transfer of Property Secured under a Family Farm Loan Guarantee Agreement.

17.1 — Title to property covered by a Family Farm Loan Guarantee Agreement shall not be transferred without prior notice to the Council.

17.2 — Any applicant who sells or conveys the property for which a Family Farm Loan Guarantee Agreement was issued shall immediately retire the entire indebtedness still owed to the lender and any indebtedness owed to the Council under a related Interest Payment Adjustment Agreement.

17.3 — No applicant who has been granted a guaranty on a Family Farm Security Loan shall be prohibited from granting a security interest for the purposes of securing an additional loan.

18.0 — Prohibitions.

18.1 — The Council shall not approve any loan for any applicant who fails to submit all information required under Rule 6.0.

18.2 — The Council shall not approve any loan for any person who is not a resident of Louisiana.

18.3 — The Council shall not approve any loan for any person with any pending or outstanding charge or liability relating to failure or inability to pay promissory notes or any other evidence of failure to satisfactorily meet all obligations of indebtedness.

18.4 — The Council shall not approve any loan for any person when the purchase price of the farmlands exceeds the appraised value of the farmlands.

18.5 — The Council shall not approve any loan for any person when the interest rate of the loan exceeds the prime rate at the time the loan is given.

18.6 — The terms and conditions imposed and made part of any Family Farm Loan Guarantee Agreement or any Interest Payment Adjustment Agreement shall not be amended or altered by any member of the Council or employee of the Department except by subsequent or prior vote of approval of the Council in open session with full explanation for such action.

The said Rules and Regulations for the Administration of the Family Farm Security Loan Program will become effective on July 1, 1981.

Bob Odom
Commissioner of Agriculture

RULES

Department of Agriculture Livestock Sanitary Board

The Louisiana Department of Agriculture, Livestock Sanitary Board, pursuant to the authority granted by LSA 3:2223 and in accordance with Notices of Intent published on April 20, 1981, conducted a public hearing on May 7, 1981, at which public hearing the Board adopted the following amendments to its Rules and Regulations:

Section 6 of Regulation 8, Governing the Sale and Use of Brucella Abortus Vaccine, was amended to read as follows:

6. After January 1, 1982, all heifer calves in Louisiana must be calfhood vaccinated between four and twelve months of age with the reduced dose Brucella Strain 19 vaccine. All heifer calves must be permanently identified as vaccinates by tattoo and individually by eartag in right ear applied at the time of vaccination. The vaccination of heifer calves for brucellosis will make them eligible to be sold or moved from property that is owned or leased by the owner of the cattle.

Calfhood vaccination of heifers may be done on the farm or at an auction market. However, it must be done prior to the auction market sale. After January 1, 1983, any female cattle sold that are born after January 1, 1982, that are not calfhood vaccinates must be "S" branded and sold for slaughter.

Any calves or cows brought into Louisiana must meet the same calfhood vaccination requirements that apply to calves and cows raised in Louisiana. Health certificates will be issued only on calves and cows that meet the calfhood vaccination requirements.

Regulation 18, Governing Area Brucellosis Certification and Recertification, was amended by adding thereto a new Section 3, entitled "Procedures for Reinstatement of 'Modified Certified' Status", reading as follows:

A. Upon loss of modified certified status in any parish of the State, all cattle herds in the area must be blood-tested for brucellosis to achieve reinstatement of "modified certified" status.

Areas losing certification may be re-certified as "modified certified" upon compliance with the requirements set forth in Section 1 hereof.

B. In addition to the testing requirements, cattle producers may hold a referendum after the parish's loss of "modified certified" status:

(1) The referendum shall be conducted by the Livestock Sanitary Board in conjunction with the cattle producers organizations in the area. The referendum will be held within 90 days after the issuance of the call for the referendum. All producers of cattle in the affected area shall be eligible to participate in the referendum.

(2) At the referendum, the question of total mandatory vaccination for brucellosis of all adult cattle in the area, along with the brucellosis testing requirement of the cattle, shall be submitted to a vote of all producers of cattle in the area.

(3) If a majority of the eligible cattle producers vote in favor of mandatory brucellosis vaccination of all adult cattle in the area, all producers of cattle in the area will be required to vaccinate all adult cattle for brucellosis.

(4) The following herds may be exempt from adult vaccination requirements at the owner's request should the referendum be held and the cattle producers vote in favor of it:

- a) certified brucellosis-free herds;
- b) herds that test negative for brucellosis and all cows in the herd are official calfhood vaccinates;
- c) herds of registered cattle;
- d) dairy herds that are negative to the milk ring test.

A new Regulation 30, Payment of Indemnities, was adopted, reading as follows:

Section 1: Eligibility for Payment

Producers of registered and grade cattle found to be infected with brucellosis and dairymen whose herds are found to be infected with brucellosis shall be eligible for an indemnity payment for each infected animal slaughtered regardless of the point of concentration where the brucellosis is first identified.

Section 2: Source and Amount of Indemnification

Indemnities may be paid by either the state or federal government. When indemnities are paid by the State of Louisiana, the amount of the payments shall be set by motion of the Livestock Sanitary Board and information concerning the level of indemnification shall be made available to all producers of livestock and dairymen.

Section 3: Cattle Owners Not Eligible for Indemnification

No indemnity shall be paid to livestock owners who do not own the cattle 120 days prior to the testing. The owner must prove ownership of the cows tested.

Bob Odom
Commissioner of Agriculture

RULES

Department of Agriculture State Market Commission

The Louisiana Department of Agriculture, State Market Commission, pursuant to the authority granted in LSA 3:404 and in accordance with Notice of Intent published on April 20, 1981, adopted the following amendments to its Rules and Regulations for Administration of State Market Commission Loans and Loan Guarantees at a public hearing on May 6, 1981:

Paragraph (a) of Rule 4.2 was deleted and the remaining paragraphs re-numbered to make Rule 4.2 read as follows:

4.2 In order to have his or her name included on the State Market Commission Listing of Approved Appraisers, an applicant shall submit the following information:

(a) At least three written statements of his or her competence as an appraiser from organizations such as banks or other financial institutions, real estate boards or licensed real estate brokers, mortgage loan institutions, and so forth.

(b) A written statement of his or her areas of expertise in appraising property.

(c) A written statement of his or her years of experience in appraising property.

(d) Evidence of inclusion on the approved appraisers listing of any state or federally chartered banks, or such public agencies as the Small Business Administration, the Farmers Home Administration, the Production Credit Association, the Federal Housing Authority, or other similar institutions.

(e) A written statement containing any additional information which the applicant thinks would be beneficial to the Market Commission's determination of qualifications.

Paragraph (b) of Rule 7.2 was deleted and the remaining paragraphs re-numbered to make Rule 7.2 read as follows:

7.2 In order to have his or her name included on the State Market Commission Listing of Approved Attorneys, an applicant shall submit the following information:

(a) A resume of his or her experience in the practice of real estate law.

(b) A list of three or more attorneys who are familiar with his or her practice in real estate law who may be contacted for reference.

Bob Odom
Commissioner of Agriculture

RULE

Department of Agriculture State Market Commission

The Louisiana Department of Agriculture, State Market Commission, pursuant to the authority granted by LSA 3:405 and in accordance with Notice of Intent published on April 20, 1981, adopted the following Rules and Regulations for Certification of Official State Grades of Meat and Meat Products at a public hearing on May 6, 1981:

State Market Commission Certification of Official State Grades of Meat and Meat Products

In accordance with the authority contained in R. S. 3:405, the Louisiana Department of Agriculture, State Market Commission, hereby repeals its relative to official state grades of meat and meat products adopted on February 8, 1965, and enacts the following regulations governing the establishment and certification of official state grades of meat and meat products:

1.0 Establishment of Official State Grades for Meat and Meat Products

2.0 General Requirements for Certification of Meat and Meat Products

3.0 Requirements for Certification of State Grades of Specific Meats and Meat Products

4.0 Time Limitation for Issuance of Certificate

5.0 Waiver of Specification Requirements

6.0 Final Delivery of Product

7.0 Contractor's Obligation

* * * * *

1.0 Establishment of Official State Grades for Meat and Meat Products

1.1 Standards established in "Official United States Standards for Grades of Carcass Beef", U. S. Department of Agriculture, Food Safety and Quality Service (CFR, Title 7, Chapter XXVIII, Pt. 2853, Sec. 2853.102 - 2853.107) shall apply to all Louisiana grades of beef.

1.2 Standards established in "Official United States Standards for Grades of Carcass Pork," USDA, FSQS (CFR, Title 7, Chapter XXVIII, Pt. 2853, Sec. 2853.132-2853.137) shall apply to all Louisiana grades of pork.

1.3 Standards established in "Official United States Standards for Grades of Lamb, Yearling Mutton, and Mutton Carcasses", USDA, FSQS (CFR, Title 7, Chapter XXVIII, Pt. 2853, Sec. 2853.122-2853.127) shall apply to all Louisiana grades of mutton and lamb.

1.4 Standards established in "Official United States Standards for Grades of Veal and Calf Carcasses", USDA, Agricultural Marketing Service (CFR, Title 7, Chapter I, Pt. 53, Sec. 53.107-53.111) shall apply to all Louisiana grades of veal and calf.

2.0 General Requirements for Certification of Meat and Meat Products

2.1 The examination, acceptance and certification of meat, prepared meat, meat food products, and edible meat by-products shall be in accordance with U. S. Department of Agriculture Meat Grading Requirements.

2.2 Packaging, packing, closure, sealing, and marking requirements for Louisiana grades of meat and meat products shall be the same as those established in "General Requirements for Institutional Meat Purchase Specifications", U. S. Department of Agriculture, Consumer and Marketing Service, Livestock Division.

2.3 All meats, prepared meats, meat food products and edible meat by-products must originate from animals which were slaughtered or from product items which were manufactured or processed in establishments regularly operated under the supervision of the USDA, Meat and Poultry Inspection Program, or the Louisiana Department of Agriculture Meat and Poultry Inspection Program.

3.0 Requirements for Certification of State Grades of Specific Meats and Meat Products

3.1 All beef products shall be certified in accordance with the standards established in "Institutional Meat Purchase Specifications for Fresh Beef", U. S. Department of Agriculture, Agricultural Marketing Service, Livestock Division.

3.2 All lamb and mutton products shall be certified in accordance with the standards established in "Institutional Meat Purchase Specifications for Fresh Lamb and Mutton", USDA, AMS, Livestock Division.

3.3 All veal and calf products shall be certified in accordance with the standards established in "Institutional Meat Purchase Specifications for Fresh Veal and Calf", USDA, AMS, Livestock Division.

3.4 All fresh pork products shall be certified in accordance with the standards established in "Institutional Meat Purchase Specifications for Fresh Pork", USDA, AMS, Livestock Division.

3.5 All cured, cured and smoked, and fully-cooked pork products shall be certified in accordance with the standards established in "Institutional Meat Purchase Specifications for Cured, Cured and Smoked, and Full-Cooked Pork Products," USDA, Food Safety and Quality Service, Meat Quality Division.

3.6 All cured, dried, and smoked beef products shall be certified in accordance with the standards established in "Institu-

tional Meat Purchase Specifications for Cured, Dried, and Smoked Beef Products”, USDA, AMS, Livestock Division.

3.7 All edible meat by-products shall be certified in accordance with the standards established in “Institutional Meat Purchase Specifications for Edible By-Products, Series 700”, USDA, Consumer and Marketing Service, Livestock Division.

3.8 All sausage products shall be certified in accordance with the standards established in “Institutional Meat Purchase Specifications for Sausage Products”, USDA, Agricultural and Marketing Service, Livestock Division.

4.0 Time Limitation for Issuance of Certificate

4.1 Products prepared for delivery under a purchase order shall not be offered to the Department of Agriculture, Meat Grading and Certification Program, for examination, acceptance and certification more than 72 hours before shipment.

5.0 Waiver of Specification Requirements

5.1 Waivers and amendments to specification requirements may be made only with concurrence of purchaser and contractor.

5.2 A written statement of the precise nature of the changes in the specifications must be provided to the Louisiana Department of Agriculture meat grader prior to grading, examination, acceptance and certification of the product.

6.0 Final Delivery of Product

6.1 Final acceptance of the product will be the responsibility of the purchaser (consignee).

6.2 Products may be rejected for the following reasons:

a) No certification affixed;

b) Obvious deviations from specification requirements, without appropriate written notice of changes in specification requirements.

6.3 Purchaser (consignee) may accept product with minor deviations from specification requirements without written statement of agreed upon changes, but shall do so at purchaser’s risk.

7.0 Contractor’s Obligation

7.1 Contractors furnishing products under these regulations must furnish such assistance as may be necessary to expedite the grading, examination, and acceptance of products.

7.2 Contractors desiring grading/certification services must notify the Department of Agriculture at least 24 hours in advance of need. Contractors who fail to give at least 24 hours notice in advance of need will be subject to a penalty of \$50.00, regardless of the time required for the service or the fee assessed on a poundage basis.

7.3 The costs of all grading, examination, acceptance, and certification of meat and meat products shall be paid by the contractor at the rate of two and one-half cents per pound of meat or meat products graded, examined, or certified, which amount shall be due and payable to the Department of Agriculture upon presentation of statement(s) for services rendered.

7.4 A minimum call-out fee of \$50.00 shall be levied upon the contractor for each time an inspector is required, regardless of the time required for the service or the total number of pounds graded, examined, or certified.

The prior regulations governing Official Grades for Beef, Lamb, Mutton, Veal, Calf, and Pork, adopted by the State Market Commission on February 8, 1965, were repealed.

Bob Odum
Commissioner of Agriculture

RULES

Department of Commerce Racing Commission

The Racing Commission formally adopted the following

rules at its meeting of Friday, April 24, 1981 in Lafayette, Louisiana.

LAC 11-6:53.17 is amended by adding the following thereto after the last sentence thereof: “In the event the horse is claimed in the race in which the horse ran allegedly with prohibited medication, the new owner may enter and race the horse, however should the horse be claimed thereafter by the same owner who raced the horse, allegedly with prohibited medication, in the previous race in question, the horse shall not enter a race during the investigation and hearing concerning the horse in the previous race in question.”

LAC 11-6: 1.50 is amended by adding the following thereto after the last word thereof: “officers, employees, agents and/or representatives of the state chemist.”

LAC 11-6: 1.77 is adopted as follows: “State Chemist: The chemical testing laboratory concern or business under contract with the Commission to engage in chemical testing for the Commission and sometimes referred to as the Commission chemist and/or testing laboratory.”

Albert M. Stall
Racing Commission

RULE

Department of Culture, Recreation and Tourism Office of Tourism

The Louisiana Office of Tourism, an office of the Department of Culture, Recreation and Tourism, has adopted and will develop guidelines for the funding and administration of the Act 455 Matching Funds program. These guidelines will be developed in accordance with sound fiscal management and aimed at the smooth and efficient management of this program.

Guidelines

Act 455 Matching Funds Program Office of Tourism

CONTACT: Mr. Bob Dudden, Assistant Director, Louisiana Office of Tourism, Box 44291, Baton Rouge, Louisiana 70804, Phone: (504) 342-4900.

1. Any non-profit organization desiring funds for a specific tourist promotion project must first be recognized by the local governing body as “a Tourist Promotion Agency or Agencies” in an area authorized to receive this money. For a city or town this would be done by ordinance; for a parish, by resolution of the governing police jury or city parish government.

2. A proposal known as a “letter of intent” shall be made. This letter will be prepared by the Tourist Promotion Agency giving basic details about the project and why it is needed.

3. The applicant must show “proof of local funds.” In doing so, a copy of a bank deposit slip must show: (a) the name of the applicant; (b) the amount of deposit equals the amount of request; (c) the name of the project for which the funds are dedicated. There will be no in-kind monies for projects. All money must be on a dollar-per-dollar basis for matching funds grants.

4. Parishes and municipalities situated within a designated Economic Development District shall first submit to that Economic Development District director their applications for participating in the Matching Funds Program provided under Act 455, passed by the Legislature of 1970. Said applications shall be drawn up according to the requirements of Act 455, and subsequently screened by the respective Economic Development District directors. The “deadline for submitting applications” for review is no later than April 1 each year. The staff of the various Economic